



Reimagining Public Safety Task Force

## REIMAGINING PUBLIC SAFETY TASK FORCE MEETING

Thursday, February 10, 2022  
6:00 PM

District 1 - Margaret Fine	Youth Commission - Nina Thompson
District 2 - Sarah Abigail Ejigu	Police Review Commission - Nathan Mizell
District 3 - boona cheema	Mental Health Commission - Edward Opton
District 4 - Jamie Crook	Berkeley Community Safety Coalition - Vacant
District 5 - Dan Lindheim	Associated Students of U. California - Alecia Harger
District 6 - La Dell Dangerfield	At-Large - Vacant
District 7 - Barnali Ghosh	At-Large - Liza Lutzker
District 8 - Pamela Hyde	At-Large - Frances Ho
Mayor - Hector Malvido	

### **PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Reimagining Public Safety Task Force will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL <https://us02web.zoom.us/j/81983354907>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon on the screen.

To join by phone: Dial **(669) 900 9128** and Enter Meeting ID: **819 8335 4907**. If you wish to comment during the public comment portion of the agenda, press \*9 and wait to be recognized by the Chair.

*Please be mindful that all other rules of procedure and decorum will apply for Commission meetings conducted by teleconference or videoconference.*

## AGENDA

### **Preliminary Matters**

1. Roll Call
2. Public Comment (*speakers will be limited to two minutes*)
3. Approval of Minutes  
*Draft minutes for the Commission's consideration and approval*
  - Meeting of January 24, 2022

**Subcommittee Reports**

- Reconciliation – Members Fine, Lutzker, Malvido, Lindheim, Harger, Mizell, cheema
  - Presentation of Draft 2 of the Task Force Report

**Discussion/Action Items**

*The public may comment on each item listed on the agenda. Public comments are limited to two minutes per speaker.*

- Feedback and Discussion on Draft 2 of the Task Force Report - Reimagining Public Safety Task Force

**Next Steps**

- Task Force member assignments for the final report and March 10th work session

**Adjournment**

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900.

Any writings or documents provided to a majority of the Reimagining Public Safety Task Force regarding any item on this agenda are on file and available upon request by contacting the City Manager's Office attn: Reimagining Public Safety Task Force at [rpsf@cityofberkeley.info](mailto:rpsf@cityofberkeley.info), or may be viewed on the City of Berkeley website: <http://www.cityofberkeley.info/commissions>.

Written communications addressed to the Reimagining Public Safety Task Force and submitted to the City Manager's Office by 5:00 p.m. the Friday before the meeting will be distributed to members of the Task Force in advance of the meeting. Communications to the Reimagining Public Safety Task Force are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the Reimagining Public Safety Task Force, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the secretary of the task force. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary for further information.

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**COMMUNICATION ACCESS INFORMATION:**

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at (510) 981-6418 (V) or (510) 981-6347(TDD) at least three business days before the meeting date.

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Response and Recommendations  
to NICJR Report

Reimagining Public Safety Berkeley Task Force

March 2022



Reimagining



Public



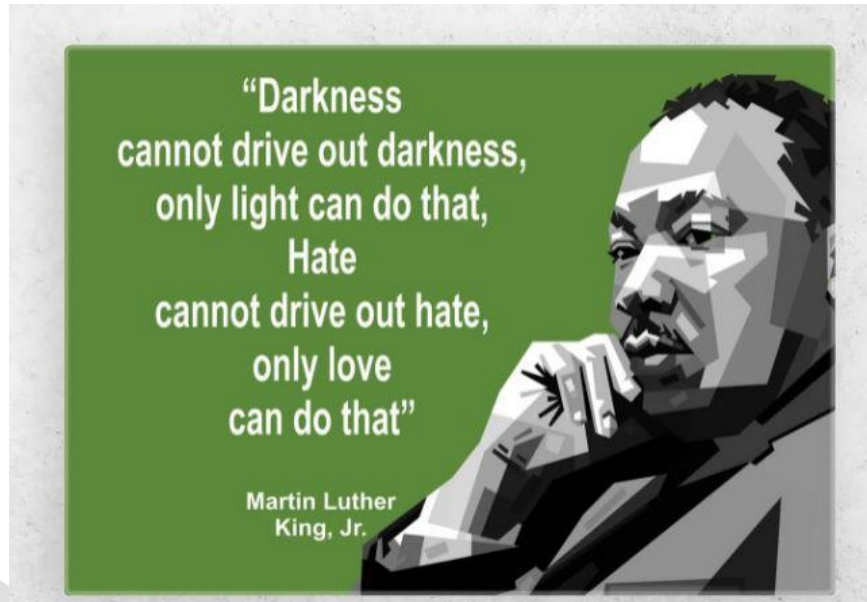
Safety



Berkeley Task Force



Equity, Diversity & Inclusion  
Appropriate Community Based Efforts



## **City of Berkeley Mission Statement**

Our mission is to provide quality service to our diverse community; promote an accessible, safe, healthy, environmentally sound, and culturally rich city; initiate innovative solutions; embrace respectful democratic participation; respond quickly and effectively to neighborhood and commercial concerns, and do so in a fiscally sound manner.

# Reimagining Public Safety Task Force Report

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[insert chart]

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“Public Safety underlies the health and well-being of every neighborhood, every family and every resident.”

## Task Force Letter to the Community Repairing and Doing Less Harm

We understand that policing is a challenging profession which is likely to leave law enforcement officers traumatized. We also recognize the harm that policing has historically revealed, disproportionately affecting Black populations, also Brown communities, LGBTQIA+, those who are differently abled, unhoused individuals and more. It is imperative that this harm be repaired, for the sake of healing all involved parties. The objective is to build sustaining trust and mutual respect between Berkeley residents/community and the Berkeley Police Department. Shouldering the responsibility of repair, authorities employed to restore peace are duty bound to do so.

Recommendations for accountability should look like the following and are not limited to these ideas:

- Service satisfaction survey distributed after police interactions
- Regular evaluations from the greater community (ex. Quarterly or twice yearly)
- Answerability and adjustments made accordingly

Another essential restorative measure which has not yet been discussed but may stand on its own is for offended parties (individuals and families subject to abuse by law enforcement) to be informed of levels of discipline rendered: such as supervisor referral, written advice, written reprimand, suspension or termination.

**The goal of *Reimagining Public Safety for Berkeley*** is one of the highest priorities for our city: Public Safety underlies the health and well-being of every neighborhood, every family, and every resident. Policies and practices that protect Public Safety must recognize the equal value of every community member and must apply protections fairly and equitably – yet systemic and structural racism means this is not our current reality.



Berkeley, like so many other cities across the Country, initiated the current *Reimagining* process in response to a series of high profile police brutality incidents that pulled the curtain back on this systemic racism and demanded a response. Police department-related issues (e.g. recruiting, training, hiring, procedures, and the mutation of the department's role beyond public safety) are high on the list of systems that need to be reimagined and restructured. But they are not the *only* systems that impact public safety, and if this process focuses too narrowly on internal police policies and protocols – if it moves too quickly to implement highly complex new initiatives without adequate analysis and planning – if it neglects to address the multi-dimensional inequity that *creates* patterns of crime, violence, poverty, and social disconnection – then it will fail.

Across American cities, neighborhoods with the highest rates of poverty, health inequities, low rates of home and business ownership, unsafe/unhealthy housing conditions, food insecurity, failing schools, and inadequate job opportunity are the *same neighborhoods* that have higher rates of crime and higher concentrations of justice-involved residents: the connection is inescapable. Moreover, those inequities are not random: they have been created by decades of disinvestment and neglect stemming from racially biased policies. And the cycle is self-perpetuating: communities with high levels of exposure to policing, criminal, legal and incarceration systems experience individual, family, and cultural trauma; they have a deep lack of trust in the police and the justice system; and they lack the resources and opportunities needed to escape and thrive.



Systemic inequity, and the uneven patterns of crime that result from it, is human-made: harm created by bad policies can be reversed and remedied by good policies. This is the

goal of Berkeley's Reimagining Public Safety process. But in order for the process to succeed, the people who personally experience these inequities must be integrally and continually involved – not just through initial listening sessions but *throughout* the design, decision-making, implementation, evaluation, and follow up. This is the only way solutions will truly see, understand, and address the reality of people's experiences, and the only way impacted communities will trust the changes being implemented.

We know that for many this effort feels like too little, too late: the hurdles feel insurmountable. And because of the pain experienced by communities of color and the urgent need for change, it can be tempting to move too quickly – but we must proceed with a cohesive vision at the foundation of all decisions (equity as our guiding star), and with thorough analysis to ensure that the measures put in place are realistic, effective, and enact the long-term change we seek.

We believe this process is a good beginning, and we look forward to continuing to work with all stakeholders on both short and long-term solutions that will make Berkeley a Public Safety model for other communities.

### **Task Force Members**

District 1 – Margaret Fine

District 2 – Sarah Abigail Ejigu

District 3 – boona cheema

District 4 – Paul Kealoha Blake

District 5 – Dan Lindheim

District 6 – La Dell Dangerfield

District 7 – Barnali Ghosh

District 8 – Pamela Hyde

Mayor's Office – Hector Malvido

Youth Commission – Nayo Polk

Police Review Commission – Nathan Mizell

Mental Health Commission – Edward Option

Berkeley Community Safety Coalition – Todd Walker

Associated Students of U. C. California – Alecia Harger

At-Large – Alex Diaz

At-Large – Liza Lutzker

At-Large –

# OVERVIEW

## Policing & The Berkeley Police Department History

**“The fault lines of our society have been exposed.**

The pressure points that we face in American society are the irrevocable products of its history. The brutality of the American experience for black people is incomparable and all efforts to curb the appetite for racist outcomes are indispensable to what comes next for our society. Reforming the professionalism of policing is a pit of despair because there is no reforming violence.

It is non-negotiable. Violence is unwieldy and does not easily yield to suggestion or manipulation. Policing is an anachronism precisely because it is incomplete and does not keep the entire society safe. The police have traditionally maintained the socioeconomic lines between white and non-white, rich and poor, the mainstream and countercultural. We must dismantle this system of oppression.”

Mr. L Dangerfield

As professor Nikki Jones of the University of California, Berkeley opines, “I believe it is the least imaginative and transformative component of the draft report and one that is likely to be mired in political battles and a good deal of resistance on the ground. It would also have the impact of investing what is likely to be millions of taxpayer dollars into policing, instead of investing much needed funding in building up an infrastructure of care in the city.”

The summer of 2020 brought with it the largest wave of protests in the history of the United States. While the proximal reason for the protests

was the murder of George Floyd, the unrest spoke to an underlying dissatisfaction with the place and the purpose of policing in our society. Cities across the country alit with riotous protests and community members packed city council meetings for weeks on end. In response to the community's call to action, the Berkeley City Council adopted Resolution NO. 69,501-N.S., with the intention of creating a "Community Safety Coalition." In creating the Coalition, later renamed The Reimaging Public Safety Task Force (RPSTF), the City Council was recognizing that "decades of police reform efforts have not created equitable public safety in our community, and our efforts to achieve transformative public safety will not be deterred by the inertia of existing institutions, contracts, and legislation." The RPSTF was given the mandate to "Recommend a new, community-centered safety paradigm as a foundation for deep and lasting change." Though the taskforce was created due to the George Floyd uprisings, the need for drastic changes to policing in the city of Berkeley, and the nation at large, existed long before protests swept the country.

In order to move forward, we must first consider the past. Since its inception, policing in America has been an institution deeply instrumental in the oppression of marginalized people. In the South, policing began as Slave patrols, in the North as a force to control new immigrant populations and suppress labor organizing, and in the southwest policing power was used to control indigenous populations and allow for the continued theft of indigenous land and resources.<sup>1234</sup> In general, policing was not developed out of the great concern for, or study of the nature of the crime, but as a rudimentary response to "disorder" and as a crude tool of political repression, sanctioned by the "rule of law." (**source if possible**).

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<sup>1</sup> Sally E Hadden, *Slave Patrols*, 2001

<sup>2</sup> <https://www.smithsonianmag.com/smithsonian-institution/long-painful-history-police-brutality-in-the-us-180964098/>

<sup>3</sup> <https://www.loc.gov/classroom-materials/immigration/native-american/removing-native-americans-from-their-land/>

<sup>4</sup> <https://ekuonline.eku.edu/blog/police-studies/the-history-of-policing-in-the-united-states-part-3/>

Through to the modern day the conception of “law and order” has been used to justify police brutality during protests, to violently police unhoused and mentally ill community members, and to police drug use and drug sales along class and race-based lines.

Policing has seen numerous reform eras since its inception, perhaps none more important than those launched by August Vollmer, the first police chief in the City of Berkeley and a champion of “progressive policing.” Vollmer sought to bring an end to the corruption and disorganization of Berkeley’s then town Marshalls. Because of this, the Berkeley police department has been in a near-constant state of reform since its inception. Vollmer’s career as Town Marshall began on the promise of a uniformed police force and an end to political favoritism in the department. Vollmer, a veteran of the Spanish-American War, applied many of the tactics he learned from fighting in the Philippines to policing in the city of Berkeley, such as the mapping of insurgent attacks in an attempt to predict future attacks (later transmuted into hotspot policing).<sup>5</sup> The war in the Philippines was a war for colonial control - control that was justified through racist depictions of Filipino people as rebellious and prone to criminality. When Vollmer imported military tactics to the city of Berkeley, he also imported this racialized lens. Conceptions of criminality were built around the lines of race and class in the progressive policing movement - as they always have been in the United States. Progressive attempts to regiment, professionalize and reform the police were enacted to prevent crime that Progressives felt was borne of poor people, people of color and immigrants.<sup>6</sup> Progressive policing, like early policing, was built along the lines of race, class and citizenship and this continued to reinforce the social hierarchies, both de facto and de jure, that caused unquantifiable harm to people of color, poor people and anyone whose existence threatened the status quo.

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<sup>5</sup> <https://www.kqed.org/news/11847612/who-was-august-vollmer-and-is-he-responsible-for-the-modern-police-force>

<sup>6</sup> <https://www.kqed.org/news/11847612/who-was-august-vollmer-and-is-he-responsible-for-the-modern-police-force>

Vollmer became a member of the American Eugenics Society in 1924. In his 1917 plan for the Berkeley School for Police he included “eugenics” and “race degeneration” in the course outline.<sup>7</sup> Vollmer believed that “feeble-minded, insane, epileptic and other degenerate person[s]” should not be allowed to have children and that “Preventing the socially unfit from multiplying [is] ... vital to national welfare and would greatly reduce crime statistics.”<sup>8</sup> Despite Vollmer's proud eugenicists beliefs, the city of Berkeley in general and the Berkeley Police Department in particular have hailed him as a shining example of positive reformism in police. The city of Berkeley website states that, “Chief Vollmer's progressive thinking and use of new innovations in law enforcement became the foundation that BPD has been built upon.”<sup>9</sup> The police department itself is acknowledging that the modern system of policing in Berkeley is built upon the legacy of a racist eugenicist.

Despite Vollmer's ideas being cited as foundational to the Berkeley police department, crucial pieces of his writings have been ignored. Namely, his view that policing had no role in drug enforcement or other forms of vice.<sup>10</sup> The Berkeley Police Department has selectively embraced Vollmer's thinking - continuing with his ideas of professionalism while ignoring his views on the inherent limitations of policing - all the while obscuring his history of racism and eugenics.

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<sup>7</sup> <https://www.berkeleyside.org/wp-content/uploads/2020/09/Vollmers-plan-for-UC-Berkeley-criminology-school-in-1917.pdf>

<sup>8</sup> <https://www.berkeleyside.org/2020/09/15/berkeleys-first-police-chief-supported-eugenics-prompting-calls-to-rename-vollmer-peak>

<sup>9</sup> [https://www.cityofberkeley.info/Police/Home/History\\_The\\_Earliest\\_Years\\_1905-1925.aspx](https://www.cityofberkeley.info/Police/Home/History_The_Earliest_Years_1905-1925.aspx)

<sup>10</sup> <https://babel.hathitrust.org/cgi/pt?id=uc1.b3639808&view=1up&seq=133&skin=2021&q1=vice>



” Despite immense spending on policing and incarceration, most data shows policing to be generally ineffective at preventing crime, especially violent crime.”

The 1960s would bring with them a short-lived period of social investment followed quickly by a decades-long period of police expansion. In response to the uprising in the 1960s, President Johnson created the Kerner Commission to address the causes of the uprising and find solutions. The findings were clear: “Our Nation is moving toward two societies, one black, one white—separate and unequal.” The report went on to detail the inequality in lived experience from police brutality to inadequate housing and municipal services. Sadly, its finding would be largely ignored, and the 1968 Omnibus Crime Control and Safe Streets Act would formalize the transfer of military equipment to the police department<sup>11</sup>. The election of President Nixon would only further solidify the pivot towards greater police spending. Federal spending on police departments increased by over 300 times (\$22 million to roughly 7 billion) from 1965 to the start of the Reagan Presidency<sup>12</sup>.

The 1980s would mark the beginning of mass incarceration and a further expansion of police funding. Today, yearly police spending in the United States equals roughly \$115 billion dollars. Despite immense spending on policing and incarceration, most data shows policing to be generally ineffective at preventing crime, especially violent crime. While some data show policing can have short-term, non-permanent effects, this finding rarely considers the negative systemic impacts of policing. Crucially, such studies rarely discuss the perceived gains of policing that could be accomplished through other means. Berkeley is not immune to the scourge of police misconduct or the efficacy issues that affect all departments.

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<sup>11</sup> Elizabeth Hinton, “A War within Our Own Boundaries”: Lyndon Johnson's Great Society and the Rise of the Carceral State, *Journal of American History*, Volume 102, Issue 1, June 2015, Pages 100–112, <https://doi.org/10.1093/jahist/jav328>

<sup>12</sup> Ibid

Though it is not common knowledge, the Berkeley Police Department has a vast history of misconduct and violence. In 2006, Former Sgt. Cary Kent pled guilty to tampering with as many as 181 envelopes of evidence from criminal cases dating back to 1998. Though the department claims that Kent's actions did not compromise any prosecutions, it is a stretch of the imagination to think that so much evidence could be tampered with without material consequences to the community.

In 2007 Officer Steve Flemming was suspected of having stolen money and other property belonging to people that he was arresting or booking into the Berkeley jail. The District Attorney decided not to prosecute - citing a lack of evidence.

Additionally, like police departments across the country, the Berkeley Police Department has responded to protests, particularly BLM protests, with violence and brutality. On December 6, 2014, the Berkeley Police department used tear gas, less lethal and generalized force against protesters to such an extremity that the city later awarded \$125,000 to seven plaintiffs in conjunction with an agreement from the Berkeley Police Department that they reform their use of force policy.

On February 12, 2013, the Berkeley Police Department was called to the apartment of Kayla Moore by a friend who was concerned about her safety. Moore was a Black trans woman living with schizophrenia. Though Moore needed mental health care and concern, the Berkeley police department immediately tried to place Moore under arrest. The police wrestled Moore to the ground and asphyxiated her to death under the weight of six officers. Moore was killed in a manner similar to George Floyd and for community members who were aware of how Moore was killed, George Floyd's murder was a stark reminder of the enduring injustice surrounding Moore's case.



Above are discrete examples of brutality, misconduct and corruption. However, by focusing on individual cases, one risks overlooking the day-to-day interactions that make up much of BPD's operations. The Berkeley Police Department regularly harasses, detains and displaces unhoused people in our city and has high levels of interaction with people who have mental health conditions. As is documented by contemporaneous reports dating back to the 1990s from Copwatch, a local organization that promotes grassroots police accountability, this pattern of racially inequitable policing and the mistreatment towards the unhoused are not new phenomena. These interactions are often aggressive and cause harm that cannot be calculated by any metrics presented during the Reimagining process. We cannot overlook the trauma caused by police interactions. Though it is hard to quantitatively measure, a study from Yale and Columbia university shows that there is a connection between interaction with law enforcement and mental health. We know anecdotally that many community members feel less safe in the presence of police officers, as is evidenced by the Peer Listening Session Report from Janavi Dhyani and Margaret Fine. Every interaction that BPD has with the public has the potential to create harm, particularly if the people they are interacting with are Black, unhoused, or mentally ill.

Moreover, we have evidence that shows that the Berkeley Police Department regularly engages in racist policing. Black people make up 8% of Berkeley's population but account for 34% of police stops.<sup>13</sup> Crucially, the yield rate for traffic stops also shows great racial disparity (20% and 40% for Black and White people respectively).<sup>14</sup> Traffic stops can be deadly - as is evidenced by the killing of Duante Wright and Janoah Donald - particularly for Black and Indigenous people, and this disparity in policing is unacceptable.

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<sup>13</sup> [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_Commissions/A.6\\_Police%20Data%20Presentation.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_Commissions/A.6_Police%20Data%20Presentation.pdf)

<sup>14</sup> [Fair & Impartial Policing Working Group - City of Berkeley](https://www.cityofberkeley.info/Documents/Fair%20and%20Impartial%20Policing%20Working%20Group)[https://www.cityofberkeley.info > Documents > 2...](https://www.cityofberkeley.info/Documents/Fair%20and%20Impartial%20Policing%20Working%20Group)



In the Berkeley Police Department's numerous presentations there was an overemphasis on training and professionalism without any reflections on the failures of the department (failures laid bare by the above policing disparities and misconduct). Nor were there any tangible proposed solutions. The need for radical change to policing in the city of Berkeley remains despite the rosy picture its leadership projected in this process.

Despite decades of reforms and local and federal investment, Policing in Berkeley has failed to adequately address crime and causes harm to our community. The Berkeley Police Department budget will take up a proposed 33% of the 2022 general fund budget expenditure, and the Berkeley Police Department has outspent its budget for at least the last three successive fiscal years. This 33% of taxpayers dollars does nothing to address the underlying causes of criminogenic factors such as homelessness and poverty, not to mention repairing harms caused by the department. The cyclical nature of crime response can create temporary impressions of crime suppression while doing little to redress the cycles of harm that are most closely correlated with crime. Improved public safety for all Berkeley citizens cannot occur in such a resource-constrained environment where a disproportionate amount of our budget is being sent towards a myopic and unproductive means of "community safety." We

must leave behind the hamster wheel of steadily increasing the budget for the police department whose record of solving crime does not match its outstretched funding. We must invest in programs that will serve our community. Policing is far from the ideal system for addressing harm, it is simply the most well-known.

When community members poured into our city council meetings and public comment ran for hours it was not just because of the horrifying murder of George Floyd. It was decades of misconduct, brutality, and corruption coming to a boiling point. Resolution NO. 69,501-N.S was passed because our typical paths of reform were not delivering positive outcomes and after decades of reformism we were still seeing deaths at the hands of the police. The Reimagining Public Safety Taskforce hopes to see true transformational change. Though the public pressure for defunding may have waned, the moral imperative to create a safer community remains.

Insert Votes Document

DRAFT

# 1. Berkeley's Community Engagement

## Diverse Groups Had Challenges Interacting with Police; Some Avoided or Did Not Call 911 Emergency Services

Citywide community engagement research conducted in 2021 by the Brightstar Research Group (BRG) and Task Force Commissioners showed broad support for reducing the policing footprint in Berkeley; for using de-escalation strategies to respond to calls relating to homelessness and mental health and substance use crises; and for prioritizing programs and funding to help vulnerable community members meet their basic needs. Many community members, particularly those who did not identify as white and/or who face housing security, reported feeling unsafe in the presence of police and that they do not look to the BPD for protection.

The community engagement research included a widely distributed survey throughout Berkeley, and focus groups and listening sessions with Black, Latinx, LGBTQ+, people with mental health challenges, those who were formerly incarcerated, people experiencing food and/or housing insecurity, vulnerable youth, and BIPOC students. The Task Force's Gender-Equity and Violence Subcommittee also conducted listening sessions with service providers focused on gender-based violence and intimate-partner violence. NICJR interviewed focus groups comprising BPD command staff and line staff and members of the Berkeley Merchant Association. [jc1] Finally, NICJR and the Task Force, with support from the City Manager's Office, conducted several citywide community meetings. [jc2]

### **Citywide Survey for Reimagining Public Safety in Berkeley**

The following brief summary seeks to highlight trends and preferences at a high level. More detailed summaries including more comparative analysis of results disaggregated by race are included in Appendix J to the NICJR report. In addition, the results of the communitywide survey may not be adequately representative of the community as a whole given the under-representation of people who identify as Black, Asian, Latinx, male, and younger people, and the over-representation of groups including people who identify as white, women, LGBTQ+, and people over the age of 45. Several wealthier zip codes were overrepresented as well.

Across groups, there is broad support for investment in mental health services. A majority of community members rated homelessness, sexual assault, shootings, and homicides as the most important public safety concerns. Drug sales and substance use are among residents' lowest public safety priorities.

Overall, a plurality reported feeling “somewhat safe” in Berkeley. White residents were more likely to perceive Berkeley as safe or very safe, and Black and other nonwhite residents were significantly more likely to perceive Berkeley as unsafe or very unsafe. A majority of community members are likely to call 911 in response to an emergency situation that does not involve mental health or substance use compared to an emergency that does relate to mental health or substance use. Across groups, a majority preferred a response to emergency calls related to mental health and substance use from “trained mental health providers with support from police when needed.” A large majority similarly preferred that homeless service providers respond to calls related to homelessness, with police support available when needed.

Black, unhoused people, and young people frequently reported feeling that the BPD and/or city leaders prioritize the safety of wealthy and/or white community members at the expense of their own safety. Black people and students believe gentrification is detrimental to community safety and community cohesion and negatively impacts their sense of belonging in their own neighborhoods. These groups were more likely to report feeling unsafe.

Respondents identified themselves as other than white were more likely to believe that the BPD is not very effective or not effective at all.

## **Community Focus Groups & Listening Sessions**

### **A. Black Identified Community Members, Latinx Identified Community Members, Justice-System-Impacted Students, and Low-Income Community Members Including Unhoused, Housing Challenged, and Formerly Incarcerated People**

Overall, the participants in these focus groups do not view the BPD as a community resource and instead rely on themselves and their communities for safety. Black men, women, and youth shared recent personal experiences of being racially profiled and stopped by the BPD and expressed feelings of anger about their experiences. Two

Latinx students explained that they and their friends are often stopped on and near the campus by both the campus police and the BPD because they do not fit the profile of the average UC Berkeley student.

In addition, the youth who participated in the focus group said they had witnessed the police harassing homeless people and immigrants working as street vendors. Individuals struggling with housing insecurity reported being targeted by the police due to their race and income level. As a result of harassment and targeting, many members of the Black, housing insecure, student, and youth focus groups attempt to avoid the police whenever possible.

At the same time, members of these groups often feel overlooked by those charged with keeping Berkeley safe, sensing that safety for some (whiter, wealthier) comes at their expense. They question the city's priorities, e.g. installing speed bumps and enforcing quality-of-life issues instead of improving police response times to emergency calls and building relationships with communities who experience racial disparities in both policing and crime. Youth especially voiced a desire for the BPD to use the power it has to support their communities, to be part of and live in their communities, and to engage in activities such as youth sports and mentoring.

These groups identified homelessness and the housing crisis as among the most pressing public safety issues in Berkeley and urged the city to provide for residents' basic needs. These groups shared a vision of community public safety defined less by the absence of crime and more by equitable access to a higher quality of life for low-income, unhoused, and Black and Brown residents.

Latinx focus group members also emphasized a desire for increased maintenance of public spaces, increased neighborhood lighting, traffic control, and addressing homelessness. It bears noting that BRG's findings and recommendations are derived from amalgamating their qualitative data from these focus groups without necessarily attributing a finding to a particular group. Because there were so few Latinx respondents, BRG analyzed the citywide survey research. The results indicating the views of this group in particular may not be representative of Berkeley's Latinx population overall.



## **B. Community Members with Mental Health Challenges (PEERS)**

The PEERS listening session participants primarily expressed their fears of interacting with police during a mental health crisis in the

community—fears that were frequently tied to lived experiences of a policing response negatively impacting their ability to feel “safe” in Berkeley. During the community engagement listening session, participants identified 1) feeling stigmatized as “public safety threats” by officers; 2) feeling that officers felt uneasy about connecting with them during a crisis; 3) the role of de-escalation if any, and 4) feeling traumatized or re-traumatized by police during a mental health crisis. Participants explained that police presence may exacerbate personal distress and create terror, rather than emotional “safety.”

## **C. LGBTQIA+ Staff—The Pacific Center for Human Growth**

A listening session with an LGBTQIA+ provider, the Pacific Center for Human Growth, which serves LGBTQIA+ people with mental health and substance use challenges, identified hate crimes against the group they serve, as well as the need for police and other first responders to have a more nuanced understanding of the experiences of QTBIOC people, including trauma. For example, one provider noted that QTBIPOC people may be resistant to a police response because of trauma and that they require a “calm, peaceful approach to addressing crises and to abide by the ethical standard, ‘do no harm.’” Providers reported that police often escalate situations when they arrive at the scene and that the people they serve would benefit from “get[ting] rid of the urgency’ or the notion of an ‘immediate solution’ during the crisis response.” One provider emphasized the need for an intersectional understanding that includes race, ethnicity, gender identity and expression, sexual orientation, disability, age, and class to understand the impacts of policing and perceptions of public safety.

## **D. Victims of Gender-Based Violence**

The Task Force’s Gender-Based Violence Subcommittee conducted two listening sessions with providers who serve domestic violence, human trafficking, and sexual abuse survivors. These providers reported that victims of such violence may experience barriers in accessing help and justice, including language barriers, the impact of trauma,



racism, discrimination, fear of immigration consequences, and an inability to meet basic shelter and other needs. Some victims will not look to police for help, and providers offered recommendations to provide alternative services and to invest in prevention efforts.

### **III. Recommendations Arising Out of Community Research**

The culmination of the community engagement research indicates that the following recommendations would have strong, broad community support with an emphasis on increasing the safety of Berkeley's most vulnerable residents:

1. Increase investments in community-based and peer-led violence prevention programs
2. Create Black-centered and Black-led mentorship interventions to help young BIPOC resist gang recruitment
3. Establish programs to help economically vulnerable residents meet their basic needs and invest more money in housing, health care, youth programs, and wraparound services
4. For Berkeley's unhoused residents, establish 24-hour street teams to provide medical and mental health care; provide more safe, indoor public spaces that stay open late; provide more drop-in programs to meet basic needs; and increase access to education, job training, and healing arts
5. Employ a first-responders team with diverse crisis members
6. Increase the capacity of community-based organizations to provide services and violence prevention, including in K-12 settings
7. Provide services for people who cause harm
8. Regularly update domestic violence policies and training for officers
9. Assign female officers to interview and examine female victims of gender-based violence
10. Police responses should include when possible a domestic violence advocate, a homeless service provider, a mental health professional, a social worker, etc. depending on the type of situation necessitating a police call
11. Train police in relationship building, cultural competency, de-escalation, and restorative justice
12. Employ safety ambassadors to act as a bridge between victimized communities and the BPD

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[jc1]Should we include a summary of this research too?

[jc2]I couldn't locate a summary of this.

## 2. TASK FORCE RECOMMENDATIONS

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## 3. POLICING, OFFICER-INITIATED STOPS

BERKDOT...LIZA

### 3. Policing, Officer-Initiated Stops, and Reducing & Eliminating Pretextual Stops in Berkeley

#### Direction from City Council: Create BerkDOT and Reduce/Eliminate Pretextual Stops

To address the stark racial disparities and risks of harassment and violence associated with traffic stops, as well as to enhance traffic safety, Berkeley City Council approved a measure in July 2020 to: “Pursue the creation of a Berkeley Department of Transportation to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations.”

#### **Reduction/elimination of Pretextual Stops**

Council’s recommendation to reduce/eliminate pretextual stops is well-underway. After multiple meetings throughout 2020, the Mayor’s Fair and Impartial Policing Working Group recommended that BPD focus “the basis for traffic stops on safety and not just low-level offenses” and “minimize or de-emphasize as a lowest priority stops for low-level offenses.” In February 2021, Council unanimously approved the Working Group’s recommendations for adoption.<sup>15</sup> Plans are currently underway for implementation, with quarterly updates being provided to the Police Accountability Board.

#### **BerkDOT**

Alongside the overall process of Re-Imagining Public Safety, the creation of a Berkeley Department of Transportation (BerkDOT) is moving forward as a parallel process. The purpose of BerkDOT is to significantly increase safety and enhance mobility in Berkeley, while reducing the potential for violence, humiliation and harassment during traffic stops. The vision for the new civilian-staffed BerkDOT combines the current Public Works Department’s above-ground street and sidewalk planning, maintenance, and engineering responsibilities and the current transportation-related BPD functions of parking enforcement, traffic law enforcement, school

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<sup>15</sup> City of Berkeley, City Council Special Meeting, February 23, 2021. Motion, Item #1: “Report and Recommendations from Mayor’s Fair and Impartial Policing Working Group” <https://www.cityofberkeley.info/uploadedFiles/Clerk/Motion%20Item%201%20Fair%20and%20Impartial%20Policing.pdf>

crossing guard management, and collision response, investigation, data collection, analysis, and reporting.

**The City of Berkeley is leading the country in this effort to de-police transportation**, with an approach that has been heralded nationwide as a model to follow. After Berkeley City Council passed BerkDOT, cities around the country (including, but not limited to, Oakland, San Francisco, Los Angeles, Seattle, Philadelphia, and Cambridge) have been discussing similar efforts, citing Berkeley's leadership on the issue. These cities, and others, are looking for Berkeley's leadership on this important issue. **It is critical that the groundbreaking work that City Council has launched on BerkDOT continue to progress, with appropriate resources, community engagement, and clear communications about the intent of the work.**

In Berkeley and around the country, issues of traffic stops and bias in policing do not occur in a vacuum. Transportation and mobility tie in heavily to inequities, social determinants of health, and resident well-being. For greater context and a more extensive discussion of these intersections, as well as a summary of community engagement findings around police transportation work in Berkeley, see THE ADDENDUM.

### **Racial Disparities in Traffic Stops by BPD**

The Berkeley Police Department has a consistent and long-running history of racial disparities in the traffic stops it conducts. In May 2018, the Center for Policing Equity (CPE) released a report documenting these disparities by analyzing vehicle stops from 2012 to 2016 and pedestrian stops from 2015 to 2016. CPE found that "Black persons in Berkeley were about 6.5 times more likely per capita than White persons to be stopped while driving, and 4.5 times more likely to be stopped on foot."<sup>16</sup> The report also found that "Hispanic persons were about twice as likely, per capita, as White persons to be stopped while driving." Notably, the CPE report found that, among both drivers and pedestrians stopped by BPD, when compared to White persons, Black persons were 4 times more likely and Hispanic persons 2 times more likely to be searched. Despite these disparities in both stop and search rates, the CPE report found that "Black and Hispanic persons who are searched are less likely to be found committing a criminal offense than their White counterparts are. Searches of Black individuals yield arrests only half as often as searches of White individuals do; searches of Hispanic individuals yield arrests 39% less often than searches of White individuals do." This underscores the idea that many of these stops are pretextual and biased in nature - Berkeley police are making stops in a racially disparate manner that is not backed by underlying rates of criminal offenses.

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<sup>16</sup> Buchanan JS, Pouget E, Goff PA (2018). The science of justice: Berkeley Police Department. Center for Policing Equity.  
[https://www.cityofberkeley.info/uploadedFiles/Police\\_Review\\_Commission/Commissions/2018/Berkeley%20Report%20-%20May%202018.pdf](https://www.cityofberkeley.info/uploadedFiles/Police_Review_Commission/Commissions/2018/Berkeley%20Report%20-%20May%202018.pdf)

In July 2021, using updated data from 2015 to 2019, the City of Berkeley's Auditor released a report on police response and performed similar analyses.<sup>17</sup> The Auditor's investigation showed similar disparities for Black persons as the CPE report: Black people in Berkeley were about 4.3 times more likely per capita than White persons to be stopped across all stop types – 4 times greater for vehicle stops, 4.5 times greater for pedestrian stops, 4.6 times greater for bicycle stops, and 6.3 times greater for “suspicious vehicle” stops. Notable disparities in stops for Hispanics were not observed. The Auditor's report also showed that, once stopped by BPD, there were significant disparities in search rates: Black people were more than twice as likely to be searched when compared to white people (25% vs 11%) and Hispanic people were about 50% more likely to be searched (17% vs. 11%). Yet the yield rate once searched (i.e. the percent of those searched who are then arrested) is about a quarter lower for both Black and Hispanic people compared to their white counterparts (19% for Black people and 20% for Hispanic people vs 25% for white people).

While racial bias in stop data is not a problem unique to Berkeley, Berkeley's traffic stop disparities for Black people are much higher than in many other jurisdictions in California: the stop-per-capita disparity shown in the CPE (4.5 times higher) and shown by the Berkeley Auditor (4.3 times higher) dwarfs the disparities seen in Oakland (disparity of 2.1)<sup>18</sup>, San Francisco (disparity of 2.6)<sup>19</sup>, Fresno (disparity of 1.9)<sup>20</sup>, San Jose (disparity of 2.6)<sup>21</sup>, San Diego (disparity of 2.4)<sup>22</sup>, Sacramento (disparity of 2.9)<sup>23</sup> and Los Angeles (disparity of 3.0)<sup>24</sup>.

Because the stop percentages are compared to population percentages to examine disparities, questions have been raised by BPD and others as to whether Berkeley's stark disparities could be accounted for by the presence of Black non-Berkeley residents driving through the city.

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<sup>17</sup> Berkeley City Auditor (2021). Data Analysis of the City of Berkeley's Police Response.

[https://www.cityofberkeley.info/uploadedFiles/Auditor/Level\\_3\\_-\\_General/Data%20Analysis%20of%20the%20City%20of%20Berkeley's%20Police%20Response.pdf](https://www.cityofberkeley.info/uploadedFiles/Auditor/Level_3_-_General/Data%20Analysis%20of%20the%20City%20of%20Berkeley's%20Police%20Response.pdf)

<sup>18</sup> Hetey RC, Monin B, Maitreyi A, Eberhardt, JL (2016). Data for change: A statistical analysis of police stops, searches, handcuffings, and arrests in Oakland, Calif., 2013-2014. Stanford SPARQ.

<https://stanford.app.box.com/v/Data-for-Change>

<sup>19</sup> Khogali M, Graham M, Tindel J, Rau H, Mulligan K, Mebius C, Dunn K, Johnson-Ahorlu RN, Martin D, Beckles C, Weintraub SB, Goff PA (2020). The science of justice: San Francisco Police Department. Center for Policing Equity. [https://www.sanfranciscopolice.org/sites/default/files/2021-03/SFPD.CPE\\_Report.20210304.pdf](https://www.sanfranciscopolice.org/sites/default/files/2021-03/SFPD.CPE_Report.20210304.pdf)

<sup>20</sup> Reis Thebault and Alexandria Fuller. “Justice for Who?” Unequal from Birth.

<https://unequalfrombirth.com/revision/justiceforwho/>

<sup>21</sup> Smith MR, Rojek J, Tillyer R, Lloyd C (2017). "San Jose police department traffic and pedestrian stop study." El Paso, TX: University of Texas at El Paso, Center for Law and Human Behavior.

[https://www2.sjpd.org/records/UTEP-SJPD\\_Traffic-Pedestrian\\_Stop\\_Study\\_2017.pdf](https://www2.sjpd.org/records/UTEP-SJPD_Traffic-Pedestrian_Stop_Study_2017.pdf)

<sup>22</sup> Justice Navigator, San Diego City, CA 2021: Traffic Stops. <https://justicenavigator.org/report/sandiego-city-ca-2021/vs>

<sup>23</sup> Justice Navigator, Sacramento City, CA 2021: Traffic Stops.

<https://justicenavigator.org/report/sacramento-city-ca-2021/summary>.

<sup>24</sup> Los Angeles Police Commission, Office of the Inspector General. Review of Stops Conducted by the Los Angeles Police Department In 2019. [https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23\\_d3e88738022547acb55f3ad9dd7a1dcb.pdf](https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf)

Starting in October 2020, Berkeley began collecting traffic stop data in accordance with the Racial and Identity Profiling Act (RIPA), which requires the collection of data on city of residence for all persons stopped by BPD, thus allowing this hypothesis around residence to be tested. Using 2021 RIPA traffic stop data, the disparity for traffic stops remains virtually unchanged - among Black Berkeley residents only, the per capita disparity in traffic stops is 4.1 (31% of traffic stops were Black people while the Black population in Berkeley has dipped to 7.6%).<sup>25,26</sup>

## **The Drain of Traffic-Related Duties on BPD**

Traffic stops are the single most common interaction people have with the police in the US,<sup>27</sup> and BPD performs an outsized number of traffic stops. In 2019, Berkeley police conducted nearly 11,000 traffic stops,<sup>28</sup> while Oakland, a city 3.5 times larger, had only 14,600 stops that same year (note: Oakland once had as many 38,000 stops (in 2015), prior to implementing their principled policing strategy).<sup>29</sup>

According to the Berkeley City Auditor's report analyzing 2015-2019 calls for service,<sup>30</sup> vehicle stops are the single most common type of police activity in the city, accounting for 13% of all police "events." After the 2nd most common type (disturbing the peace), vehicle stops are 2-4 times more common than any of the other top ten events. Adding in bicycle stops, the total number of stops over the 5-year period was 47,579 (for an average of 9,516 per year).<sup>31</sup> Vehicle and bicycle stops, in particular, stand apart from other calls for service in that the majority are officer-initiated (i.e., they are not initiated as a response to a community call to dispatch), making them attractive targets for how we might re-imagine policing. Officer-initiated responses represented 26% of police calls for service, and together, vehicle and bicycle stops represented a full 85% of these officer-initiated responses.

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<sup>25</sup> City of Berkeley Open Data, Berkeley PD - Stop Data (October 1, 2020 - Present).

<https://data.cityofberkeley.info/Public-Safety/Berkeley-PD-Stop-Data-October-1-2020-Present-/ysvs-bcge>

<sup>26</sup> 2020 Decennial Census. Table P2: Hispanic or Latino, and Not Hispanic or Latino By Race.

<https://data.census.gov/cedsci/table?q=Berkeley%20city,%20California&tid=DECENNIALPL2020.P2>

<sup>27</sup> U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Traffic Stops.

<https://www.bjs.gov/index.cfm?tid=702&ty=tp>

<sup>28</sup> Kate Gosselin. Traffic enforcement and collisions in Berkeley, CA from 2015 to 2019.

<https://sites.google.com/view/saferstreetsberkeley/home>

<sup>29</sup> Oakland Police Department, Office of Chief of Police. 2019 Annual Stop Data Report. <https://cao-94612.s3.amazonaws.com/documents/2019-Stop-Data-Annual-Report-6Oct20-Final-Signed-1.pdf>

<sup>30</sup> Berkeley City Auditor (2021). Data Analysis of the City of Berkeley's Police Response.

[https://www.cityofberkeley.info/uploadedFiles/Auditor/Level\\_3\\_-\\_](https://www.cityofberkeley.info/uploadedFiles/Auditor/Level_3_-_)

[\\_General/Data%20Analysis%20of%20the%20City%20of%20Berkeley's%20Police%20Response.pdf](https://www.cityofberkeley.info/uploadedFiles/Auditor/Level_3_-_General/Data%20Analysis%20of%20the%20City%20of%20Berkeley's%20Police%20Response.pdf)

<sup>31</sup> While considered in the Auditor's report, pedestrian stops were not included here, as a review of the descriptions shows that few relate to actual traffic-related violations. Instead, many "pedestrian" stops relate to "quality of life" violations such as blocking the sidewalk or having an open container in public.

Beyond traffic stops, BPD dedicates a significant amount of time to multiple other traffic-related functions, including collision response, parking violations, vehicle abatement, and management of traffic flow during events. In fact, events characterized as “Traffic” in the Auditor’s report account for nearly one-fifth (18%) of personnel time.<sup>32</sup> Not included in this 18% is time spent by sworn officers processing collision reports or managing the school crossing guard program, or time by non-sworn BPD employees such as parking enforcement officers or school crossing guards.



And finally, while BPD has its own Traffic Bureau, staffed with 3-4 officers, we still see that a full 25% of all events that patrol (i.e., non-traffic) officers respond to fall into the Auditor’s “Traffic” category. Time spent responding to these traffic events represents patrol time not spent preventing serious crime and building community trust.

### **Task Force Recommendation: Review Transportation Laws, Fines and Fees to Promote Safety and Equity**

Numerous laws, fines and fees are in place in Berkeley that do nothing to promote public safety but instead disproportionately punish poverty and trap people in an inescapable cycle of debt. These laws, fines and fees actually undermine true public safety.

Berkeley should conduct a full review of the Berkeley Municipal Code (BMC) and our structure of fines and fees as they relate to transportation. This review should specifically identify items that serve only to criminalize and penalize poverty or serve as pretext to target at-risk

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<sup>32</sup> Berkeley City Auditor (2021). Data Analysis of the City of Berkeley’s Police Response. [https://www.cityofberkeley.info/uploadedFiles/Auditor/Level\\_3\\_-\\_General/Data%20Analysis%20of%20the%20City%20of%20Berkeley's%20Police%20Response.pdf](https://www.cityofberkeley.info/uploadedFiles/Auditor/Level_3_-_General/Data%20Analysis%20of%20the%20City%20of%20Berkeley's%20Police%20Response.pdf)



Several transportation regulations within the BMC criminalize behavior that exists only because inadequate transportation infrastructure exists - individuals should not be penalized in these cases..

populations. Once reviewed, any identified items should be brought to City Council to either eliminate or revise. In cases when these BMC laws have State law equivalents, City Council should make clear that BPD should make enforcement of these State laws their lowest priority (i.e., decriminalize these behaviors).

Several transportation regulations within the BMC criminalize behavior that exists only because inadequate transportation infrastructure exists - individuals should not be penalized in these cases, but instead, the insufficient infrastructure should be addressed. One example is BMC 14.32.050, which requires pedestrians to obey “special traffic signals installed for pedestrians” even if vehicular traffic signals indicate it is safe for them to cross. The issue here is that Berkeley actuates these pedestrian signals through the use of “beg buttons” - these buttons only give a “WALK” signal if pressed before the traffic light turns green, but if pressed even fractions of a second after the light turns green, a pedestrian must wait a full light phase before being able to cross. This occurs even when there is ample time for a pedestrian to proceed.<sup>33</sup> Here, it is clear that safety is not the issue yet this law allows BPD discretion to stop and cite individuals in violation, opening the door to racial and other forms of bias. Instead, Berkeley could easily reset all signals to automatically give pedestrians a “WALK” signal when the vehicular traffic light turns green, without no need to press a button. The City did this at many intersections during the COVID-19 pandemic and could easily make those changes permanent alongside revising the code.

Another example of a law that should instead be addressed by changes in infrastructure is BMC 14.68.130, which bars riding bicycles on the sidewalk (except by juveniles and police officers). This law may be enforced regardless of whether safe bicycling infrastructure exists on a street, and it’s existence asks bicycle riders to weigh their personal safety and risks of being hit by a car driver with violation of a law that has not been shown to increase safety. A recent study in Chicago demonstrates this well - the study found that tickets for sidewalk riding were issued 8 times more often per capita in majority Black census tracts and 3 times more often in majority Latino tracts (compared to white tracts), but that across neighborhoods, tickets were issued 85% less often on streets with adequate bike infrastructure than on those without this infrastructure. Further, the issuance of tickets was not associated with increased collisions.<sup>34</sup>

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<sup>33</sup> Charles Siegel. (2018) “Opinion: ‘Beg buttons’ make Berkeley’s pedestrians less safe” Berkeleyside. <https://www.berkeleyside.org/2018/09/17/opinion-beg-buttons-make-berkeleys-pedestrians-less-safe>

<sup>34</sup> Barajas, Jesus M. "Biking where Black: Connecting transportation planning and infrastructure to disproportionate policing." *Transportation research part D: transport and environment* 99 (2021): 103027. <https://www.sciencedirect.com/science/article/pii/S1361920921003254>



Other BMC laws aren't easily addressed by infrastructure fixes but simply have no reason to be maintained in our code. One example is the bicycle licensing requirements laid out in BMC 14.68.0, requiring that all bicycle riders must have a license that gets renewed annually. Though the fees for the license are not excessive, the simple presence of this absurd law in the BMC provides a pretextual reason for BPD to target some bicycle riders, while providing absolutely no benefit to public safety. In early 2021 in Perth-Amboy, NJ, a similar law provided cover for police to approach a group of Black and Latino youth on their bikes, harass and handcuff them, and ultimately confiscate their bikes.<sup>35</sup>

Another issue is the matter of how Berkeley approaches fines and fees for violations issued. One example relates to our penalties for parking tickets, which can be devastatingly expensive to those experiencing poverty. While the city does offer an Indigent Payment Plan for Parking Citations<sup>36</sup> where late fees are waived and payments can be spread over time, there are substantial administrative hurdles to jump through to apply to this program and there is a limit of 3 parking tickets that can be managed under this plan. There is a required \$5 administrative fee and a required \$5 minimum monthly plan. Any failure to pay these in full or on time puts someone at risk of falling out of the plan and spiraling into excessive fines and fees. There is also an option to provide community service "in lieu of fees" but there are still administrative fees associated with this program, whereby a \$57 ticket could be worked off with 6 hours of community service, but with an associated \$20 administrative fee. The numbers provided here are given for a standard "inexpensive" parking ticket, but in some instances fees are much higher, including if a vehicle is towed (for example, due to the 72-hour rule (BMC 14.36.050) or parking improperly during UC Berkeley football games<sup>37</sup>), and in these instances individuals must pay the towing and storage charge plus an additional \$75 release fee.<sup>38</sup> For many, these spiraling fines and fees associated with a tow would lead to the loss of a car or license, and this loss of mobility can further lead to loss of access to employment, education or medical care.<sup>39</sup> Ensuring that cars are parked properly often does have an important public safety component, but not always, and punitive fines and fees certainly do not improve public safety.

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<sup>35</sup> Sarah Holder. "Bike License Laws Have a Racial Profiling Problem" Bloomberg City Lab. <https://www.bloomberg.com/news/articles/2021-04-23/the-biggest-problem-with-bicycle-licensing-laws>

<sup>36</sup> City of Berkeley. Indigent Payment Plans for Parking Citations: Frequently Asked Questions. [https://www.cityofberkeley.info/uploadedFiles/Customer\\_Service/Level\\_3\\_-\\_General/Indigent%20Payment%20Plan%20FAQ's.pdf](https://www.cityofberkeley.info/uploadedFiles/Customer_Service/Level_3_-_General/Indigent%20Payment%20Plan%20FAQ's.pdf)

<sup>37</sup> City of Berkeley. 2021 UC Berkeley Football Game Day Parking Enforcement in Residential Areas. [https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/2021%20Football%20Game%20Day%20Enforcement%20Flyer\\_V2.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/2021%20Football%20Game%20Day%20Enforcement%20Flyer_V2.pdf)

<sup>38</sup> City of Berkeley. BPD Frequently Asked Questions: How do I obtain a stored / impounded vehicle release?

[https://www.cityofberkeley.info/Police/Home/Frequent\\_Questions.aspx#Q.\\_Under\\_what\\_circumstances\\_are\\_vehicles\\_towed?](https://www.cityofberkeley.info/Police/Home/Frequent_Questions.aspx#Q._Under_what_circumstances_are_vehicles_towed?)

<sup>39</sup> Jorge Alvarado, Public Law Center, et al., Towed Into Debt: How Towing Practices In California Punish Poor People (2019). <https://wclp.org/wp-content/uploads/2019/03/TowedIntoDebt.Report.pdf>

Finally, Berkeley should reconsider how we issue tickets for equipment violations that do have a clear relationship to safety. Under California Vehicle Code (CVC 40303.5), certain vehicle equipment violations are eligible to be "corrected" within 30 days of the date of the notice of violation so that, with proof of correction, the penalty amount will be reduced to \$10. However, vehicle repair is very expensive and repair of an essential safety feature may be financially out of reach of many low-income individuals. To address this, for those equipment violations that are absolutely critical to ensuring public safety (e.g., if both headlights are non-functional), Berkeley should put in place policies and procedures directing BPD to issue such violations as "correctable" on the ticket, and further, should establish a program to provide vouchers for vehicle repairs for low-income drivers. This approach will reduce unnecessary fines and fees while at the same time ensuring that critical safety fixes get addressed regardless of someone's ability to pay.

DRAFT

## 4. PUBLIC SAFETY AND EQUITY

### Task Force Recommendation Fully Fund the BerkDOT Planning Process

The BerkDOT exploration and planning process is moving forward in parallel with the bulk of the Re-Imagining Public Safety Process. To date, Council has allocated \$175K to this process, an initial \$75K in October 2020 allocated as a result the City Manager's evaluation of Council's July 2020 BerkDOT referral<sup>40</sup> and an additional \$100K allocated in December 2021 to "continue the study of potential BerkDOT or alternate organizational structure."<sup>41</sup>

Given the size, scope and ambition of the BerkDOT proposal, and given the fact that Berkeley is the first city in the nation to approach this topic, there is a substantial need to adequately fund the BerkDOT exploration and planning process. In comparison, the SCU planning process received \$185K, but SCU faces no legal challenges and has numerous models from around the country off which to build. To-date, the \$175K allocated to BerkDOT has funded some initial background research and also a community engagement component (citywide survey<sup>42</sup> and listening sessions). Significant further research and community engagement are still needed to move this important and groundbreaking work forward, and many cities across the country are looking to Berkeley's leadership here. Currently, Public Works staff estimates that an additional \$200-250K would provide the adequate amount of funding needed to complete the BerkDOT planning process. Without this funding, the BerkDOT process cannot move forward with any degree of success, so the City absolutely needs to provide this funding.

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<sup>40</sup> City of Berkeley, Office of the City Manager, Update on Re-Imagining Public Safety, October 14, 2020. [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_General/Reimagining%20Public%20Safety%20101420.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Reimagining%20Public%20Safety%20101420.pdf)

<sup>41</sup> City of Berkeley, City Council: Supplemental Agenda Material for Supplemental Packet 2. FY 2021 Year-End and FY 2022 First Quarter Budget Update. December 14, 2021. [https://www.cityofberkeley.info/Clerk/City\\_Council/2021/12\\_Dec/Documents/2021-12-14\\_Supp\\_2\\_Reports\\_Item\\_44\\_Supp\\_Mayor\\_pdf.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2021/12_Dec/Documents/2021-12-14_Supp_2_Reports_Item_44_Supp_Mayor_pdf.aspx)

<sup>42</sup> [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_Commissions/21-8226%20Report%20of%20Preliminary%20Findings%20-%20Draft.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_Commissions/21-8226%20Report%20of%20Preliminary%20Findings%20-%20Draft.pdf)

## **911 and non-911 Call Processing and Dispatching**

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### **Berkeley City Council’s Direction to Have the Elected City Auditor Perform an analysis of the City’s Emergency 9-1-1 Calls-for-Service and Response**

As one of the fundamental components of the Reimagining Public Safety Initiative, the Berkeley City Council directed the elected City Auditor to perform an analysis of the 911 and non-911 calls for service and police responses for Berkeley. The City Auditor and the commissioned consultant, National Institute of Criminal Justice Reform, analyzed the Berkeley Police Department’s computer aided dispatch (CAD) data reflecting the City of Berkeley’s 911 and non-911 calls for service from 2015-2019. The City of Berkeley further directed the commissioned consultant, the National Institute for Criminal Justice Reform, to analyze these calls for service in its contract for reimagining public safety for Berkeley. Neither the City Auditor nor the consultant provided demographic or geographic population analysis. The City Auditor analyzed the total calls data from 2015-2019 (358,000 calls) for mental health and homelessness components, while the consultant divided the calls between penal and non-penal codes. There is further analysis below and Task Force recommendations.

## **Berkeley City Council’s Direction to Analyze and Develop an Alternative Non-Police Responder Program to re-assign non-criminal police service calls to a Specialized Care Unit (SCU).**

The City of Berkeley has directed analysis and initiated development of a Specialized Care Unit consisting of trained crisis response field workers who would respond to calls from the Public Safety Communications Center. The City of Berkeley contracted with a health, behavioral health, and social services agency called Research Development Associates (RDA) for community engagement research and a feasibility study to implement the SCU. RDA produced 3 lengthy reports, including: 1) USA and international non-police response models, 2) evaluation of current mobile crisis unit and deep community engagement research in Berkeley, and Final Recommendations and Report, which has thoroughly underpinned the program and provided a thorough implementation for move forward towards a Comprehensive 24/7 Behavioral Health Crisis Response Model. There are additional Task Force recommendations support this approach and framework.



## **The Emergence of 911 “The Little Known, Racist History of the 911 Emergency Call System”**

Excerpts below from: Katrina Feldkamp and S. Rebecca Neusteter, “The Little Known, Racist History of the 911 Emergency Call System,” In These Times, January 26, 2021. Rebecca Neusteter is a first author for the renowned Vera Institute studies on 911 call processing and dispatching. Katrina Feldkamp is a public service lawyer.

“Telephoning an emergency service was a thorny process until the late 1960s. Local jurisdictions (which often overlapped) all had their own local telephone numbers. When a person called the police, for example, first they had to figure out the relevant

jurisdiction they were in, then dial the department directly and hope someone was there to answer.

President Lyndon Johnson's administration is credited with "solving" these problems of responsiveness and efficiency with the creation of the centralized [911 system we know today](#). But the Johnson administration's motives were less than benevolent, aimed at quickly suppressing what it saw as harmful civil disorder — namely, protests by Black communities against segregation and police brutality.

In the summer of 1967, following several years of civil rights protests (159 across the country that summer alone), Johnson appointed a National Advisory Commission on Civil Disorders, better known as [the Kerner Commission](#). The Kerner Commission was tasked with studying 24 so-called disorders that had occurred in 23 cities that summer. The commission's 11 members (almost entirely white, male, moderate politicians) and 118 staffers and assistants issued recommendations for preventing future "riots" in [the Kerner Report](#), released Feb. 29, 1968.

The report is most remembered for condemning white America's racism as the primary cause of civil unrest in Black communities. It demanded investment in housing and social services for Black communities, recommended federal action to challenge discrimination in employment and education, and cited numerous instances in which police, not protesters, escalated riots. The commission, however, was not a bastion of progressivism."

"Tellingly, in the report's 'Supplement on Control of Disorder' — a section left out of nearly all published copies of the report but eventually converted into a training program administered by the Department of Justice — the Commission recommends expanding police capacity to suppress protests. The section advises state and federal law enforcement to intervene in civil disorders, recommends local police departments adopt militaristic riot control training and equipment (including tear gas) and encourages police departments to infiltrate Black communities."

"In February 1968, [Johnson argued to Congress](#) that the 911 number would decrease emergency response times, increase arrests and provide a "more immediate" solution to crime. Though [FCC Commissioner Lee] Loevinger warned Johnson it would likely attract calls that did not involve crime nor emergent harm, Johnson moved the project forward. In the 52 years following Loevinger's warning, countless 911 calls, dialed because of racial biases, have resulted in police violence and the murder of civilians, [and funneled millions](#) of Black, poor and oppressed individuals into the criminal justice system."

## **Introduction to the City of Berkeley's Public Communications Center**

The City of Berkeley has a Public Communications Center that is staffed by 911 professionals, managed under police leadership, and located in the Berkeley Police Department. In Berkeley, these professionals include call takers and dispatchers. In recognizing the importance of our 911 professionals, it is noteworthy that there are national and international associations such as the National Emergency Number Association (NENA) and the Association of Public Safety Communications Officials (APCO International, est. 1935), including for providing individual certifications and organizational accreditation.

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## 5. 911 Professionals' Duties

### City of Berkeley's Public Communications Center & 911 Professionals' Duties

Per the City Auditor's report, the 911 professionals—call takers and dispatchers—answer emergency and non-emergency calls and dispatch police officers to events; they also accept and process inbound 911 and administrative calls for police, fire, and medical services in the City of Berkeley (Auditor, 2021; 8). The City of Berkeley's call takers further input call information into the Computer Aided Dispatch (CAD) systems and transfer the information to fire and police dispatch staff (Ibid.). Dispatchers coordinate all police-related calls requiring a response from law enforcement and enter all officer-initiated incidents into CAD such as pedestrian and traffic stops; they maintain radio contact with field staff as well (Ibid.).

#### Berkeley City Council Direction - Calls for Service Analysis to Equitably Reduce Policing and Improve Wellbeing using calls for service data

For purposes of reimagining public safety, there must be an approach to analyzing 911 and non-911 and non-911 calls for service that results in reducing reliance on policing and equitably improving well-being for diverse and vulnerable communities who need emergency and nonemergency services: Black, Latinx, AAPI, immigrant, LGBTQIA+, people with disabilities, young, seniors, unhoused, formerly incarcerated and people with multiple identities. It is noted the City Auditor and the commissioned consultant did not analyze the CAD data by demographic populations or geographic areas such as zip codes or council districts.

However, the City Auditor's CAD data analysis assessed the available CAD data about the number of events that related to mental health and homelessness in Berkeley from 2015-2019. This 911 analysis is important for potentially reducing reliance on policing to meet the needs of diverse and vulnerable people experiencing distress in the community in an equitable manner that improves well-being in the field, although it is recommended to further include a substance use component.

- Specifically, the City Auditor's analysis identified 42,427 unduplicated events with a mental health component, or 12 percent of all events from (Auditor, 2021, 55). This analysis also identified 21,683 events involving homelessness,



which represent 6.2 percent of all events during the same time period (Auditor, 2021; 57). While the data analysis reported that these events are “significantly undercounted” as the Berkeley Police Department does not identify all calls related to mental health and homelessness (Auditor, 2021; 53-54).

- The commissioned consultant, on the other hand, analyzed 911 and non-911 calls for service by dividing call types into penal and non-penal categories in order to recommend 10 call types for non-police or civilian first responders (NICJR, 2021; \_\_). Eight of these 10 call types recommending by this consultant appear to include administrative duties that BerkDOT or another municipal government agency may address: abandoned vehicle, found property, inoperable vehicle, lost property, noninjury accident, vehicles blocking driveway, vehicles blocking sidewalks, vehicle double parking. Further the other call types such as disturbance and suspicious circumstance can be cross-referenced to the top 10 call types identified by the City Auditor with a mental health and homelessness component.

Further the City Auditor’s Data Analysis identified areas for improvement in call taking and dispatch for entering CAD data into the system. As it stands, call takers are trained to assign call types for the primary reason for the call, and currently they only have call types such as “suicide attempt” and “5150” as primary call type for someone experiencing a mental health crisis in the community (Auditor, 2021; 53). Further if the event involves a potential crime, dispatchers will always log it using a corresponding crime code and not a mental health call type (Ibid.). Thus, if a police officer arrives at the scene and there is no crime in progress, then the information may not reflect a mental health issue and moreover, may be assigned to another general call type such as welfare check or person down (Auditor, 2021; 53-54).

Moreover, the narrative descriptions entered by call takers and dispatchers, and the disposition codes used to reflect the actual event, do not necessarily capture a mental health or homelessness issue (Auditor, 2021; 54). The City Auditor’s research reflected that out of 28,959 events with a mental health term, only 23 percent assigned to a mental health disposition code and showed officers further do not use disposition codes consistently (Ibid.). Additionally, the CAD system does not have a disposition code that indicates an event where an individual is experiencing homelessness (Ibid.).

## **Community Engagement Research Underpinning Calls Service Analysis: Research Shows Diverse Groups Have Challenges with Police, and Avoid or Do Not Call 911 Emergency Services**

- **Citywide Survey Findings - Behavioral Health (mental health, substance use)**

The citywide survey findings showed overall that respondents are less likely to call 911 during emergencies related to mental health or substance use crisis (57.9%) in comparison to an emergency not involving mental health or substance use (86.2%). Further these findings showed that substantially more Black respondents indicated extreme reluctance to call 911 as compared with other groups.

Additionally, the citywide survey showed that across all respondents, 65.9% indicated a preference for trained mental health providers to respond to mental health and substance use emergencies “with support from police when needed” and 14.9% indicated a preference “with no police involvement at all.” In total, 80.8% of respondents indicated a preference for trained mental health providers to respond to calls related to mental health and substance use. See also Research Development Associations Final Report and Recommendations, p. 5.

- **People with Mental Health Challenges Listening Session**

PEERS discussed their perceptions and feelings about being seen as “public safety threats,” and generally something to be controlled rather than as human beings who need emotional “safety” to resolve their crisis. In particular, the participants expressed their fears of being met with police violence instead of with compassion and empathy for their plights.

Participants discussed their experiences interacting with officers. One participant commented that Berkeley police are “not ready to deal with people who are upset with emotional disturbances,” and that people in crisis “don’t need violence when people are angry” to resolve their crisis. Another participant felt the police “get scared of mental health” and said they “need to not be afraid of people, people who are eccentric.”

In addition, another participant expressed concern that “some cops [do] not feel safe...don’t speak a whole lot.” She commented about feeling “really uneasy” when you need “someone to talk more, like hostage negotiator, convey sort of friendship and comradery.” She discussed seeing someone “high energy, manic, talking real fast, as an opportunity for a person in the crisis to grow rather than shut down with drugs, incarceration, hospitalization,” and stated, “we need to learn, develop a field of knowledge of people in altered states.”



“...many people have negative feelings on police and when they see police “it can be triggering, it can be negative, not friendly, open.”

This participant further underscored that police officer “use major tool like [a] gun and bullets; something startles them, go for the gun.” The point was further underscored by another participant, who stated based on their experience with police, “that it is always with guns; it’s a threat, always a threat of violence out there, the police come with their guns,” and that we are “much better served with people not heavily armed, I don’t know how I think the conversation and non-violent tactics.”

One participant stated that “many people have negative feelings on police” and when they see police “it can be triggering, it can be negative, not friendly, open.” Another participant “witnessed police in action in Berkeley,” and said they did not want police on mental health calls, as they were traumatized to the point of seeing police in a “whole different light.” Yet another participant stated, “So many of us have been harmed when we are treated when we are in crisis.”

Participants further talked about how the presence of police could exacerbate the intensity of personal distress and create feelings of extreme terror and instant fear of extinction, as opposed to creating ones of emotional “safety.” While the participant did not describe the basis for officers’ arriving at the scene, he described his feelings about a police response by stating “it is multiple police cruisers, you feel like the world out to get you and annihilate you, officers are intimidating, 3-4 cruisers with multiple cops, very, very troubling and high-risk situation.” This feeling of being responded to, instead of being met with, is a sentiment 61 Appendix J people shared.

Individuals stated they did not desire to call 911 emergency services for fear of police response to a person experiencing a mental health crisis in the community. One person did not feel proud of their decision to call 911, knowing that police would arrive but did so because they did not feel like they had alternative options to provide that person with appropriate support. She stated: “I’ve had to call the police on people with mental health issues and it broke my heart and that is something I would not like to do.”

- **LGBTQIA+ or Queer and Trans People Listening Session**

Queer and Trans staff members at the Pacific Center for Human Growth participated in a focus group. One staff member who was absent from the focus group participated in a qualitative interview. The Pacific Center is a regional nonprofit providing public mental health and substance use services to Alameda County, including serving Berkeley

people. The focus group highlighted the critical need to have a nuanced understanding about how Queer and Trans people, particularly those Queer and Trans people of color, describe their lived experiences with policing and crisis response. The Pacific Center staff members discussed the role of police and how there may be psychological impacts as a result of the mere presence of police, and/or further escalation of a crisis due to the presence or role of the police.

One staff member discussed the trauma and how a police presence is traumatic for everyone when they show up as it creates a ‘huge scene for the neighborhood, flashing lights’ and then as a mental health professional having to unpack the trauma with families and clients. Another staff member, who was very explicit about their feelings about the police, said: “I stay away from the Berkeley Police Department and advise young people to do the same. The Berkeley Police Department are not my friends, they are not people who I trust as an entity, and not people I say should be called for help. There are difficult situations in which there is a Queer Black Femme Cis Woman and warm violence, but the person does not want to call the police. Every single interaction will not lead to hot violence, but we know statistically that Queer Trans BIPOC people with mental health issues, who are disabled or developmentally challenged, are far more likely to experience violence, be harmed and be killed.”

Moreover, the Pacific Center staff brought up the importance of intersectionality when talking about police response, and additional identity markers that statistically place QTBIPOC people at risk—which is different from factors based solely on race and ethnicity and reflects nonbinary gender identity and expression and non-heterosexual orientation. Staff members indicated that the role of police should support services to the community, especially LGBTQIA+ police officers supporting LGBTQIA+ community members.

#### Scholarship Indicates Diverse Groups Avoid or Do Not Call 911

There is ample scholarship showing diverse and vulnerable groups of people are reluctant, avoid or do not call 911 for fear of a police response to a medical, mental health, substance use, and/or other types of emergencies [to add more]

Literature Review to be set forth

**Task Force Recommendations to Equitably Improving Calls Processing including behavioral health and homeless call types, narrative descriptions, adding a disposition code for homelessness, and other improvements for reimagining public safety:**

At this stage the 911 call processing and dispatching research on mental health and homelessness offers the most direct approach to reducing reliance on policing and improving well-being for our most diverse and vulnerable communities. Given that alternative hotlines such as the national 988 mental health hotline and alternative non-police responders such as the Specialized Care Unit will soon be options for 911 professionals in Berkeley, we can have keen foresight and effectively plan for these changes by implementing these recommendations:

1. To identify all calls for service that have an apparent mental health, substance use, and homelessness component in a manner that protects the privacy rights of individuals involved (Auditor, 2021; 5—substance use added);
2. To create clear mechanisms for identifying mental health, substance use, and homelessness call types and to use them consistently during 911 call processing and dispatching including when they are not the primary reason for the call;
3. To consistently follow standardized language to describe mental health, substance use, and homelessness-related events in the narrative descriptions for every call;
4. To consistently use disposition codes for mental health events, and to create a disposition code for events that have a homelessness component;
5. To record any requests for a Mobile Crisis Team from the Division of Mental Health regardless if this team responds to an event.
6. To divert mental health, substance use, and homelessness calls towards a response designed to deliver a well-being orientation and services and avoid punitive measures resulting from policing, criminal legal, and incarcerations involvement whenever possible
7. To establish quality assurance standards and metrics for success to create and measure clear, consistent use of call types, narrative descriptions, and disposition code for mental health, substance use, and homelessness;
8. To expand the current calls for service data available on the City's Open Data Portal to include all call types and data fields (Auditor's Report, 2021; 5).

**Berkeley City Council Directive and Task Force Recommendation:  
Implement Specialized Care Unit (SCU) for Berkeley - An Alternative  
Non-Police Responder to Meet the Needs for People Experiencing  
Behavioral Health Challenges in Berkeley**

On July 14, 2020, Councilmembers Ben Bartlett and Mayor Jesse Arreguin and Councilmember Rigel Robinson proposed allocating general municipal funding to develop a Specialized Care Unit (SCU). The Specialized Care Unit (SCU) will be a non-police crisis response program for providing mental health and substance use services to distressed people in the community.

Councilmember Bartlett is the co-author of the Safety for All: The George Floyd Community Safety Act and Mayor Arreguin and Councilmember Rigel Robinson co-sponsored the municipal legislation. In the municipal legislation, they stated the SCU would “allow the police to focus on investigating and solving crimes while reducing the problem of over-policing black communities” and further that “More residents will experience better outcomes in public safety and community health.” They cited these types of crisis assistance in other areas such as Eugene, Oregon where a “program known as CAHOOTS has been in place for 30 years.”

In January 2021, the City Manager designated the Director of Health, Housing, and Community Services, Dr. Lisa Warhuus, as the project manager for the Specialized Care Unit program. Dr. Warhuus further established an SCU Steering Committee to work with the commissioned consultant, Research Development Associates, on the SCU program. The SCU Steering Committee is composed of municipal and community stakeholders: Fire, EMT, Mobile Crisis Unit for the Division of Mental Health, Mental Health Commission, and community leaders including from the Berkeley Community Safety Coalition (BCSC).

The City of Berkeley contracted with Research Development Associates to conduct three distinct reports in order to initiate the process to establish an SCU for Berkeley. For the past year, the SCU Steering Committee met bi-weekly including to work extensively with the commissioned consultant on the reports. The reports are available on the Reimagining Public Safety Task Force website.

The first report, “Crisis Response Models Report,” presents a summary of crisis response programs in the United States and internationally. The second report, “Mental Health Crisis Response Services and Stakeholder Perspectives Report,” is the result of

extensive community engagement with stakeholders of the crisis system. These stakeholders include City of Berkeley and Alameda County agencies, local community-based organizations (CBOs), local community leaders, and utilizers of Berkeley's crisis response services. The report also presents a summary of key themes to inform the Specialized Care Unit model.

The third report, "City of Berkeley Specialized Care Unit Crisis Response Recommendations," proposes the consultant recommendations and guide implementation of the SCU model in the City of Berkeley. This report includes core components and guiding aims of the SCU model; stakeholder and best practice-driven design recommendations; considerations for planning and implementation; a phased implementation approach; system level-recommendations; and future design considerations. It is noteworthy that each recommendation put forth is deeply rooted in the stakeholder feedback of the two previous reports.

**Task Force Recommendation: Establish a Crisis Stabilization Center to Meet the Needs of People Experiencing Behavioral Health Challenges in Berkeley and & Further Implement a Comprehensive 24/7 Behavioral Health Crisis Response System in Berkeley**

To establish a Crisis Stabilization Center for the City of Berkeley to provide 24-hour clinical observation and peer respite for people experiencing mental illness and/or substance use who need voluntary urgent care in the community.

The Substance Abuse and Mental Health Services Administration defines crisis stabilization services as:

A direct service that assists with deescalating the severity of a person's level of distress and/or need for urgent care associated with a **substance use or mental disorder**. Crisis stabilization services are designed to prevent or ameliorate a **behavioral health crisis** and/or reduce acute symptoms of mental illness by providing continuous 24-hour observation and supervision for persons who do not require inpatient services." (SAMHSA, 2014; 9)(SAMHSA, 2020; 23).<sup>[1]</sup>

Over the last two decades, crisis centers have been expanding across the country, evolving to become more comprehensive, recovery-oriented, and welcoming to individuals, first responders, and referral sources (NASMHPD, 2020; 10). Key components for crisis stabilization centers often include 24/7 staffing with a multidisciplinary team of behavioral health (mental health and substance use)

specialists, including peers, clinicians, and psychiatrists or nurse practitioners (via telehealth)(NASMHPD, 2020; 10).<sup>[2]</sup>

Crisis Stabilization Centers can serve as an alternative to using emergency departments and moreover, criminal legal and incarceration systems as a crisis response to individuals experiencing a mental health and/or substance crisis in the community. They can receive referrals, walk-ins and first responder drop-offs. (SAMHSA, 2020; 22). SAMHSA has further defined minimum expectations to operate crisis receiving and stabilization services, including accepting all referrals, not requiring medical clearance, designing services for both mental health and substance use issues, being staffed (24/7/365) with multidisciplinary team capable of meeting the needs of individuals experiencing all levels of crisis (SAMHSA, 2020; 22).

Additionally, in areas where methamphetamine use is prevalent such as California, crisis providers have further become skilled in addressing methamphetamine induced psychosis, recognizing the need to treat the psychosis first and then connect individuals to the right level of care (NASMHPD, 2020; 10). Further crisis stabilization centers have addressed individuals who may need withdrawal management services (detoxification), including to offer services or provide immediate linkages and referrals, and to arrange transport to detoxification programs for crisis center clients who require that service (Ibid.).

Crisis Stabilization Centers can thus represent a clear opportunity for improving the crisis response system to better meet the needs of distressed individuals from mental illness and/or substance use. These centers are designed to address the behavioral health crisis, reducing acute symptoms in a safe, warm and supportive environment while observing for safety and assessing the needs of the individual (NASMHPD, 2020; 10). They can further reduce trauma and costs as a more appropriate level of care for people who do not require involuntary commitment to address their behavioral health needs (Ibid.).





**An appropriate level of behavioral health care needs to be trauma- and harm-reduction informed, culturally safe, equitable and inclusive to meet the needs of Berkeley populations.**

**Task Force Recommendation: Implement a Behavioral Health General Order for the Berkeley Police Department that Emphasizes Diversion Away from Policing Whenever Possible**

To develop a Behavioral Health General Order that addresses mental health, substance use, and 5150 involuntary holds in one general order that is designed to divert people experiencing a behavioral health crisis towards an appropriate level of care and away from policing, criminal legal processing, and incarceration whenever possible.

There is a need for one Behavioral Health General Order that addresses behavioral health— both mental health and/or substance use—for people experiencing distress in the community, including partly to address 5150 involuntary commitments. For purposes of reducing policing and improving well-being, the aim of this Behavioral Health General Order is de-escalating a behavioral health crisis and diverting people towards an appropriate level of care and away from arrest, detainment, criminal case processing, and incarceration whenever possible.

An appropriate level of behavioral health care needs to be trauma- and harm-reduction informed, culturally safe, equitable and inclusive to meet the needs of Berkeley populations: Black, Latinx, AAPI, immigrants, LGBTQIA+ and Queer/Trans, people with disabilities, young, old, formerly incarcerated, historically or currently marginalized— those groups delineated in the Berkeley City Council’s reimagining public safety referrals, resolutions, and directives in the omnibus packaged dated July 14, 2020.

Currently the BPD General Orders related to behavioral health are focused on: 1) CIT (Crisis Intervention Training), 2) Mentally Disordered Persons, 3) Intoxicated Persons. Initially it is important to evaluate the language contained in these orders to ensure they do not use stigmatizing language. Moreover, there are a significant number of people who may experience distress resulting from the impacts of both mental illness and substance use, and the general orders need to account for this prevalent reality.

Symptoms can manifest from a mental health condition such as schizophrenia that mirror those from substance use such as methamphetamine. Symptoms of both mental illness and substance use can further manifest simultaneously and they may not be decipherable unless, for instance, the impacts from substance use diminish in intensity over time. Consequently, this reality means evaluating both mental health and substance

use issues and conditions or potentially missing key considerations of critical needs for determining an appropriate level of care treatment and diverting people away from criminal case processing and incarceration.

As it stands, the Berkeley Police Department has a "Crisis Intervention Team" General Order that provides four primary objectives for their CIT Program, including de-escalating crises, reducing the necessity for use of force, reducing recidivism, and collaborating with behavioral health providers and consumers to meet these goals. However, this General Order indicates dispatching CIT officers when possible and as an ancillary duty. Thus, it is possible Berkeley police officers may respond to crisis who are not trained to de-escalate mental health crisis and potentially if CIT trained, they may not have received substance use training.

The "Mentally Disordered Person" General Order defines a "mentally disordered person" as a "person who is a danger to him-/herself, others, or is gravely disabled as a result of a mental disorder." This General Order is designed to define the state law language under the Welfare and Institutions Code, Sec. 5150, and the legal requirements to implement it, as opposed to providing a Behavioral Health General Order that addresses persons in crisis from the impacts of mental illness and/or substance use and when it rises to the level of a 5150 involuntary hold for purposes of diverting people away from involuntary treatment when possible and only using 5150 holds as a last resort. It is noted that the terms "mentally disordered" may be stigmatizing and that potentially using a person experiencing a mental health crisis may improve the language.

The "Intoxication" General Order defines "Intoxicated person" as any person who, by reason or his/her ingestion of an alcoholic beverage and/or drug use, loses the ability to provide for his/her immediate safety and/or welfare needs. In addition, the BPD "Intoxication" General Order states that it is designed to "permit dispositions other than incarceration for intoxicated persons to provide for the welfare of the subject and maintenance of peace."

It is noteworthy that the "Intoxication" General Order discusses "custody" and the basis for detaining a person, but also eligibility for release and non-criminal disposition, and sets forth options for police officers such as driving the "intoxicated" person home if not subject to physical arrest and booking. Generally, this "Intoxication" General Order appears to be framed more in terms of meeting safety and welfare needs and diversion from punitive measures such as criminal case processing and incarceration.

Overall the BPD CIT General Order uses a de-escalation approach for people in a mental health crisis, while the BPD "Mentally Disordered Person" General Order for 5150 involuntary holds states that it is designed to "establish policy and procedure for

the custody and transportation of mentally disordered persons to designated treatment facilities, and other processes." It does not provide for persons who do not meet the 5150 standard and diverting them to an appropriate level of care and not criminal case processing and incarceration. It is also framed in terms of people experiencing mental illness as generally dangerous, and not necessarily as vulnerable individuals deserving of treatment and services. Thus, an overarching, comprehensive Berkeley Police Department Behavioral Health General Order would potentially provide for streamlining the current orders and diverting as many people as possible away from policing and towards well-being services in the community.

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## 6. Proposed Tiered Dispatch & CERN

### Introduction to Tiered Dispatch

The commissioned consultant for the City of Berkeley, the National Institute for Criminal Justice Reform, has proposed an alternative non-police first responder program referred to as “CERN”–Community Emergency Response Network. As previously discussed, the consultant looked at the Auditor’s calls for service analysis of 358,000 calls from 2015-2019 and re-classified those calls into penal and non-penal calls. Based on their analysis of non-penal calls, they determined 10 call types that an alternative first responder, their proposed CERN, could respond to in the community. The call types, as formerly discussed, focus primarily on traffic and property related calls, and those calls that may likely have a mental health or homelessness component such as disturbance or suspicious person.

In addition the commissioned consultant recommends a 911 tiered dispatch program whereby the City of Berkeley’s Public Safety Communications Center would have 4 tiers for dispatching first responders to people in the community. Tier 1 would only dispatch CERN responders in response to the non-criminal calls for service. For Tier 2, CERN responders would lead and officers would be present. The calls for service would have a low potential for violence where arrest is unnecessary or unlikely, however, the consultant did not recommend specific call types for Tier 2. Tier 3 refers to officers leading and CERN present for non-violent felonies where there is a low potential for violence, and arrest is unnecessary or unlikely. Again, the consultant did not recommend specific call types for Tier 3. For Tier 4, only officers would respond as these calls for service would involve serious violent felonies.

Under their Reduce construct, the consultant NICJR states: “To achieve the goal of a smaller law enforcement footprint and to reallocate a portion of the BPD budget towards more community supports, NICJR recommends the Implementation of the Tiered Dispatch/CERN model

## **CERN**

This section addresses issues concerning the structure and implementation of the NICJR “Tiered Dispatch/CERN model”.

An underlying premise of the Reimagining process was that many current calls for service do not require a badge or a gun and can be better handled by non-police response. This is the view of both the Task Force and the NICJR consultant. Further, there is agreement that most mental health and homeless related calls for service fit into this category, as well as various other call types. There is also general agreement that there is a continuing role for police – primarily to focus on community crime and violence and responding to calls for service involving crimes and or violence.

## General Questions: 911 Call Processing and Dispatching First Responders

The general agreement masks many complex questions that are either not, or inadequately, discussed by the consultant in their discussion of their CERN proposal. Questions include:

- (i) who determines, and at what point in time, which calls are handled by whom (e.g., by CERN, BPD, SCU);
- (ii) what is the system (or multiple systems) for both receiving calls and routing the responses;
- (iii) how does one system (e.g., CERN) mix and match with other programs under discussion (e.g., SCU);
- (iv) who will provide and staff these non-police responses (i.e., City staff or contractor, professional credentialed or community responders) and if contractors, under what color of authority will they provide City service;
- (v) when will staffing, and at what staffing level, be available to change, if at all, the allocation of calls for service -- whatever the merits of replacing police, we cannot replace something with nothing;
- (vi) what system is in place should the nature of the call change (i.e., what is the back-up system in case seemingly benign calls turn violent and/or criminal);
- (vii) is BPD involved (e.g., as co-responder, as back-up, etc.) or are they required to be separate from these non-police responses;
- (viii) what liability issues do these new responses present to the City; (ix) what impact, if any, does reallocating some percentage of calls for service from police affect the

minimum police patrol staffing necessary to perform their function of focusing on and responding to calls for service involving crimes and or violence.

The basic premise of the CERN model is that the only appropriate use of police is in responding to criminal or violent calls for service and that CERN would handle 50% of “Tier 1” calls (calls for service that are neither criminal nor violent.) CERN assumes that the current 911 Dispatch would refer certain Tier 1 calls to a CERN dispatch (i.e., that meet certain criteria regarding call for service call type.)

### **Inquiry 1 – Determining What a Tier 1 Call Is**

There is no clear agreement between Dispatch and NICJR as to how to interpret or dispatch many types of calls. Many calls considered CERN-referral calls by NICJR (e.g., disturbance) may be considered BPD calls by Dispatch. This is because very frequently the call provides insufficient information to know what is actually happening.

In Task Force meetings, and in “sit-alongs” with Dispatch, it was clear that very little was known until someone was dispatched to the scene. Moreover, Dispatch seemed reluctant to send police officers to some (apparently non-criminal) calls without available officer back-up. Whether they would refer these, and other, calls to a CERN unit is unknown.

**While these issues might be resolvable through actual implementation, it was clear to the Task Force that there had been no serious vetting of the NICJR proposal by Dispatch. Moreover, when discussing the NICJR proposals with the Task Force, senior Dispatch officials took serious objection.**



**Note:** It is the view of BPD that while they agree that many calls for service may ultimately not require police intervention, they argue that until the officer is dispatched to the scene to assess the situation, that this determination cannot be made.

It should be noted that various SCU type programs addressing mental health and substance use calls for service divert some calls to their SCU version without sending police to the scene. There are SCU type programs in Eugene, Portland, Olympia, Seattle, Sacramento, Oakland, San Francisco, Santa Cruz, Los Angeles, Albuquerque, Houston, Austin, Denver, Chicago, New York City.



Some 911 centers also use behavioral health call scripts to screen for low level mental health and substance use calls that can be handled by alternative non-police responders. It is also well-established that the majority of 911 calls are not police related.<sup>43</sup> It is important to further consider how we can move forward to ensure equitable 911 service delivery for diverse groups of people. The SCU consultant has proposed training for dispatch in the Final Report and Recommendations, including with other cities that have these programs.

It should be noted that the BPD uses general communications procedures that are not tailored for behavioral health call processing and dispatching, and there is a need to improve the CAD system for handling behavioral health calls at the BPD Public Safety Communications Centers. Potentially these deficits contribute to the resistance by call takers and dispatchers to support alternative responders.

## **Inquiry 2 – CERN and SCU**

It is unclear how CERN would relate to whatever SCU dispatch system is forthcoming or whether a successful build-out of the SCU would reduce demand for CERN. While the Reimagining and SCU processes were distinct, they were occurring at the same time and **the NICJR proposals did not seem informed by the**

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<sup>43</sup> See Vera Institute studies and the Community Responder Model Report by the Center for American Progress and the Law Enforcement Action Partnership. The later report has further shown substantially adverse outcomes for communities of color, people with behavioral health disabilities and others from sending police unnecessarily in response to these calls for service (see report, 2020, p. 3).

## **SCU process or recommendations. There could be substantial confusion and complexity in piloting both SCU and CERN at the same time.**

The BPD Public Safety Communications Center handles 911 calls for service and will presumably continue to do so, including for CERN and other calls. The consultant, RDA, has proposed a separate line for SCU as many diverse and marginalized groups do not use 911 for fear of police response.

The proposed 10 call types for CERN can generally be divided between BerkDOT and SCU. 7 of 10 call types are property and traffic related reporting/administrative duties. 2 call types for disturbance and suspicious person may include a mental health or homelessness component. Ultimately there may be no reason for establishing a CERN if other alternative responders can take on the work.

The 911 recommendations above in this Reimagining Report include specific items to improve call processing and dispatching for mental health and substance use calls, including addressing call types, narrative descriptions, disposition codes, etc. that allow for appropriately categorizing calls.

### **Inquiry 3 – Back-up**

There was no NICJR discussion as to whether CERN (or SCU) staff would have back-up from BPD should that become necessary or requested. This is important for two reasons: (i) for

the security of the non-police responders; and (ii) the strongly held view of both SCU and Task Force members that it is important for callers to be assured that their call for assistance will not result in any possibility of referral to police and the criminal justice system. The future of any non-police response system depends on the continued security of non-police responders. Protecting callers for service from any police involvement for certain types of calls was considered of major importance.

#### **Inquiry 4 – Staffing**

NICJR indicates that CERN responses would be provided under contract to local non-profits. Some non-profits were briefly identified, though **there was no analysis of their capacity to handle the CERN work.** Assuming for the sake of argument that a CERN system makes sense, there is an important debate as to whether this should be staffed by City staff or outside contractors. For some calls for service, particularly the mental health ones to be handled by the SCU, contract responders may provide excellent service. For other calls for service within the CERN Tier 1 list, there is a question as to what staffing qualifications and capabilities are required and whether responses might be better handled by City staff as opposed to non-profit contractors. In particular, there is a question whether non-City staff responders would have the legitimacy or authority to address conflicts between residents.

The NICJR report provides examples of Tier 1 CERN-related issues (e.g., a noisy party or blocked driveways). NICJR states

that the mediation skills of the non-profit team would be sufficient to gain resolution. This may not be the case. Resolution may not necessitate the police, but it might require the possibility of some form of citation (e.g., by code enforcement officials.) Similarly, for blocked driveways, what authority will the non-officer have to issue a parking ticket or authorize a tow?

These are not irreconcilable issues, but they do need to be thought through. In both cases, a code enforcement model might be applicable using their authority to issue citations. This will not work if staffing is with non-profit employees. If staffed with City employees, it will require increasing code enforcement staffing.

**The issue of responder qualifications or whether color of City authority may be necessary, or how often, is not discussed or analyzed by NICJR.**

It is worth noting that for the SCU, the SCU consultant, RDA, has recommended an EMT, behavioral health clinician, and peer specialist. As their staffing model.



## **Inquiry 5 -- More Dispatch Issues**

Dispatch issues are at the core of the implementation of any Reimagining process. Whatever changes are recommended or approved must consider the realities faced by Dispatch.

Dispatch currently has limited triage responsibilities. It essentially dispatches officers to respond to calls for service. If a call seems to be a mental health call, and when the MCT is on duty (roughly 25% of the time), Dispatch also sends the MCT. Dispatch has no other triage responsibilities (other than to counsel the caller themselves). If mental health, homeless, or other Tier 1 calls continue to get routed through Dispatch, this will require a major change for Dispatch. Dispatch will now have to determine who to send the call to: BPD or some other responders. In addition, if dispatching to other non-BPD, to what extent will these calls require some form of back-up.

Questions requiring consideration and not analyzed by consultant

- (i) how to mix/match/coordinate 911 calls for police, SCU, CERN
- (ii) how will the community know who to call for which services, especially if want no BPD involvement?
- (iii) how will responses be coordinated if some calls go to Dispatch and others go to a separate dispatch phone number?
- (iv) what is the process for resolving these issues?



The consultant reviewed the Auditor's report regarding calls for service (CFS) and determined that a large percentage of types of calls for service need not be handled by BPD.

The City of Berkeley has executed a contract for a public safety consultant to work with the Fire/EMS Department in order to address 911 call processing and dispatching for fire/EMS calls for service. The City's contract provides some \$100,000 for up to 3 years for this purpose. We do not know the full scope of this project, but it intends to enhance triage responsibilities outside BPD. In addition, there is a possibility of placing a mental health clinician outside of the BPD dispatch including at the CBO for SCU.

#### **Issue 6 – Effects on Patrol Staffing and Potential Police Savings**

NICJR recommends that by removing 50% of non-violent, non-criminal calls for service from BPD that BPD Patrol staffing could be reduced by 50%. NICJR explicitly maintains a BPD role to focus on crime and violence, **but NICJR does no analysis of the Patrol staffing levels necessary to perform the new BPD Patrol role.**

This issue merits further discussion. The belief that removing some calls for service from BPD will have a corresponding reduction in BPD Patrol staffing needs, and that these reductions can finance the build-out of the SCU and whatever form of CERN-like entity the City ultimately pursues, **was not analyzed by the consultant.**

## **(a) Consultant recommendation of 50% reduction in Patrol is not based on analysis**

The consultant reviewed the Auditor's report regarding calls for service (CFS) and determined that a large percentage of types of calls for service need not be handled by BPD. The consultant also stated that some types of calls for service do need to be responded to by police.

From this "analysis", the consultant asserts that half of BPD "patrol" officers could be removed from Patrol. However, there is nothing in the consultant report that would lead to this conclusion. The consultant did not study the personnel resources it takes to respond to each type of service and made no analysis of the police resources needed to respond to those calls for service the consultant states should remain with police. The consultant just assumed, not based on analysis, that all calls for service are roughly identical in terms of staffing demands.

The major question regarding the potential for reducing police patrol staffing is analyzing the number of officers on duty at any point in time (not on average across a year) that are needed to respond to that set of calls for service deemed to require BPD (calls involving crime, violence, and other requisite BPD responses). Currently, Patrol is staffed at 22-24 officers for most shifts (1 per each of the 18 Patrol beats with some minor additional coverage) and roughly 9 officers during the "dog-watch" hours of the early morning in which each officer covering 2 of the 18 Patrol beats).

Key question: regardless of how many Tier 1 calls for service are taken from BPD, how many fewer Patrol officers on duty at any particular time are sufficient to provide adequate coverage for those calls for service deemed to require police responses?

(i) Would two-thirds of this staffing be sufficient (i.e., 14-16 officers on duty during major hours and 6 officers in the wee hours)?

(ii) Would half of this staffing be sufficient as stated by the consultant (i.e., 11-12 officers on duty per principal shifts and 4-5 officers for the entire city during the wee hours)?

We could imagine that BPD could adequately cover Berkeley Patrol needs with fewer beats and hence fewer officers to cover these reduced number of beats, but determining the magnitude of such reductions and creating a reduced number of police beats requires analysis and **this was not studied by the consultant.**<sup>[1]</sup>

The Task Force attempted to elicit information from the Acting Police Chief during her many presentations to the Task Force, but she was not forthcoming (presumably not wanting to negotiate Patrol staffing reductions in public.)

Bottom line: the operational question is not the number of calls for service of different types as per the consultant approach; rather, it is the minimum police staffing, at any point in time, that is required to respond to those calls for service that the City deems should be responded to by BPD as well as any other BPD Patrol duties. **This remains to be analyzed.**



## **(b) Patrol staffing vs. BPD staffing**

In analyzing potential reductions to BPD staffing, it is important to differentiate Patrol staffing (about 60%) and all other BPD sworn staffing. In Berkeley, non-Patrol staffing includes Investigations (investigating crimes), Community Services, Administration, among other functions. Many proponents of reducing Patrol (including the consultant), believe it is important to maintain or increase Investigations. *(Note: the consultant called for an increase of 5 officers in Investigations.)*

Assuming that many Patrol functions can be better handled by non-BPD does not lead to a corresponding reduction in non-Patrol staffing. As such, the consultant recommendation to reduce Patrol by 50% (the lack of consultant analysis to support that recommendation notwithstanding) would only reduce total BPD sworn staffing by 50% of the 60% of BPD sworn or a total of 30% reduction. Moreover, the consultant recommended that 5 of those reduced from Patrol should be re-assigned to Investigations. In sum, this would lead to a reduction of 35 officers or about \$7-8M per year. This 35 compares with total BPD sworn staffing of or about 22%.

## **(c) Potential Unintended Consequences of Reduced Patrol Staffing**

BPD “de-escalation” is based on controlling situations by responding in numbers with multiple officers. This compares with the Oakland approach of using fewer officers to “control” incidents, but with a more aggressive use of weapons. Reduced Patrol staffing may make

current de-escalation difficult and result in more aggressive responses (e.g., additional uses of force).

Query: Will reductions in Patrol officers on duty lead to arguments for additional uses of force? This was not analyzed by the consultant and will bear close monitoring.

### **Inquiry 7: CERN Staffing – pilot staffing numbers seem insufficient**

NICJR proposes staffing their CERN pilot as follows:

“NICJR’s recommendation is to divide the City into two CERN districts and award contracts to two CBOs to cover each district. Each CERN district should have three teams (one team per shift) of two CERN responders or Community Intervention Specialists, plus two additional Community Intervention Specialists as floaters to cover staff who call out or are on vacation.”

Whatever the merits of CERN, this staffing model seems insufficient. It claims to cover 3 shifts per day with 3 teams but seems to ignore weekends. It mentions some coverage for vacation, but there will be sickness, training, and other drains on staffing. As indicated above re policing, it roughly takes 5x staff to cover one full staff slot 24/7. NICJR is only indicating coverage at 3x. This is a minor concern but seems to substantially understate the requisite staffing and the consequent costs.

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[1] Technical note: To staff one shift 24/7, requires a minimum of 4.2 staff, just to cover the hours – i.e., 7 days x 24 hours = 168 hours/week; this requires 4.2 x 40 hour shifts. Taking into account vacation, sick leave, training, court time, etc., this 4.2 rises to approximately 5x. Taking into account vacation, sick leave, training, court time, etc., this 4.2 rises to approximately 5x.

[1] “The Police Operations Division budget, which houses costs associated with Patrol, comprised between 52 and 60 percent of the Department’s budget during the review period; Patrol is responsible for responding to CFS in the City of Berkeley.”

“This analysis suggests that under any scenario, officer time associated with responding to all calls for service accounts for less than half of the Police Operations Division budget. . . This result suggests that most costs are NOT associated with on-scene response.” (p. 11)

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### Task Force Recommendation Improving Gender Equity in Berkeley

Investments by the City to address gender-based violence could have a profound impact on the community, not only in preventing further abuse, but to build a future in which all community members feel safe at home, and in their communities. The Task Force hosted two listening sessions for providers of gender-based violence (domestic abuse, sexual assault, and human trafficking) to identify ways in which responses could be improved, enhanced, and reimaged.

Input gathered from these listening sessions as well Task Force members' expertise, form the basis of the 10 recommendations listed below. It is estimated that implementation of these recommendations would cost just under one-million dollars. A chart of estimated costs is contained at page \_\_, of this report.

- 1. Provide City leadership to host regular meetings and coordinate services.** The City should create a forum for service providers, advocates, community members and response teams (police department, mental health crisis) to address issues related to domestic violence, human trafficking, and sexual abuse. This group should meet regularly. City leadership should also participate in county-wide efforts, like the Family Violence Council in Alameda County<sup>[1]</sup>

**Rationale:** Having the City serve as lead will institutionalize these much-needed partnerships. These meetings would be especially important if a tiered response system is adopted by the City, as victims and survivors of crime will be captured in all tiers (e.g. domestic violence may be reported by a caller as a noise disturbance). During the first listening session, many of the providers noted that the listening session was the first time that they had been asked for their feedback. Establishing a forum would forge new and ongoing partnerships between the City and providers. For survivors of intimate partner violence, a coordinated community response serves as a protective factor against future violence.<sup>[2]</sup> Outreach should be done to ensure that BIPOC leaders are at the table.



**2. Coordinate with court and other local law enforcement to implement new firearm and ammunition surrender laws.**

Countywide coordination will be needed to implement Senate Bill 320[3], which would require law enforcement to act quickly to enforce firearm and ammunition restrictions for domestic violence restraining orders. Safely removing firearms in these situations is crucial, as research shows a strong association between domestic violence and mass shootings.[4]

**Rationale:** Local courts are now required to notify law enforcement when the court has found that a person is in possession of a firearm or ammunition, in violation of a domestic violence restraining order. Law enforcement must take all necessary actions to obtain the identified firearms or ammunition.

**3. At least once a year, update the police department's domestic violence policies and victim resource materials,** in consultation with domestic violence and community providers.

**Rationale:** California law frequently changes in the area of domestic violence. For example, during the 2021-2022 state legislative cycle, at least five bills passed that change the law for domestic violence restraining orders, including SB 320 noted above. Updating these procedures regularly and in coordination with providers, will ensure that policies reflect current laws and address community-based concerns.

**4. Regular domestic violence and trauma-informed training for officers, dispatch and any community-based officer** who responds to 911 or non-emergency calls. These trainings should be designed in partnership with community-based providers so that the information is tailored to local needs and issues. This training would be in addition to statewide training requirements through POST (Peace Officer Standards Training).

**Rationale:** Providers report that victims and survivors seeking help from police often feel unheard and further traumatized by the experience with police. Examples include allowing other family members to speak or translate for the victim, when family members may be related to the abuser. This recommendation is consistent



A female officer (over a male officer) should be provided to interview, examine, or take pictures of an alleged victim, at the alleged victim's request.

with NICJR's recommendation that the department increase its use of local community members to provide training.

**5. Victim resources should be in plain language and translated** into multiple languages, including, but not limited to, Spanish, Chinese (simplified), Tagalog, Vietnamese and Korean.[5]

Other languages that are spoken in Berkeley should also be included.

**Rationale:** Provides more access to people who have limited English proficiency, do not speak English, or have low literacy.

**6. Domestic violence should be screened** for in all 911 and non-emergency line calls and by the responding officer, including community-based officers (e.g. CERN). This would include collecting information regarding the alleged victim and alleged suspect's relationship to one another.

**Rationale:** This would lead to better data on the number of domestic violence cases the police and others respond to in the city. Noting the penal code or city ordinance section alone would not capture all domestic violence cases.

**7. A female officer (over a male officer)** should be provided to interview, examine, or take pictures of an alleged victim, at the alleged victim's request.

**Rationale:** This policy would acknowledge that some victims and survivors will feel uncomfortable with having a male officer examine or question them. This could result in the victim giving an incomplete statement (e.g. not disclosing sexual abuse or showing an injury) and further traumatize the victim.

**8. Police response to DV calls should be accompanied or coordinated with a DV advocate.** This could involve a victim advocate being present at the scene or a warm handoff to a victim advocate over the phone or immediately following a police response.

**Rationale:** This practice is especially important in cases where there is a high risk of lethality, language or cultural barriers that could lead to miscommunication or further traumatization, and high needs cases where victim or family members require a number of services to achieve stability. Having a victim advocate present will help ensure that victims are heard and not further traumatized. Providers report that advocates sometimes must act as a safe middle person between the victim and police, to ensure that the victim is not mistreated or further traumatized by the interaction with police. This feedback is consistent with information gathered from the community engagement process where black residents spoke of the need for a safety ambassador to act as a bridge between the community and police (see page 40 of Summary of Findings report from Bright Research Group).



## Conclusion

While these recommendations in no way represent a complete list of actions the City could take to address gender-based violence, the Task Force believes that these recommendations represent a significant step in the right direction. More information and input will be needed to identify other needed responses, including the impact of structural racism on victims, survivors and those that cause harm, as well as the experiences of LGBTQ+ members of our community.

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[1] The Family Violence Council is led by the Superior Court of Alameda County, for stakeholders to improve coordination and cooperation between the court and public and private agencies. This body meets at least four times a year. For more information: [http://www.alameda.courts.ca.gov/Resources/Documents/2020-04%20Family%20Violence%20Council\(1\).pdf](http://www.alameda.courts.ca.gov/Resources/Documents/2020-04%20Family%20Violence%20Council(1).pdf)

[2] <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/riskprotectivefactors.html>

[3] [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB320](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB320)

[4] “Domestic Violence, Firearms, and Mass Shootings,” <http://jaapl.org/content/early/2020/02/05/JAAPL.003929-20>

[5] These languages represent the top five languages spoken in the Bay Area and California. At a minimum, victim resources should be translated into these languages.

# **Task Force Recommendation for Training and Community Solutions Institute**

In process

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## **Task Force Recommendation for Community Violence & Prevention**

**Recommendation to urge Berkeley City Council to research and robustly invest into programs that curb community violence through prevention, education, mentorship, trauma stewardship, and economic opportunity.**

Community violence is a symptom of historically resource deprived communities, intergenerational trauma, over-policing, lack of opportunity and many other factors that impact Black, Indigenous, and other communities of color, especially those that are proximally or currently experiencing poverty.

Below is a list of programs that are actively addressing issues of community violence, both locally and abroad. **A key component of each of these programs is the deep partnership and investment they have made with the communities they serve.** Should the City of Berkeley decide to adopt or pilot a new Community Violence Prevention Program, we recommend it take the following steps to ensure its success:

- **Center the families, youth and individuals the most impacted by community violence.** It is crucial to the response of any incident of community violence, that there are trauma-informed resources and counseling available to support victims and their community. In what can be the most difficult moment in their lives, our City and community should have the tools necessary to respond and support them in their time of need.
- **Create opportunities for community members, leaders, youth and organizations to tap into this work with equitable compensation.** For too long, the response to incidents of community violence have fallen on the hands of trusted community members and leaders who leverage their love and compassion to de-escalate further instances and even begin the process of healing. Communities have been left to fend for themselves enough times that any “new models or approaches” can be met with skepticism.
- **Hiring of Credible & Trusted Responders:** Programs must hire workers who share the same background and come from the same community as those who they intend to serve. Trust from the community is critical to the success of these programs.

- **Transparency and Accountability:** In order to build and maintain trust with communities, it is critical that it's work remains visible to the community it serves. The program should interface regularly with the community through education, listening sessions, and other means of intentionally engaging Berkeley residents.
- **Allow Pilot Violence Prevention Programs to Grow.** New programs or approaches to community violence must be allowed a runway to adapt, evaluate, and assess their impact when launched and funding for them should not be tied to arbitrary metrics. The success of these programs comes from a long-term vision of investment, experimentation, and trust in our communities to thrive.

### **Community Violence & Prevention Programs:**

- **San Francisco Violence Prevention Services:**
  - <https://violenceprevention.sfgov.org/>
  - Street Violence Intervention Team: [Annual Report 2018](#)
  - Street Violence Response Team:  
<https://violenceprevention.sfgov.org/coordination.html>
  - Youth Employment/Growth Opportunities:  
<https://violenceprevention.sfgov.org/employment.html>
- **Roadmap to Peace Initiative - SF**
  - PDF Pamphlet:  
<https://sfgov.org/juvprobation/sites/default/files/Roadmap%20To%20Peace%20Initiative.pdf>
  - Website: <https://www.ifrsf.org/rtp?locale=en>
- **United Playaz - SF**
  - Program Lists: <https://unitedplayaz.org/our-work/>
  - **Notably, leads SF's Gun Buyback program**
    - Annual event

- Employs formerly incarcerated individuals and community members
- Anywhere between 200-300 weapons taken off the streets per event
- Cash paid for pistols and long-firearms
  - No questions asked of participants dropping off firearms
  - Weapons are taken in for inspection and destroyed shortly after
    - Unless they are reported stolen or used in a crime and kept as evidence
- Deep partnership with community organizations and San Francisco City Departments to ensure success
- **Cure Violence - New York, Baltimore, Chicago, Philadelphia**
  - Report: <https://cvg.org/wp-content/uploads/2021/09/Cure-Violence-Evidence-Summary.pdf>
  - Reductions of
    - 45% violent crime (Trinidad)
    - 63% shootings (New York City)
    - 30% shootings (Philadelphia)
    - 45% shooting in first week of program (Chicago)
- **Advance Peace - Sacramento**
  - Report: <https://www.advancepeace.org/wp-content/uploads/2020/04/Corburn-and-F-Lopez-Advance-Peace-Sacramento-2-Year-Evaluation-03-2020.pdf>
  - Data:
    - Reduced homicide and nonfatal injury shootings by 20% from January 2018 and 2019
    - Every \$1 spent saved between \$18 and \$41 dollars in emergency response, health care, and law enforcement - saving the city money!
- **Group Violence Intervention Strategies - Boston, Chicago, Indianapolis, New Orleans, Oakland, Stockton**
  - Reduced shootings that result in injustice by 30%
  - Report: <https://nnscommunities.org/impact/impact/>

## **Task Force Recommendation**

### **Support City of Berkeley's Efforts to Establish an Office of Equity & Diversity for our Municipal Government**

*Racial equity is a set of social justice practices, rooted in a solid understanding and analysis of historical and present-day oppression, aiming towards a goal of fairness for all. As an outcome, achieving racial equity would mean living in a world where race is no longer a factor in the distribution of opportunity. As a process, we apply racial equity when those most impacted by the structural racial inequities are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives.*

*- adapted from Anti-Oppression Resource and Training Alliance (AORTA)*

#### **The Re-Imagining Public Safety Task Force supports the City of Berkeley's efforts to establish an Office of Equity & Diversity.**

For too long, City Departments have had to independently monitor impact, disparities, and ongoing relationships with the community that have produced varying results. These inconsistencies can lead to severe impacts in services rendered, supports given to, and needs met of communities of color and additional diversity and marginalized groups. An adverse effect, especially in regards to language access, is that many Black, Immigrant, Latinx, and other voices of color will not view City Departments as a venue to air their concerns, lift up their needs, and much worse, as the valuable resource it aspires to be. This



## **This Office is an opportunity to help centralize and embed equity and justice practices and frameworks into our city's infrastructure.**

adverse impact is also true for additional diverse and vulnerable groups, including based on gender identity and expression, sexual orientation, physical and mental disabilities, and other diverse and marginalized groups.

This Office is an opportunity to help centralize and embed equity and justice practices and frameworks into our City's infrastructure. The impacts of which would far extend beyond addressing disparities, forming partnerships with community organizations and leaders, among others. But perhaps the biggest impact will be seen as communities begin to trust and see City Departments as a resource for them, that is accountable to them.

For the formation of this Office of Equity & Diversity, we ask that you take the following steps to ensure it is done with integrity and the community's input:

- Partner with trusted Community Organizations and Leaders to lead listening sessions across all of Berkeley's Districts that inform folks of the desire to establish such an Office and solicit feedback and direction on what this Office should prioritize in its work
  - Listening sessions should be made available in languages other than English and at times that work for a wide variety of schedules. All printed material should also be made available in other languages as well.

- Integrate a community oversight and support body that works closely with Office of Equity & Diversity staff in making connections to community members and issues, evaluating approach, and ensuring ongoing success of Office's work.

We look forward to seeing the continued development of this Office of Equity & Diversity and strongly endorse that it's process is transparent, community-centered, and a vital part of the foundation of Berkeley's racial equity and social justice work.

## **Task Force Recommendation on Guaranteed Income**

At least 20 guaranteed income pilots (often referred to as Universal Basic Income/UBI programs) have launched in cities and counties across the U.S. since 2018, and more than 5,400 families and individuals have started receiving between \$300 and \$1,000 a month, according to a Bloomberg CityLab analysis. These cities include: Stockton, Compton, Los Angeles, Marin and Santa Clara Counties, and Oakland in California; Denver, CO; Gainesville, FL; Atlanta, GA; Chicago, IL; Gary, IN; Chelsea, Lynn, and Cambridge in MA; St. Paul, MN; Jackson, MI; Newark and Paterson, NJ; Hudson, NY; Pittsburgh, PA; Columbia, SC; Richmond, VA; and Tacoma, WA.

Cities and counties have designed their programs based on similar metrics – local/regional costs of living, and income/need-based eligibility. Specific eligibility parameters were developed by each city based on locally identified priorities; factors weighed include income



as a percentage of median area income, family size, legal/immigration status, former incarceration, irregular/informal employment, poverty rates in resident neighborhoods, and foster youth status. Programs durations vary between 1-3 years.

One of the few cities that has completed its pilot is Stockton (Stockton Economic Empowerment Demonstration, or SEED). The results were released in March. “According to SEED, the guaranteed income resulted in higher rates of full-time employment. It also positively impacted the mental health of recipients. Participants reported being less anxious and depressed and “saw improvements in emotional health, fatigue levels, and overall well-being.” The report notes that “SEED took a series of steps, based on conversations with legal counsel, social service administrators, institutional review boards, and other cash transfer pilots, to protect against potential benefit losses.” The goal was to augment benefits, not replace them.

Ultimately, UBIs are not one-size-fits all. The City should review data available from similar programs in order to determine the size and scope of its program, e.g. target recipients, selection criteria and process, appropriate cash transfer size, project duration, and data tracking/ evaluation protocols.

- “Every U.S. City Testing Free Money Programs”, Mashable.com  
<https://mashable.com/article/cities-with-universal-basic-income-guaranteed-income-programs>
- “Basic Income In Cities: A Guide to City Experiments and Pilot Projects”, National League of Cities (NLC) and Stanford Basic Income Lab (BIL)  
<https://www.nlc.org/resource/universal-basic-income-whos-piloting-it/>
- “Exploring Universal Basic Income: A Guide to Navigating Concepts, Evidence, and Practices”, The World Bank  
[Exploring Universal Basic Income : A Guide to Navigating Concepts, Evidence, and Practices.](#)

## **Task Force Recommendation to Support the Police Accountability Board and Fair & Impartial Policing**

The Police Accountability Board and Fair and Impartial Policing, crucial initiatives to improve the existing Berkeley police force are already underway, and the Task Force calls for them to be strongly supported and enhanced.

As the Task Force is a temporary commission, the Police Accountability Board (PAB) must assume the continuing oversight responsibility over both policing and the implementation of re-envisioned public safety. City Council, city management, City Attorney, and the police department need to honor the community-based oversight structure by including the PAB and its Director fully in the development of public safety policy. Instead, the Council and staff have moved backward, providing the most minimal level of consultation at the latest possible stage. This trend is exemplified by the surveillance technology and Early Intervention System (anti-racial profiling) policy processes, with concern about the development of internal PAB complaint hearing regulations as well. [boona if you want you can cut that last sentence.]

***We recommend that Council request PAB advice before making a policy decision to proceed toward surveillance technology acquisitions; mandate the BPD to collaborate with PAB on development of all significant General Orders or other policies; and support moves by the PAB to make it***

***easier for people from historically marginalized communities to raise and pursue officer misconduct complaints.***

The Council passed a strong anti-bias program, Fair and Impartial Policing, in February 2021; but very little of the program has been implemented. A transparent plan must be published and a speedy implementation timeline agreed to. We recommend that, as discussed above, the PAB be *brought into rather than excluded from the policy development process*; the Early Intervention System be clearly *defined as an investigative tool to assess and address the racial disparities* that plague the BPD; and that *implementation, findings and outcomes be regularly reported to the PAB and Council* in the spirit of full transparency.



**We finally recommend that Council resist the national trend to roll back the lessons of the Black Lives Matter movement and the heightened consciousness of racial injustice in the wake of the murder of George Floyd, in whose honor the Reimagining process was birthed. We must not return to the era of unconstitutional policing marked by the drug war,**

saturation/aggressive policing, stop-and-frisk, and the racial profiling that attends these processes. If the proposed Crime Suppression Unit, which openly hearkens back to programs of yesteryear, is tainted with practices that lead inevitably to mass incarceration in communities of color, *we recommend it be rejected.*

### **The Task Force is concerned that NICJR Recommends CERN Pilot include Numerous Transportation-Related Call Types**

Among other concerns with NICJR's recommendation to establish a CERN Pilot Program is the presence of numerous future BerkDOT activities that are being proposed. Specific calls for service falling into this category include: abandoned vehicles, inoperable vehicles, non-injury "accident" vehicle blocking driveway, vehicle blocking sidewalk, and vehicle double parking. Just taking the 2019 data presented in NICJR's report, these future BerkDOT activities represent – 12% of pilot calls for service to be covered in the CERN pilot.

To move forward with these responses are part of CERN, when they should clearly fall under the BERKDOT framework, represents a problematic proposal and these suggestions were made without reference to the separate and parallel BERKDOT development process. Inclusion of these transportation-related calls for service within CERN requires more analysis as it relates to BERKDOT.

## **The Task Force Rejects NICJR’s Recommendation to End Pretextual Stops**

While the Task Force is fully in favor of the elimination of pretextual stops by BPD, we reject this recommendation from NICJR simply because this recommendation neither originated from nor was advanced by NICJR. Instead, this work stems from 2020, when the pre-Reimagining Mayor’s Fair and Impartial Policing Working Group recommended that BPD focus “the basis for traffic stops on safety and not just low-level offenses” and “minimize or de-emphasize as a lowest priority stops for low-level offenses.” In February 2021, City Council unanimously approved the Working Group’s recommendations for adoption, only two months into the engagement of NICJR and well prior to NICJR’s issuance of this recommendation in their Final Report and Implementation Plan.<sup>44</sup> Plans are currently underway for implementing the Working Group’s recommendations, with quarterly updates being provided to the Police Accountability Board.

## **The Task Force finds that Significant Additional Information needs to be provided in NICJR’s Recommendation on the Creation of BerkDOT**

While the Task Force is glad to see that NICJR supports creating BerkDOT as a strategy to reduce the footprint of policing in Berkeley, the description provided for BerkDOT is inadequate with respect to the components of and motivation for BerkDOT (the NICJR report describes BerkDOT only as a move of traffic enforcement away from

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<sup>44</sup> City of Berkeley, City Council Special Meeting, February 23, 2021. Motion, Item #1: “Report and Recommendations from Mayor’s Fair and Impartial Policing Working Group”  
<https://www.cityofberkeley.info/uploadedFiles/Clerk/Motion%20Item%201%20Fair%20and%20Impartial%20Policing.pdf>

BPD). Because the BerkDOT creation process is moving forward separately, a complete description and analysis of BerkDOT are not necessary, but at a minimum, the NICJR recommendation ought to accurately describe what a proposed BerkDOT would consist of and provide the rationale for pursuing this approach beyond simply reducing the staffing and budget of BPD.

Specifically, BerkDOT needs to be described as a consolidation of all transportation-related work being done by the City and would entail combining the current Public Works Department's above-ground street and sidewalk planning, maintenance, and engineering responsibilities with the current transportation-related BPD functions of parking enforcement, traffic law enforcement, school crossing guard management, and collision response, investigation, data collection, analysis, and reporting.

Further, the motivations for the creation of BerkDOT need to be clearly outlined in the NICJR report. The three goals for BerkDOT are:

1. **Reduce the threat of violence.** By shifting traffic enforcement to unarmed civilians, much of the stress, trauma, and actual acts or threats of violence many experience during traffic stops can be greatly reduced or eliminated. There may also be an associated reduction in racial bias associated with stops when this duty is taken out of the hands of BPD, though this is an aspect of BerkDOT that will need to be carefully considered.
2. **Invest in road safety.** Police maintain that the purpose behind traffic enforcement is to increase traffic safety and decrease crime. However, there is, at best, mixed evidence showing that traditional traffic enforcement by police in the US is effective in

creating sustained increases in traffic safety.<sup>45,46</sup> Re-engineering roadway design and geometry to create self-enforcing streets, on the other hand, has consistently been shown to increase traffic safety and decrease severe and fatal collisions.<sup>47,48</sup> Data also show that traffic stops do little to prevent crime, and when stops are focused on safety violations only, crime does not increase.<sup>49,50</sup> The Berkeley City Manager estimates that moving traffic enforcement and other transportation-related duties out of BPD would reduce BPD staffing by approximately 100 full time positions and reduce BPD's budget by nearly \$50 million.<sup>51</sup> The reduced police staff time allocated to transportation-related work that is non-criminal in nature and better addressed by other city professionals like transportation planners and engineers will allow remaining BPD staff to focus on the prevention of and response to violent offenses that are of greatest importance to the community.

### 3. **Move Vision Zero forward.** To optimally achieve Berkeley's Vision Zero goals to eliminate severe and fatal collisions by

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<sup>45</sup> Mears, Daniel P., and Andrea M. Lindsey. "Speeding in America: A critique of, and alternatives to, officer-initiated enforcement." *Criminal justice review* 41, no. 1 (2016): 55-74.

<https://journals.sagepub.com/doi/10.1177/0734016815614057>

<sup>46</sup> Marco Conner, *Traffic Justice: Achieving Effective and Equitable Traffic Enforcement in the Age of Vision Zero*, 44 *Fordham Urb. L.J.* 969 (2017). <https://ir.lawnet.fordham.edu/ulj/vol44/iss4/2/>

<sup>47</sup> Donnell, Eric T., Kristin Kersavage, and Lisa F. Tierney. *Self-Enforcing Roadways: A Guidance Report*. No. FHWA-HRT-17-098. United States. Federal Highway Administration, 2018.

<https://www.fhwa.dot.gov/publications/research/safety/17098/17098.pdf>

<sup>48</sup> Transportation Alternatives. "The Case for Self-Enforcing Streets." *Transportation Alternatives*. Transportation Alternatives, June 2020.

<https://static1.squarespace.com/static/5cab9d9b65a707a9b36f4b6c/t/5eec1235fe73d720da412589/1592529462229/CaseForSelfEnforcingStreets.pdf>

<sup>49</sup> Fliss, Mike Dolan, Frank Baumgartner, Paul Delamater, Steve Marshall, Charles Poole, and Whitney Robinson. "Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities." *Injury epidemiology* 7, no. 1 (2020): 1-15.

<https://injepijournal.biomedcentral.com/articles/10.1186/s40621-019-0227-6>

<sup>50</sup> Chohlas-Wood, Alex, Sharad Goel, Amy Shoemaker, and Ravi Shroff. *An analysis of the Metropolitan Nashville Police Department's traffic stop practices*. Technical report, Stanford Computational Policy Lab, 2018. [http://www.law.nyu.edu/sites/default/files/upload\\_documents/Shroff\\_nashville-traffic-stops.pdf](http://www.law.nyu.edu/sites/default/files/upload_documents/Shroff_nashville-traffic-stops.pdf)

<sup>51</sup> City of Berkeley, Office of the City Manager, *Update on Re-Imagining Public Safety*, February 10, 2021. <https://www.berkeleyside.org/wp-content/uploads/2021/03/Reimagining-Public-Safety-Update-021021.pdf>

2028,<sup>52</sup> BerkDOT would integrate all aspects of transportation safety into one department exclusively focused on enhancing safety and mobility in Berkeley. By consolidating all transportation planning and response activities into one, unified department, BerkDOT would break down silos, connecting collision data collection and analysis with both limited, targeted enforcement efforts aimed only at deterring reckless behaviors that cause severe injury and death, as well as planning and engineering efforts to create self-enforcing streets that are designed from the start to be less dangerous. Importantly, BerkDOT would be built from the start to center racial justice and equity in its approach to increasing safety and enhancing mobility on Berkeley streets.

At this point, California state law is highly prescriptive about who can and who cannot enforce the vehicle code, and the transfer of traffic enforcement duties from police to unarmed civilians is not currently permitted. Because of this, it is critical that Berkeley, the city that introduced this first-in-the-nation concept, lead the way in advocating state law change to permit civilian traffic enforcement. Specifically, the NICJR report ought to call for Berkeley's leadership in advocacy and coalition building to support a state law change granting local municipalities the flexibility to pilot a civilian traffic enforcement program.

In the meantime, there are other aspects of BerkDOT that can and should be carried out in the short-term, and these should be part of NICJR's recommendations to reduce the staffing and budget of BPD. While certain other aspects of BerkDOT should await the completion

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<sup>52</sup> City of Berkeley Vision Zero Program. <https://www.cityofberkeley.info/visionzero.aspx>



of the parallel process being undertaken by Public Works, there are two specific BPD functions that should be transferred away from Police and over to Public Works in the short-term: collision analysis and school-crossing-guard management, both currently housed in the Traffic Bureau. Transfer of these duties will have two major benefits. First, BPD's Traffic Bureau staffing is currently stretched so thin that Berkeley cannot even handle its own collision investigation, requiring assistance from the CHP,<sup>53</sup> such that moving collision analysis and school-crossing-guard management out of the Traffic Bureau would free up officer time to respond to the high number of severe and fatal injury collisions currently plaguing Berkeley's streets. Second, the transportation planners and engineers in Public Works' Transportation Division are professionals highly trained in roadway design and safety, as well as in the identification of high-injury areas of Berkeley. Further, Transportation Division staff lead the city's Vision Zero work and are optimally situated to best analyze and respond to traffic safety issues using an engineering approach to create self-enforcing streets (as is already called for<sup>54</sup> in the City's Vision Zero Action Plan<sup>55</sup>). It is commonplace in other municipalities, including in cities like Oakland and San Francisco, for transportation and/or public health staff to lead on both collision analysis<sup>56,57</sup> and school crossing guard management.<sup>58,59</sup> These are not policing functions.

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<sup>54</sup> Under Action Plan item 2.1: "Establish a Vision Zero Rapid Response Safety Project Protocol that utilizes data from the renamed Fatal Accident Investigation Team (FAIT), to identify quick-build projects if engineering countermeasures may effectively improve safety. The protocol should outline a path forward for Public Works staff to be a part of the immediate on-the-ground response to an investigation of severe and fatal collisions."

<sup>55</sup> [https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/Vision\\_Zero\\_Annual\\_Report\\_April\\_2021%20-%20REVISED.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Vision_Zero_Annual_Report_April_2021%20-%20REVISED.pdf).

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# **Task Force Recommendation Equitably Invest in Our Community-Based Organizations**

## **Why Does Berkeley Need So Many CBOs?**

CBOs means each organization is providing more individualized attention to the issue than would be the case if there were fewer, larger entities with larger caseloads, longer wait times, and fewer locations. Larger CBOs can in time as they continue to grow become more and more bureaucratic.

More specialized smaller CBOs means they can be spread out across all neighborhoods, and are responsive to the people, institutions, needs, and cultural differences of each one. It means they can offer more specialization and responsiveness by need, methodology, and target population.

## **Community Based Organizations' Overview**

**From the Proposed 2022 City of Berkeley Budget:** The City of Berkeley prides itself in its support of community-based organizations and the incredible extension of critical services these agencies provide Berkeley residents. ALLOCATION PROCESS The City of Berkeley combines multiple sources of funds into one consolidated Request for Proposals (RFP) and allocation process<sup>90</sup> for community agencies. These funds are used to support public services and capital projects that benefit people with incomes at 80% of Area Median Income (AMI) or below. The Health, Housing & Community Services Department

manages the RFP and allocation process and coordinates the review process among the four commissions: FUNDING SUMMARY For FY 2022, the City will spend \$20,484,394 in General Funds, Federal Funds, and other funds for community agencies. This amount represents a 22% decrease from the \$26,311,113 amount allocated to community agencies in FY 2021. The following pages contain:

**FY 2022 COMMUNITY AGENCY ALLOCATIONS BY SERVICE TYPE**

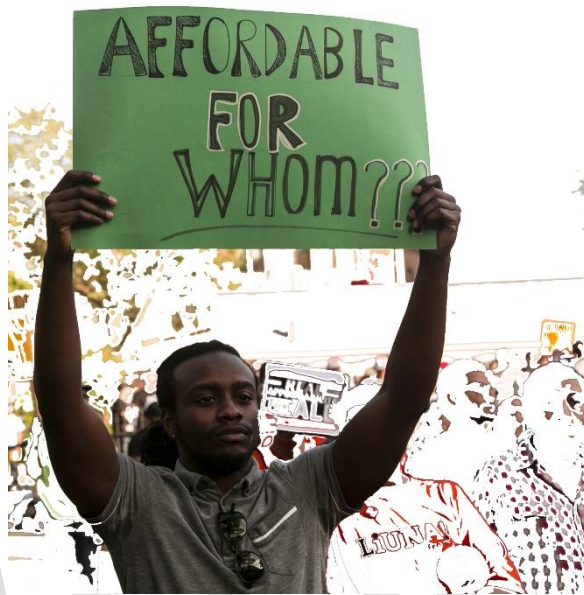
	General Funds	Federal Funds	Other Funds	All Sources
Arts	\$586,652	\$0	\$0	\$586,652
Childcare	\$586,819	\$ -	\$13,275	\$600,094
Community Facilities Improvements	\$24,575	\$1,113,570	\$ -	\$1,138,145
Community Media	\$230,710	\$ -	\$ -	\$230,710
Disability Programs	\$86,122	\$159,660	\$1,432,011	\$1,677,793
Economic Development	\$422,500	\$ -	\$ -	\$422,500
Employment Training	\$295,165	\$ -	\$ -	\$295,165
Health	\$2,060,256	\$160,000	\$ -	\$2,220,256
Homeless	\$8,661,884	\$634,930	\$1,405,950	\$10,702,764
Housing Dev & Rehab	\$203,475	\$250,000	\$ -	\$453,475
Legal/ Advocacy	\$895,486	\$35,000	\$ -	\$930,486
Other	\$168,104	\$ -	\$ -	\$168,104
Recreation	\$18,573	\$ -	\$ -	\$18,573
Seniors	\$9,110	\$ -	\$ -	\$9,110
Youth	\$1,040,567	\$ -	\$ -	\$1,040,567
<b>TOTAL</b>	<b>\$15,289,998</b>	<b>\$2,353,160</b>	<b>\$2,851,236</b>	<b>\$20,494,394</b>

	FY 2021 All Sources	FY 2022 All Sources	Percent Change
Arts	\$573,654	\$586,652	2%
Childcare	\$643,902	\$600,094	-7%
Community Facilities Improvements	\$24,575	\$1,138,145	4531%
Community Media	\$230,710	\$230,710	0%
Disability Programs	\$1,604,926	\$1,677,793	5%
Economic Development	\$422,500	\$422,500	0%
Employment Training	\$295,165	\$295,165	0%
Health	\$2,220,256	\$2,220,256	0%
Homeless	\$13,823,569	\$10,702,764	-23%
Housing Dev & Rehab	\$453,475	\$453,475	0%
Legal/ Advocacy	\$4,757,027	\$930,486	-80%
Other	\$168,104	\$168,104	0%
Recreation	\$18,573	\$18,573	0%
Seniors	\$9,110	\$9,110	0%
Youth	\$1,065,567	\$1,040,567	-2%
<b>TOTAL</b>	<b>\$26,311,113</b>	<b>\$20,494,394</b>	<b>-22%</b>

**Investing and Reinvesting for  
Greater Impacts in the Community – in process**

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## 9. Needs Assessment on CBOs' Capacity



**The Jewel in Berkeley's Crown (its CBO's) has a flaw. A deficit of 22% is shown above. Funding sources will have to be identified to fill this deficit and fund the recommendations in this report.**

The City of Berkeley is in desperate need to do the following to bring our CBOs into their brilliance.

- Extensive services evaluation
- Assess capacity vs need
- Create efficiencies
- Design well thought out strategies for coordination across systems
- Repair buildings for safety and accessibility
- Perform a Quality of Services audit
- Train staff

- Financial Audit

The City of Berkeley has developed a comprehensive community-based landscape with over 100 contracts for services ranging from childcare to senior care.

However, we are working in a service system that has very limited access to housing, employment, and treatment.

Coordinated services need to respond to these populations with the expertise they have gained over the years. In Berkeley we have youth, LGBTQ, seniors, disabled, people ready and wanting to work and engage in recovery from drugs and alcohol and mental illness, families, survivors of domestic violence, undiagnosed mental illness, people with serious health problems, veterans, and people who are economically poor. In every situation for services needed there is trauma.

Before new initiatives are introduced, current capacity needs to be assessed and programs evaluated. Often in Berkeley we do emergency response in starting programs, services. This is faster, easier, and political cheaper using current resources to maximum efficacy. However, this methodology does not create sustainability.

### **It's time that we gathered:**

- service satisfaction
  - a higher level of knowledge about the capacity of our local community-based providers.
- identifying gaps in services
- understand the challenges providers are facing

- evaluating the efficacy of our CBOs and the potential for capacity building, coordination and networking
- quantifying the funding needs of our CBOs who are a critical part of the fabric of service delivery
- evaluate duplication across the CBO's

## **Task Force Recommendations for Community Based Organizations**

1. Create opportunities for staff of all the participating organizations to **create a culture of excellence in service delivery.**
2. **Map all services provided by all CBOs.** Ensure through sharing of information that all program changes are immediately shared with all CBOs through a central communication point.
3. **Improve the referral system** after intake and assessment with the intent to shepherd a consumer through the system and proactively assist in gathering all required documentation. This would lessen the load placed on the person seeking services and person of navigating through a complex and documentation-driven system while trying to survive one day at a time.

## 10. Coordination of CBOs and Service Delivery

### Challenges to CBO Leadership and Coordination Improvement

We have dedicated, vibrant, smart and knowledge-based leadership in our CBOs. Highly qualified and skilled, they are able to maneuver through complex funding conditions and emerging changes in systems. Funding cycles are both grueling and time intensive. This process lasts many months and rarely results in any change to the funding levels. Cost of living increases are rare, and the work of the providers keeps growing. Funding decisions often require that they end up “robbing peter to pay Paul” to balance the budgets. These requirements impact the time that could be spent coordinating between organizations and improving service delivery.

1. **Remove the inefficiencies and duplication in the funding system.** The City of Berkeley process takes 5 months which includes the Homeless Commission, Staff and City Manager recommendations and then Council approval. At each level the CBOs and their consumers and board members spend hundreds of hours in lobbying, presentations, and public hearings.
2. **The Executive level of CBOs need to work more closely with each other.** Coordination and common purpose to help increase and better use resources.
3. **The referral system to these organizations needs to be improved** and there needs to be additional support provided to the homeless population to ensure they are getting the connection to resources they need.



4. **Create outreach criteria, coordinate efforts and centralize information obtained from the field.**
5. The measure of success cannot be based just on housing – connection to resources is key, and **additional metrics need to be developed.**



### **Help CBOs Enhance Funding**

All CBOs have multiple funding sources from diverse funders, but many funds are restricted to a specific segment of our homeless populations. There are great funding gaps that existing in providing services – especially for a person not designated as “chronically homeless” This results in those consumers getting minimal, if any, help.

The funding sources beyond the City of Berkeley include foundations, corporations, faith-based institutions, Alameda County Behavioral Health Care Services, Alameda County Social Services Agency, State

of California, HUD, Veterans Affairs, private donors, billing and other fees, events and sale of products produced by clients.

The larger CBOs have development directors who are extremely sophisticated in applying to every RFP for which they qualify, producing highly competitive proposals at all levels. With the smaller CBOs this effort falls on the Executive Director. The biggest challenge for CBOs is raising funds from foundations and corporations.

## **Task Force Recommendations**

1. **Establish a small team** led by the mayor, a council member, City Manager, service provider, homeless consumer, commission member, major donor and community member to meet with all major foundations, corporations and other entities with significant resources. Such a meeting would “sell” the coordinated entry model and would demonstrate the large spectrum of options available to our homeless people while showing the funding challenges and restrictions that still Challenges homeless people face needs to be developed. In partnership with homeless people, CBOs, including donors, faith-based organizations and using interns from UCB this campaign would deliver a much-needed message to Berkeley residents and businesses.

2. **Create an annual citywide fundraising campaign** that would benefit all CBOs.

3. **Train Staff.** Need for training is a high priority among our CBOs especially in organizations that hire people with lived experience of homelessness and personal trauma. Areas identified by the CBOs include trauma informed care, motivational interviewing, cultural competence, and developing tools and skills so that the homeless population is served with respect and staff have extensive knowledge about the availability of existing appropriate resources.

4. **Establish funding for training and require specific coursework around the aforementioned areas identified.**

### **Initial Feedback from Consumers**

While there is intention in all CBOs to gather feedback from those who use services, there is no consistent effort made to do so. It is critical in any system of care to create a feedback loop from consumers through resolution and integrate that feedback into improved service delivery. A few CBOs excel at this effort and their models need to be adopted.

Utilizing the team of CBO executive leadership, Homeless Coordinator and Mayor's staff, review existing feedback models and recommend tools for implementation.

**In closing, we repeat that it is very important to understand the inner workings of the current system and listen to the larger homeless community, build on the current capacity, and ensure funding exists so ALL levels of homeless needs are addressed.**

Our work will continue, and a final report will be presented to the Ad-Hoc Committee, City Council and the community. We thank you for your support in this very important endeavor.  
exist.

**Recommendation: A public education campaign**, presenting a powerful and accurate narrative about the lives and Community-based organizations approach problems through a participant or need-centered lens: What unmet need is this individual/family/neighborhood/community experiencing, and what is the solution? This is different than the way public entities and public systems approach problems, which is to look at issues with a trifocal lens: need, budget, and political ramifications or public reaction. CBOs, being privately operated and mission-driven, are freer to pursue innovation and creative solutions. They are able to pivot with new strategies more quickly than public systems (a speedboat or a sailboat versus an ocean liner). They are freer to engage individuals with lived experience and non-traditional resumes (and cultivate greater trust from those they serve as a result). They are geographically decentralized, with deeper connections to the neighborhoods they both operate and provide services in.

### **What 3 Actions Will Decrease Bureaucracy and Increase Efficiency**

1. More flexibility with funding contracts (e.g. higher threshold for requiring a contract amendment, providing admin. overhead that meets actual costs).
2. Quarterly instead of monthly reporting.
3. Increase baseline CBO salaries to improve their recruitment and retention.

**Task Force Feedback on the Commissioned  
Consultant's (NICJR) Recommendations, chart  
and Closing Statement**

**In Process**  
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**END OF MAIN REPORT**

## **Appendices**

### **In Process**

1. Community recommendations from listening sessions
2. BerkDOT background and relevance
3. Ordinances
4. Fair and Impartial and PAB memo
5. Strategy for Employment Programs
6. SOS Program

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## Appendix 2: BerkDOT/Traffic

### Inequities, Social Determinants of Health, and Well-Being as they related to Transportation in Berkeley

The transportation system in Berkeley and beyond imposes significant and unequal burdens across members the population, with the negative externalities of transportation system differing most significantly by income/wealth, race/ethnicity, ability, age, gender, sexual orientation, mode of transporation, housing status, and immigration status. Not only do these negative externalities manifest as limits on people’s mobility, but also limit people’s access to opportunities, including employment, education, health care, recreation and goods and services.

#### *Inequities in Access to and Affordability of Transportation*

People spend an enormous amount of their income on transportation costs - in the US, transportation is generally the 2nd largest expenditure for households after housing, accounting for about 13% of expenditures each year. However, the proportion of income dedicated to transportation costs is not even across income groups - in 2016, the lowest earning 20% of households spent 29% of their household income on transportation compared to the highest earning 20% who spent only 9% of their income on transportation.<sup>60</sup> This inequity has been exacerbated by the COVID pandemic, where higher income workers have often had the luxury of working from home (and avoiding

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<sup>60</sup> Institute for Transportation & Development Policy. “The High Cost of Transportation in the United States.” Transport Matters. May 23, 2019. <https://www.itdp.org/2019/05/23/high-cost-transportation-united-states/>

commute costs) while lower income “essential” workers have had to continue their daily commutes.

There are multiple reasons that lower income households are burdened with such high transportation costs. One is that, for the most part, the cost of car ownership holds mostly constant across income levels. AAA estimates that the average annual cost of new vehicle ownership is \$9,666, or \$805.50 per month.<sup>61</sup> For those with older cars, costs may still be nearly as high due to poorer fuel efficiency and more frequent need for high-cost repairs. Another reason for the high burden of transportation costs on lower income households relates to the high cost and low availability of housing in job centers. Many people traveling to Berkeley for work cannot afford to live here, but instead are pushed into outlying areas with more abundant, cheaper housing but poor access to public transportation. These workers coming into Berkeley are spending huge portions of their income on fuel and repairs related to their super-commutes. Even lower income households who might not be dealing with long commutes may be forced into the expensive cycle of car ownership and its associated costs when public transit options feel neither convenient nor safe enough, or when travel by bicycle is not possible because of a lack of safe routes or when residents lack adequate safe and secure bicycle storage options, especially those living in apartment buildings.

It is also critical to examine disparities in who does and does not drive a car. In particular, the youngest and oldest segments of our population don't drive, many people with disabilities cannot drive, and car ownership is prohibitively expensive for many with low incomes. In

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<sup>61</sup> Ellen Edmonds. “Sticker Shock: Owning a New Vehicle Costs Nearly \$10,000 Annually.” AAA. August 19, 2021. <https://newsroom.aaa.com/2021/08/sticker-shock-owning-a-new-vehicle-costs-nearly-10000-annually/>



total, 40% of the US population cannot drive.<sup>62</sup> No one under the age of 16 in California can drive. Across the US, one in five people over age 65 don't drive and by age 80, 65% are no longer driving, while only 40% have difficulty walking.<sup>63</sup> In the Berkeley/Albany Public Use Microdata Area, 25% of households with no car are occupied by someone with a disability, compared to 14% of car-free households where no one has a disability, and 24% of households with no car are occupied by Black residents compared to 14% of car-free households with non-Black residents.<sup>64</sup>

Several cities have worked to develop policies and programs to try to address some of the inequities in access to and affordability of transportation. In November 2021, Oakland launched a Universal Basic Mobility Pilot<sup>65</sup> to give 500 East Oaklanders up to \$300 for transit and shared mobility on a prepaid debit card. These funds can be used to pay for transportation services such as AC Transit buses, BART trains, WETA ferries, BayWheels bike share, and electric scooter share. The goals of this program are both to boost equity and reduce dependence on cars. In July 2021, Pittsburgh, PA launched a similar program and will be providing up to 100 low-income residents with monthly transit subscriptions and shared mobility services for six months.<sup>66</sup> In Albuquerque, a 1-year pilot has been launched to make

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<sup>62</sup> Kit Krankel McCullough. "Aging population needs walkable, bikeable cities." Public Square: A CNU Journal. March 5, 2020.

<sup>63</sup> Kit Krankel McCullough. "Aging population needs walkable, bikeable cities." Public Square: A CNU Journal. March 5, 2020. <https://www.cnu.org/publicsquare/2020/03/05/aging-population-needs-walkable-bikeable-cities>

<sup>64</sup> 2018 American Community Survey PUMS data: <https://www.census.gov/programs-surveys/acs/microdata.html>

<sup>65</sup> City of Oakland. Universal Basic Mobility Pilot. <https://www.oaklandca.gov/topics/universal-basic-mobility>

<sup>66</sup> City of Pittsburgh. Press release: Pittsburgh Launches Innovative Mobility and Equity Initiatives Move PGH and Universal Basic Mobility. July 9, 2021. <https://pittsburghpa.gov/press-releases/press-releases/5084>

transit completely free to all residents.<sup>67</sup> And in January 2022, Boston launched a 2-year pilot program to make transit free on 3 MBTA bus lines that service low-income communities of color.<sup>68</sup>

### *Unequal Investments in Transportation Infrastructure Lead to Inequities in Adverse Outcomes*

While some inequities in transportation outcomes relate to individual characteristics (e.g., race, ability, income, etc), others stem from historical and ongoing disinvestment in low-income communities of color. The racial and economic “redlining” of certain communities in south and west Berkeley resulted in highly segregated neighborhoods that, over time, received very different levels of infrastructure investment in items such as tree canopy, traffic calming, sidewalk and roadway maintenance, and stormwater management. This disinvestment, once a deliberate policy decision, has been perpetuated even in recent years by advocacy from well-organized, wealthy residents with political savvy and time to spare who advocate for further neighborhood improvements, while Berkeley’s lowest income residents are less able to advocate for investment in their neighborhoods given their more limited time, possible language barriers, and other barriers that often preclude full involvement in planning process.

These historic disinvestments have created a transportation system in Berkeley that is, by design, unequal in terms of safety. On top of BPD’s overpolicing of low-income communities of color, the infrastructural elements of many of south and west Berkeley’s roads are built with

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<sup>67</sup> City of Albuquerque. Zero Fares Pilot Program. <https://www.cabq.gov/transit/tickets-passes>

<sup>68</sup> City of Boston. Mayor Wu Takes Steps To Expand Fare-Free Bus Service. January 19, 2022. <https://www.boston.gov/news/mayor-wu-takes-steps-expand-fare-free-bus-service>

high operating speeds, which is speed at which most drivers feel comfortable driving on a given roadway. For example, while 9th Street between Dwight and Bancroft is a 2-lane street that is bicycle boulevard and designated as a local street that should “discourage vehicular speeds above 15 or 20 miles per hour,”<sup>69</sup> it is actually a quarter-mile long, 48-foot wide roadway with only one stop sign, virtually no roadway markings, and street trees only between Dwight and Channing. Contrast this with Ashby Avenue between Claremont Crescent and Ashby Place, also a 2-lane, quarter-mile long stretch, but one that, while designated as an “major street” designed to “discourage speeds above 25 miles an hour” is only 32-foot wide, exhibits numerous street markings, and has ample, mature street trees. While drivers routinely exhibit vehicle speeds well over 35 MPH on 9th Street, most traffic on Ashby hovers around 25 MPH. This shows that infrastructural elements can influence operating speed much more than simple “speed limits.”

These sorts of infrastructural inequities actually translate into further inequities in traffic stops, even when officer racial bias is removed. In Chicago, a recent study found that, despite being evenly spread across the city’s neighborhoods, automated speed and red-light enforcement cameras still issued a disproportionate share of tickets to individuals in majority-Black zip codes (the ticketing rate for Black neighborhoods was three times higher than for majority white neighborhoods).<sup>70</sup> Underlying these disparities was road design: all of the ten speed cameras that issued the most speeding tickets (for going >10 MPH over the posted limit) were on 4-lane roads, and 6 of

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<sup>69</sup> City of Berkeley. Transportation Element. [https://www.cityofberkeley.info/Planning\\_and\\_Development/Home/General\\_Plan\\_-\\_Transportation\\_Element.aspx](https://www.cityofberkeley.info/Planning_and_Development/Home/General_Plan_-_Transportation_Element.aspx)

<sup>70</sup> Emily Hopkins and Meilssa Sanchez. “Chicago’s “Race-Neutral” Traffic Cameras Ticket Black and Latino Drivers the Most.” ProPublica. January 11, 2022. <https://www.propublica.org/article/chicagos-race-neutral-traffic-cameras-ticket-black-and-latino-drivers-the-most>

these were in majority Black census tracts. At the same time, 8 of the 10 cameras that issued the least tickets were on 2-lane streets, but just 2 of these were in majority Black census tracts. Similar findings also came out of an analysis in Washington DC, where automated traffic enforcement resulted in “drivers in black-segregated neighborhoods receiv[ing] double the average number of moving violations per capita, while drivers within white-segregated areas receive[d] just one eighth the average.”<sup>71</sup>

Systematic disinvestment in infrastructure also plays a role in who suffers most from the severe and fatal collisions that we continue to see on our streets. There is an epidemic of traffic violence on US streets - in 2020, an estimated 38,680 people were killed in traffic collisions in the US, with a fatality rate higher than has been seen since 2007<sup>72</sup>. This is similar to the number of deaths in the US annually from gun violence<sup>73</sup>. Motor vehicle crashes are the number one killer of children and teenagers in the US, representing 20% of all death of children ages 1-19<sup>74</sup>. In Berkeley, between 2010 and 2019 an average of three people died and at least 32 people were severely injured due to traffic violence every year<sup>75</sup>. These numbers have increased in recent years - in 2019, 6 people were killed and 69 were severely

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<sup>71</sup> William Farrell. “Predominantly black neighborhoods in D.C. bear the brunt of automated traffic enforcement.” DC Policy Center. June 28, 2018.  
<https://www.dcpolicycenter.org/publications/predominately-black-neighborhoods-in-d-c-bear-the-brunt-of-automated-traffic-enforcement/>

<sup>72</sup> National Highway Traffic Safety Administration. “Early Estimate of Motor Vehicle Traffic Fatalities in 2020.” Publication DOT HS 813 (2021): 115.  
<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813115>

<sup>73</sup> Centers for Disease Control and Prevention. “All Injuries.” Accessed January 13, 2022.  
<https://www.cdc.gov/nchs/fastats/injury.htm>

<sup>74</sup> Cunningham RM, Walton MA, Carter PM. “The major causes of death in children and adolescents in the United States.” *New England Journal of Medicine* 379, no. 25 (2018): 2468-2475.  
<https://www.nejm.org/doi/full/10.1056/nejmsr1804754>

<sup>75</sup> City Of Berkeley, Vision Zero Annual Report 2020-2021. March 2021.  
[https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/Vision\\_Zero\\_Annual\\_Report\\_April\\_2021%20-%20REVISED.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Vision_Zero_Annual_Report_April_2021%20-%20REVISED.pdf)

injured in traffic collisions in Berkeley<sup>76</sup>, and while 2021 data have not yet been analyzed for Berkeley, we do know that at least 7 traffic fatalities occurred<sup>77</sup>.

The burden of this traffic violence does not fall equally across all groups. Historic disinvestment of infrastructure in low-income communities of color means that traffic fatalities are overwhelmingly suffered by Black and Brown people - Black and American Indian/Alaska Native people suffered the highest rates of traffic deaths in the US between 2015 and 2019<sup>78</sup>. And in 2020, while there was a 7% increase overall in traffic deaths in the US compared to 2019, the increase was 23% for Black people and 11% for American Indian/Alaska Native people<sup>79</sup>. In Berkeley, we see similar disparities, and the collision injury rate is highest for Black people - 2.6 times higher than for white people across all injury collisions and 1.7 times higher for severe and fatal collisions. For severe and fatal injuries of pedestrians in Berkeley, the rate is over twice as high for Black pedestrians compared to white pedestrians (2.2 times higher).<sup>80</sup>

The City's Vision Zero Annual Report 2020-2021 acknowledges that "[w]e know that people of color, people with no or low income, people

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<sup>76</sup> City Of Berkeley, Vision Zero Annual Report 2020-2021. March 2021. [https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/Vision\\_Zero\\_Annual\\_Report\\_April\\_2021%20-%20REVISED.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Vision_Zero_Annual_Report_April_2021%20-%20REVISED.pdf)

<sup>77</sup> Emile Raguso. "Update: Man who died in marina crash ID'd as James Israel of San Anselmo." Berkeleyside. November 3, 2021. <https://www.berkeleyside.org/2021/11/03/fatal-crash-berkeley-marina-at-least-1-person-dead>

<sup>78</sup> R. Retting, M. Richardson, H. Smith, S. Turner, An Analysis of Traffic Fatalities by Race and Ethnicity | GHSA, Governors Highway Safety Association, (2021). <https://www.ghsa.org/resources/Analysis-of-Traffic-Fatalities-by-Race-and-Ethnicity21>

<sup>79</sup> National Highway Traffic Safety Administration. "Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2020." Publication DOT HS 813 (2021): 118. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813118>

<sup>80</sup> From a forthcoming analysis from Walk Bike Berkeley using 2006-2020 collision data from SWITRS (<https://iswitrs.chp.ca.gov/Reports/jsp/RawData.jsp>). Analyses exclude collisions with parked cars or other objects and also exclude collisions on interstates (but include state highways like Ashby and San Pablo).

with no or limited English proficiency, people experiencing homelessness, youth, seniors, and people with disabilities are over-represented in fatal and severe injury collisions.”<sup>81</sup> The City has also designated much of south and west Berkeley an Equity Priority Area for prioritizing infrastructure improvements to remedy systemic and inequitable underinvestment (the Equity Priority Area considers historic Home Owners’ Loan Corporation (HOLC) “redlining,” racial/ethnic composition, property value, and cultural centers)<sup>82</sup>. While 37% of Berkeley’s streets (by mile) can be found in the Equity Priority Area, almost half (42%) of Berkeley’s severe and fatal collisions occur on streets in the Equity Priority Area.

### *The Overarching Impacts of Transportation on Well-Being*

As discussed, how we plan, build and enforce our transportation system has a profound effect on the well-being of Berkeley’s residents. Berkeley has historically leaned heavily on police enforcement purportedly to achieve transportation and public safety goals. This ongoing reliance on enforcement has dubious efficacy yet profound negative effects on the well-being of many Berkeleyans. The humiliation, stress, trauma and fear of violence that many in our community experience during traffic stops is harmful and these negative experiences are overwhelming burdened by those in our community who are already the most vulnerable by virtue of their race/ethnicity, income, gender, sexual orientation, housing status, or immigration status. Accompanying this are the negative impacts of fines and fees associated with traffic stops and parking enforcement -

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<sup>81</sup> City Of Berkeley, Vision Zero Annual Report 2020-2021. March 2021.  
[https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/Vision\\_Zero\\_Annual\\_Report\\_April\\_2021%20-%20REVISED.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Vision_Zero_Annual_Report_April_2021%20-%20REVISED.pdf)

<sup>82</sup> City of Berkeley. 2020 Pedestrian Plan. January 2021.  
[https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/2020%20Pedestrian%20Plan%20FULL%20adopted.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/2020%20Pedestrian%20Plan%20FULL%20adopted.pdf)

once again, these are most detrimental to those in our community who are already the most vulnerable, and for whom a costly ticket could mean an inability to pay for life-saving prescription medications, bus fare to get to work, heating, or rent. Our most vulnerable communities, who live in fear of police surveillance on our streets and spiraling fines and fees, become limited in their freedom of mobility, thus reducing their access to jobs, school, health care, recreation, and goods and services, and other essential opportunities. These same communities also live under the constant threat of traffic violence on streets that are designed for high speeds following years of structural disinvestment. Taken together, Berkeley's transportation system is failing many of its residents, sacrificing the comfort and convenience of some at the expense of the well-being of others. There are steps Berkeley can and should take to improve our transportation system, but we must do so in a thoughtful, equitable way that achieves safety and mobility justice for all.

### Community Engagement Findings relating to BPD Vehicle, Bicycle, and Pedestrian Law Enforcement

Philando Castile, Sandra Bland, Walter Scott, Duante Wright, Sam DuBose. As we tragically have seen across the country, traffic stops present a significant threat to Black and other people of color, with about a quarter of US police shootings beginning with a traffic stop.<sup>83</sup> Thankfully, in Berkeley, there have not yet been any instances of police shootings stemming from traffic stops (likely because of the size of the city, not because of any specific BPD practices), but fatal encounters are not the only outcome of concern with racially-biased

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<sup>83</sup> Cheryl W. Thompson. "Fatal Police Shootings Of Unarmed Black People Reveal Troubling Patterns." January 25, 2021. NPR. <https://www.npr.org/2021/01/25/956177021/fatal-police-shootings-of-unarmed-black-people-reveal-troubling-patterns>

police stops. Constant over-surveillance and the underlying threat of police violence while driving, walking or biking is stressful, humiliating, and often traumatic. If stopped, analysis from the US Department of Justice shows that Black and Hispanic people are more than twice as likely to experience threats or use of force during police stops with the police<sup>84</sup>, and reviews of body camera footage have shown that police officers speak significantly less respectfully to Black people than white people during traffic stops, even after controlling for a wide variety of factors.<sup>85</sup> It is therefore critical that we listen closely to the voices of Berkeley's most affected residents to better understand their lived experiences being in public spaces and in the presence of BPD.

As part of a separate, but parallel, process to create a Berkeley Department of Transportation (BerkDOT), the City commissioned a citywide, representative survey<sup>86</sup> to better understand the transportation needs of Berkeley residents and their perceptions of policing as it relates to transportation. The survey found that only 39% of people in Berkeley actually feel that police enforcement of traffic laws makes them feel safer as they get around Berkeley, and a full 69% feel that having "police officers making traffic stops can lead to unsafe or violent encounters for people of color, particularly Black

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<sup>84</sup> Davis E, Whyde A, Langton L. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. "Contacts Between Police and the Public, 2015."  
<https://bjs.ojp.gov/content/pub/pdf/cpp15.pdf>

<sup>85</sup> Voigt R, Camp NP, Prabhakaran V, Hamilton WL, Hetey RC, Griffiths CM, Jurgens D, Jurafsky D, Eberhardt JL. "Language from police body camera footage shows racial disparities in officer respect." *Proceedings of the National Academy of Sciences* 114, no. 25 (2017): 6521-6526.  
<https://www.pnas.org/content/114/25/6521>

<sup>86</sup> The survey was a hybrid email-to-web/live telephone survey of 630 adult City of Berkeley residents in September 2021, sampled to be representative of Berkeley's population. Black and Latinx residents were oversampled to reach 100 respondents so that robust inference could be made for these groups. Interviews were conducted in English and Spanish by trained, professional interviewers, and both landlines and mobile phones included.



people.”<sup>87</sup> Adding to this, while only 20% indicated fear of being treated unfairly based on their race if stopped by a police officer in Berkeley, this number skyrocketed to 54% among Black respondents. Also, while an overall small percentage of Berkeleyans (14%) expressed that a fear of being stopped by the police impacts how they get around Berkeley, 30% of Black respondents described having their mobility limited for this reason. This phenomenon, dubbed “Arrested Mobility” by mobility justice scholar Charles T. Brown,<sup>88</sup> is “the assertion that Black people and other minorities have been historically and presently denied by legal and illegal authority, the inalienable right to move, to be moved, to simply exist in public space. Unfortunately, this has resulted — and continues to result — in adverse social, political, economic, environmental and health effects that are widespread and intergenerational.”

While no questions on the overall Reimagining Public Safety Survey specifically addressed community perceptions of vehicle, bicycle, and pedestrian law enforcement, qualitative findings gleaned from the numerous Listening Sessions with impacted residents (conducted by NICJR and Task Force members) provide some insight into how community members feel about BPD’s role in this arena. Sessions in which these topics were discussed included those with Black residents, housing/food-insecure residents, Black and Latin youth, justice-system-impacted students, and LGBTQIA+ service providers.

Across focus groups, there was agreement that BPD dedicates an outsized amount of time to vehicle stops, and that these stops are

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<sup>87</sup> City of Berkeley. Initial Review of Results: Survey of City of Berkeley Residents, Reimagining Policing Project. October 15, 2021. [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_Commissions/21-8226%20Report%20of%20Preliminary%20Findings%20-%20Draft.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_Commissions/21-8226%20Report%20of%20Preliminary%20Findings%20-%20Draft.pdf)

<sup>88</sup> Brown, CT. “Arrested Mobility: Exploring the Adverse Social, Political, Economic & Health Outcomes of Over-Policing Black Mobility in the U.S.” National Association of Chronic Disease Directors. Sep 18, 2020. <https://vimeo.com/460197268>

performed in a manner that disproportionately impacts Black residents. Comments were also made about a rippling harmful effect of police presence, including traffic stops, on people within neighborhoods, even when these people are themselves not the subject of a stop - the presence of police cars, flashing lights, and multiple armed officers in one's community can trigger trauma for those simply observing traffic stops.

Another common theme expressed by impacted residents during these sessions is that of feeling surveilled, hyper-visible, and viewed with suspicion when in public space. This includes experiences shared by Black and Latin residents of feeling like outsiders in their own city and Latin UC students being racially profiled by both BPD and UCPD when on campus. These experiences were described as being both stressful and hurtful. Listening group participants described how these encounters can also effectively limit their mobility and ability to access work, school, essential places and recreation. We heard one example of this from former Task Force Commissioner Diaz, describing that he couldn't even get to high school without being surveilled and harassed by BPD for as he traveled to Berkeley High, having to go well out of his way to navigate around neighborhoods that he was told were off-limits under the terms of his probation.<sup>89</sup>

### Community Engagement Findings regarding the Creation of BerkDOT

To date, there have been several opportunities for community members to weigh in on the creation of BerkDOT and the transfer of traffic enforcement duties to unarmed civilians. Overall, the community is supportive of this approach, but feedback indicates that Berkeley

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<sup>89</sup> Reimagining Public Safety Task Force Meeting, July 8, 2022.  
[https://www.youtube.com/watch?v=mHj8FPDp\\_BE](https://www.youtube.com/watch?v=mHj8FPDp_BE) Minute mark 1:58

must be thoughtful in its approach as it moves forward with this new initiative.

During the listening sessions with Black residents, housing/food-insecure residents, Black and Latin youth, justice-system-impacted students, there was a general openness to the idea of unarmed civilians taking over traffic enforcement, but there were concerns voiced about the safety of the civilian responders, as well as skepticism expressed by Black residents that a switch to civilian responders would reduce the racism and disparities currently associated with traffic stops. And during a listening session that included Parking Enforcement Officers (PEOs), unsworn staff who currently sit under BPD, there was concern expressed that being moved out of BPD would be problematic. Specifically, the PEOs indicated that sitting organizationally within BPD “produces a more professional and respected workforce.”

While central to the re-imagining process, the development of BerkDOT is primarily being handled in a separate, parallel process with Public Works staff taking the lead. This has included community engagement through the representative survey the City commissioned to better understand the transportation needs of Berkeley residents and to gauge their support for the transfer of traffic enforcement and other transportation-related duties out of the BPD. Respondents of this survey overwhelmingly supported moving at least some transportation duties out of BPD (76% supported this idea), and 75% specifically supported the idea of moving traffic enforcement out of BPD.<sup>90</sup> These findings held across a wide range of demographic groups (including

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<sup>90</sup> City of Berkeley. Initial Review of Results: Survey of City of Berkeley Residents, Reimagining Policing Project. October 15, 2021. [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_Commissions/21-8226%20Report%20of%20Preliminary%20Findings%20-%20Draft.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_Commissions/21-8226%20Report%20of%20Preliminary%20Findings%20-%20Draft.pdf)

gender, race/ethnicity, and identification as LGBTQ). Also of note, only 36% felt it was important to have police enforcing routine moving vehicle violations and issuing traffic tickets, only 21% felt it was important for police to be tasked with enforcing bicycle and pedestrian regulations and issuing tickets, and only 14% felt it was important for police to oversee the enforcement of parking regulations and issuing of parking tickets.

In addition to the citywide, representative survey, Public Works also worked with consultants at Equitable Cities and Fehr & Peers to conduct three separate listening sessions with high school students of color, college and university students of color, and religious minority groups of color in the City of Berkeley during the months of October and November 2021 (n=20 total participants). Every participant in all three of these listening sessions felt it was a good idea to remove traffic enforcement from the police and transfer it over to unarmed civilians.<sup>91</sup> Participants in the college student listening session expressed a belief that this move will “make marginalized communities feel safer overall,” and that if this civilian workforce could be well-trained in anti-racism, it would “really ease some of the disproportionate burdens that may be placed on low-income folks or people of color.”

## EMPLOYMENT PROGRAMS THAT WORK FOR PERSONS WITH HIGH BARRIERS TO EMPLOYMENT INCLUDING HOMELESSNESS

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<sup>91</sup> Citation forthcoming when BerkDOT listening session data are posted publicly.

A Transitional Jobs strategy lowers barriers to unemployment for persons with complex challenges including homelessness. Offering whole person case management services with solid referrals into safety net services increases the chance of success. It is also important that participating in the program leads to permanent employment opportunities with liveable wages and benefits.

### Examples of Transitional Job Training Careers

- Culinary and Food Preparation
- CNA – Certified Nursing Assistant
- Home Care Aide
- Administrative
- Customer Service
- Solar Installation
- Auto Mechanic
- Gardening and Landscaping
- Maintenance and Janitorial
- Construction
- Violence Prevention / Peer to Peer Role Models
- Clean City Programs / Street Ambassadors
- Youth mentor
- Security Guard
- Shelter Assistant

### Example of Local Employment and Training Programs

- [Rising Sun Center for Opportunity \(risingsunopp.org\)](http://risingsunopp.org)
- [Kitchen on Fire](#)
- [The Bread Project](#)
- [Sprouts Cooking Club | Cooking Classes | Chef-In-Training Program \(sproutscheftraining.org\)](http://sproutscheftraining.org)
- [Home | West Oakland Job Resource Center \(wojrc.org\)](http://wojrc.org)

- <https://www.oaklandca.gov/services/assets> (employment for seniors)
- City of Berkeley Adult School [CTE Program Pathways - Google Docs](#)
- [Employment Programs – Goodwill Industries of the Greater East Bay \(eastbaygoodwill.org\)](#)
- [Environmental Training Center | Berkeley Youth Alternatives \(byaonline.org\)](#) Environmental Training Center for ages 16-24
- Inter-City Services [Home \(icsworks.com\)](#)
- Multicultural Institute [Multicultural Institute \(mionline.org\)](#) support day laborers find economic security and housing
- [North Cities One Stop Career Center](#) – inside of Berkeley Adult School

#### Complementary Educational Classes

- English As a Second Language
- English and Math Literacy
- Adult Basic Education and GED classes
- [Computer Technologies Program - Berkeley, CA \(ctpberk.org\)](#)
- [DigitalLearn](#) Digital Learning – basic computer skills to navigate word processing programs, the Internet for job search and resume creation

Recommendation RICHMOND Model

SOS Richmond and Rebuilding Together.....a model

STREETS TEAM for homeless encampment engagement

Safe Organized Spaces Richmond (SOS), a program of Rebuilding Together East Bay-North (RTEBN), will collaborate with project partners/subcontractors, the City of Richmond departments, other public agencies, and private entities to provide outreach and support unsheltered people who reside in homeless encampments across the City of Richmond.

RTEBN is a local 501c3 nonprofit that has been serving the community since 1992 with a focus on community revitalization. RTEBN will host this effort by providing its management and administrative services and will charge a 10% administration fee as well as provide the services of its Executive Director to oversee all administrative aspects of the SOS programs. RTEBN will provide the organizational infrastructure and capacity needed to ensure the smooth and efficient functioning of the programs. It will also provide leadership for fund and programs development and facilitate SOS Richmond's growth to become a fully functioning stand-alone organization.

SOS Richmond has been operational since 2019 and uniquely focuses its mission on improving safety and providing essential care for homeless encampment dwellers in informal structures and unhoused vehicle-dwelling households on city streets and other unsupported locations. The Area Director will direct the development and operation of the Streets Team for daytime encampment and neighborhood engagement and provision of basic amenities, and for nighttime neighborhood responses related to public safety and quality of life issues. He will also coordinate activities to support forthcoming interim sheltering programs.

Program partners are other Richmond organizations that will be subcontracted to provide services such as: staff training for workforce

readiness, professional skills, and personal development; food and water distribution; community and leadership development; toilets, hand washing stations, and other amenities and infrastructure; and other essential encampment-based and interim sheltering supports.

SOS Richmond's programs address situations in which homeless people are living in conditions that are unacceptable for all concerned by providing resources to address immediate situations, and providing the support needed for people to take responsibility for their surroundings and ultimately obtain safe transitional shelter and a pathway to permanent housing.

The Streets Team is a workforce development program that employs homeless individuals to fill a critical gap for improvement of unsafe conditions for the health and security of unhoused populations and neighbors impacted by homelessness. Employees participate in life skills and employment-related sessions to promote mainstream behaviors for the purpose of enabling them to build on skills and develop a work history for eventual employment elsewhere.

The Streets Team responds to homelessness at parks, freeways, train tracks, creeks and on neighborhood streets at key locations throughout Richmond .

Fifteen paid unhoused individuals currently serve as neighborhood stewards and role models who lead essential safety and health efforts in encampments. They are afforded access to more hours, responsibilities, and opportunities for advancement. The additional resources afforded by this contract will enable SOS! Richmond to scale up to as many as 60 paid employees and interns.



The Streets Team will provide outreach through the provision of trash cleanup, sanitation and hygiene interventions, empowerment processes, and community liaison services that lead to improved encampment and neighborhood conditions. Community-integrated efforts will engage public, nonprofit, community-based and business sectors to leverage basic amenities for encampment residents, address individual and community needs at encampments, and improve relationships between encampment communities and the neighborhoods where encampments are located.

The Streets Team will be supervised by two Field Supervisors. The daytime Field Supervisor will lead, model, oversee, and hold personal and team accountability with supervision of the Streets Team's staff and intern "Safety Guardians" to conduct mobile and localized encampment and neighborhood engagement services, with a focus on delivery of basic amenities according to a predictable daytime schedule.

The Field Supervisor will oversee the Streets Team's second shift as an assertive community liaison for improving neighborhood quality of life. The mobile team will support and lead a homeless engagement team of local safety guardians who respond to neighborhood complaints and steward street and encampment hotspots.

The program will utilize equipment, supplies and materials such as sanitation, hygiene and water supplies, trash bags, gloves, masks, vests, materials to maintain vehicles and equipment, safety PPE, fuel, food/beverages, office materials, printing, trash disposal trailer, etc. It will accommodate debris disposal costs for Republic Services tipping fees. The organizations will work at a Central Richmond office space

and meeting space, and costs may also include storage of supplies and donated materials, and storage of heavy equipment and vehicles.

Streets Team service activities will include:

*Cleanup of trash and dumping.* SOS will expand and deepen its debris removal to locations throughout Richmond, including existing and abandoned encampments, public spaces such as parks, creeks, streets, and anywhere that trash accumulates. Since receiving its first city grant in 2019, SOS! Richmond has had a significant positive impact on encampments and their surrounding neighborhoods. The Streets Team currently removes five tons per week from dumped locations. It is anticipated that the team will remove and dispose of 8-10 tons of trash per week.

Encampment residents are encouraged and motivated to steward their surroundings and keep them clean and safe. SOS! Richmond's approach is to recruit and train encampment residents to self-manage their spaces and prepare trash for removal and disposal by the Streets Team's mobile engagement team. Encampment dwellers will benefit from improved living conditions, a healthier environment, and safer and more organized camp communities. This is made possible by cultivating trusting relationships, and Streets Team members use their unique knowledge of localized cultures, dynamics, and nuanced encampment experiences to gain trust and model leadership. Team members can relate to their unsheltered peers on a level that is not possible with institutional service providers, enabling them to foster empowerment and positive behavior.

Improvements in collaboration and shared protocols among these unhoused leaders, and public agencies and neighborhood groups, will provide their eyes on the ground for the Streets Team to be responsive to new needs each day, thus benefitting the City and relieving the overwhelming problem of illegal dumping. Through this process, stakeholders improve the perception of public parks, streets, and other prominent places as safe spaces, inform perceptions about homelessness, and increase cross-sector cooperation.

The Streets Team models this cleanup activity for local encampment residents and neighbors alike and raises public awareness about neighborhood safety. As the Streets Team conducts its sanitation and outreach efforts, SOS! Richmond communicates with neighborhood partners and community leaders, public agency representatives, attends neighborhood council and civic group meetings, and shows up on neighborhood streets ready to engage in conversations with housed and unhoused neighbors and respond to their concerns and needs. It organizes for greater levels of communication and cooperation about the problems of homelessness. Such public awareness efforts will ultimately result in the introduction of interim sheltering, and eventually permanent housing, solutions in Richmond neighborhoods.

*Deliver mobile showers to locations near unhoused neighbors.* The Streets Team will operate the Shower Power program, a collaborative, coordinated effort that includes a mobile shower trailer that travels to homeless encampments and locations where clusters of people reside in vehicles. SOS Richmond partners with other community organizations to deliver a constellation of essential services for unsheltered residents of Richmond with the Shower Power program

as its cornerstone. Services include hot showers, delivery of food, water and supplies, and other services as described below.

The mobile shower will visit at least five locations per week for 3-4 hours per day, serving 100 or more homeless people each week. Masking, social distancing and sanitation protocols are strictly enforced by trained workers. The team will continue to secure public and private hosts to provide water, electricity and greywater effluent drainage at locations near encampments. In addition to a hot shower, the unhoused individuals receive: food and drinking water; new socks and underwear, and access to clean clothing; personal protective equipment such as face masks, gloves, and sanitizer; hygiene supplies, sanitation supplies and trash bags; tents, tarps, sleeping bags and blankets for those without them; assistance navigating the Coordinated Entry System of homeless services, including health care and information about housing.

Shower Power serves as a draw to engage people with additional services, bringing in people who might not otherwise seek the help they need. The showers are a point of convergence of people and resources in partnership with community-based, nonprofit, and public agency partners, including active relationships with the County's CORE mobile homeless outreach, Health Care for the Homeless, Free Meals on Wheels, and other collaborative partners. Brothers of International Faith will host food distribution alongside Shower Power at shower service locations.

A driver and at least two staff members are required to deliver and set up the mobile shower unit, welcome and survey shower program participants, distribute supplies, engage with participants to discuss their needs, and clean and disinfect the units after each use. The

budget presented in this contract assumes an aligned delivery of Streets Team sanitation and Shower Power hygiene services.

*Deploy additional amenities that provide for trash storage, portable toilets, drinking water, wastewater disposal, and power at encampment and street locations, scattered sites for off-street parking, and future transitional villages. Currently unsupported encampments will be gradually supported with the introduction of amenities. Managed encampments will be maintained with more robust service and leadership-building, and interim sheltering locations will be similarly supported with these basic amenities. Many of these resources will be provided by community-based efforts of in-kind supporters – people who live in Richmond and want to see the problems of homelessness addressed for an improved civil society with safety net supports.*

The infrastructural improvements will be delivered and managed by the Streets Team in collaboration with public/private partners who invest in the safety of encampment residents and their impacted neighborhoods. These actions demonstrate to encampment residents that they have a responsibility to utilize and secure the infrastructure and steward their surroundings, in addition to addressing their most dire and basic needs. Program partners will work with SOS/RTEBN to lease, site, secure, manage and service any debris, toilet, water, and wastewater systems that are contracted for interim use to improve public health.

*Leader-building and workforce development activities so that unhoused residents are more responsive to their peers' and neighborhood's needs. The Streets Team identifies, recruits and trains*

unhoused residents who demonstrate competencies, enthusiasm, and reliability to provide outreach and basic amenities to encampments, engage in trash removal, and support peers and adjacent housed neighbors. Outreach efforts identify volunteers who demonstrate their leadership and motivation to make changes in encampment and neighborhood quality of life. Interns receive a modest stipend while they train for potential employment. Employees receive a decent wage and the support needed to sustain their jobs and become productive members of society. Workforce training by program partners will support the efficacious employment of unhoused individuals so that they provide their services to Richmond's neighborhoods in response to public health and safety concerns and needs.

Each day in the field, unhoused individuals are encouraged to demonstrate their personal initiative and leadership qualities as volunteers and are invited to join the Streets Team in its fulfillment of a predictable schedule of field activities. The volunteer is encouraged to regularly communicate with the Field Supervisor to begin and sustain the volunteer status.

Volunteers join staff to participate in staff meetings to brainstorm about problems and receive group in-field training to learn basic tasks and responsibilities. Program partners will be sub-contracted to increase the training that employees receive, who will be paid to attend in-class training sessions to learn basic soft skills, handling hazardous materials, conflict de-escalation and motivational interviewing, problem-solving skills and education about trauma-informed care, and peer engagement, leadership, and empowerment.

Each employee applicant is required to complete volunteer and employment paperwork, obtain a CA ID, Social Security card, phone,

and bank account for direct deposit, and demonstrate eligibility to work. They are assisted in this process by the Director, Field Supervisor, and SOS volunteers. Interns and employees are supported to secure transportation and conduct legal vehicle registration and operation. Each applicant will be assisted with developing a professional resume.

Streets Team members are expected to be the models for others, not only in their work performance but also in their personal living arrangements and relationships. Interns and employees are continually encouraged and supported to make personal improvements in their lives to obtain more stable dwellings and living conditions, and improve their personal health, emotional stability, and overall satisfaction and wellbeing. Employees are prioritized to participate in the interim sheltering opportunities as they are developed by SOS! Richmond and the City. Each employee is expected to benefit from obtaining permanent housing and the means to sustain it with employment and an active “personal program” that keeps people working on their personal health.

Workforce development focuses on practicing teamwork according to a daily communication system and clear performance standards that are modeled by the Field Supervisor. Employees demonstrate their accessibility and dependability. They learn to model a positive outlook and the motivation for improving neighborhood quality-of-life and encampment living conditions. They are supportive of their peers to help them be healthy and engaged in Safety Guardian activities. Each Streets Team member recommends new volunteers to become Streets Team members. As an employee begins to excel in job performance, the hours increase and become more regular, responsibilities are nuanced and shaped to that individual’s aptitudes

and strengths, and the employee advances in hourly and then salaried pay rates.

*Local engagement focuses on safety, problem-solving and personal welfare* to improve public safety. One of the most pressing issues at unsupported and managed encampments is the need for improved security to support public safety. It has thus far been difficult to implement successful security measures, even at managed encampments. The Streets Team will engage local stewards to work during late afternoons and evening hours to target three activities: trash collection, problem-solving, and advocating for people's welfare. These activities together will bring more attention and care to situations that otherwise might result in problems with safety. Such activities may increase self-management practices among encampment dwellers.

The Streets Team is composed of local stewards and a mobile team. A local steward will be present at larger encampment locations to provide for "traditional" Streets Team activities such as trash cleanup. An additional task for select employees will involve talking with individuals to focus on welfare checks. By casually offering to support people's needs, staff will seek to address what is not working and problem-solve in the moment or at the earliest next opportunity. With clipboard in-hand and by asking one or two simple questions, the Streets Team can respond to people's expressed needs. In response, the Streets Team's mobile team, Area Director, SOS volunteers, and program partners, including Housing Consortium of the Easy Bay (HCEB), will be responsive to these needs. The local steward will also lead in the empowerment of unsheltered residents to steward their locations to improve personal and public health, safety, and



neighborhood order. Improving safety and security will thus involve proactive steps that can be taken by working with the residents who are receptive to support and are willing to participate.

Individually focused engagement will lead to community development at locations where people lack access to caring, trusted, and sustained relationships. The activity of securing and managing shared public spaces will lead to safer, more organized environments which will improve conditions and relationships in neighborhoods impacted by homelessness. The health and safety-focused engagement and empowerment activities will help to provide stewardship that supports the security of public spaces.

*Mobile team to act as assertive community liaisons and problem solvers at problematic neighborhood locations.* The mobile team will operate two shifts during the day and into the night to provide responses to neighborhood complaints or concerns related to homelessness and address these in a sustained and proactive manner. The team's expansion of its capacity as assertive community liaison will improve neighborhood quality of life with its presence at problematic encampment and curbside locations and increase civility at public spaces. The mobile team will function as field supervision for the local stewards and Streets Team members as they work in the field. They will also provide observation and responses for the Secure Scattered Sites to ensure that host properties and the households residing on-site are safe and acting in accordance with contractual agreements.

The mobile team fulfills a basic function of picking up trash bags and debris that is dumped at specified locations. As the mobile team

travels across Richmond and fulfills the Streets Team's work at specific locations according to a predictable schedule, the team will also be responsive to requests for support from local guardians, concerned neighbors, public agencies, including CORE's mobile outreach (CORE ceases its work at 4PM), and other public and private groups and institutions that express their neighborhood's needs.

The team will answer these basic needs at encampments, streets, and other locations where unhoused individuals otherwise lack support, especially in the evenings when problems most often arise. It will regularly check in on individuals, especially vulnerable ones, and will keep track of where they are, how their needs are being met, and assist them in obtaining support and access to services in collaboration with program partners and mainstream providers. The mobile team will pass out bags, collect filled bags, and use their clipboards to keep track of promises for support.

The mobile team will provide a presence to deter illegal dumping and provide prompt responses when these calls are dispatched. It will also practice a light touch to address those concerns of quality-of-life and civility that can be safety responded to and which may mitigate public agency responses.

When practicable and safe, the mobile team can respond to concerns related to homelessness during evenings and nights until 3AM. It is during these late hours when a presence might make the difference in preventing crime and disorderly behaviors, especially at locations where local stewards request support and supervision by the mobile team for problem-solving.

The mobile homeless engagement team will address neighborhood complaints. Collaboration with city and county agencies will expand for assertive public safety responses, improve communication lines with neighborhood housed residents, leaders, and groups, and potentially integrate with real-time dispatch call systems.

*Manage and support Safe Parking Host program locations* for vehicle dwellers. Interim sheltering solutions will offer safety, stability, and a cleaner, healthier environment, as well as a pathway to permanent housing. As tent and vehicle-dwelling households are disbursed from encampment locations, SOS Richmond will recruit the support of public and private property owners (churches, nonprofits and eventually businesses) to temporarily utilize vacant lots and parking lots to provide stable and secure transitions for select households. Secure sites are contracted for one to four households with private hosts. In its role as liaison and resource provider, SOS Richmond facilitates a successful relationship between household, host and immediate neighbors. The Streets Team will support the host and the households residing at each scattered site, manage the provision of on-site amenities, and provide centralized services that bring households to convergent resources. The mobile team will support the security of these sites in the evenings and ensure that households adhere to contractual agreements.

The Safe Parking Host program will support the provision of basic needs such as safe and stable shelter, food, water, and hygiene, as well as a sense of community, purpose, dignity, and hope. For each resident, a personalized service plan will be developed based on individual need, and focused on procurement of housing, may include medical and dental care, housing assistance, help applying for benefits

and health insurance, employment counseling, job training or job placement, financial literacy counseling. The scattered site program will be for those who are not in need of mental health and substance abuse services.

Hosts will be interviewed by the SOS Director to establish what amenities are already present on the site and what types of situations they can accommodate (such as disability, children, etc.), and to gather information that will assist in selecting one or more households that are likely to be compatible with the host and the immediate surroundings. Interested vehicle dwellers will be interviewed by the SOS Field Supervisor and the Case Manager to determine their needs in terms of resources, supportive services, and the functionality of their vehicles.

Once the host's permit is approved, contractual agreements will outline the responsibilities of Host, SOS and Guest. The Streets Team will assist the hosts with preparing their sites for the arrival of the guests. Depending on the site, this may include arranging for installation of a portable toilet and handwashing station, procurement of a drinking water storage tank, and any other assistance deemed necessary by the host. They will assist the guests with meeting any compliance requirements related to the vehicle. The Field Supervisor will provide coaching for each household to prepare them for the responsibility and to promote accountability in their role as steward of the host's property. Once the guests have been settled at the site, a Streets Team member will visit on a regular basis to assist with any needs the guests may have, and to ensure that the arrangement is working out for both parties.