

## Comments on NICJR's Draft Final Report And Implementation Plan from the Improve & Reinvest Subcommittee (Commissioners Crook, Ejigu, Fine, Ho, Lutzker, Malvido, Moon, Thompson)

The Improve and Reinvest Subcommittee held four meetings (on November 2, 4, 11, and 14) to discuss NICJR's Draft Final Report And Implementation Plan and provide our comments, questions, and requests for revisions. There were a number of areas that we felt needed significant improvement. Below, we provide our comments:

### **No discussion of repair and healing process**

- There are examples at the beginning about police mistreating Black Berkeley community members, but NICJR has provided no plan for repair and how to heal.
- No discussion of restorative justice and BPD

### **No practical implementation plan - how does it all fit together?**

- Timelines for each of these recommendations outlined in the report?
- Phasing, prioritization, and plan for implementation - where's the roadmap?
- Budgetary implications and fiscal impacts for the city not made clear
- Many parts are interlocking and rely on each other - what if any one part doesn't work or come to fruition? Heavy dependence on CERN. What could stand on its own?
- Insufficient information on how different established CBOs can fit into this process (especially CERN) - assumption that expertise is there without research to support, smaller CBOs may be at a disadvantage due to RFP process
- What is the process for evaluation? Who will be at the table?

### **Lack of incorporating feedback from community engagement process in recommendations, including a lack of direct impact on equity**

- Lack of focus on violence prevention programs
- Lack of early intervention and true prevention programs (no specific focus on social determinants of health, other than income recommendation around UBI)
- Lack of programs focus on youth engagement/involvement
- Lack of recommendations around domestic violence/intimate partner violence
- No discussion of restorative justice for the community
- No discussion about the prioritization of programs and services identified in the citywide survey by community members. The priority list (in order of decreasing importance) is: homelessness, sexual assault, gun violence, mental health, child welfare, crime, human trafficking, domestic and intimate partner violence, traffic safety, police violence, drugs sales/substance use. (Note: there were very small margins between categories.)
- Does not integrate findings and recommendations made by and about specific demographic populations from the extensive community engagement process. There is a need to integrate findings and recommendations from the listening sessions and citywide survey to produce a nuanced analysis about how specific proposed community-based programs and services would improve access, social determinants of health, and equity among our diverse demographic populations while reducing policing. Specifically, the analysis must show how proposed programs will be tailored, culturally safe and responsive to meet the needs of all communities (including those identified by

race, ethnicity, gender, LGBTQIA+, disability, age, housing or former incarceration status—or those with multiple identities).

- The recommendation to make an across-the-board funding increase of 25% to all CBOs is insufficient given the specific and varying needs outlined for different demographic groups, as identified through the community engagement process.

#### **Items that were discussed that were not incorporated into report**

- Programs previously recommended in New and Emerging Models report that are also supported by recommendations coming out of the community engagement process (e.g., those listed under: Non-Law Enforcement Crime Reductions Strategies, Community-Driven Violence Reduction Strategies, Policing Strategies).
- There was no discussion of or recommendation about the decriminalization of existing state and/federal laws and elimination of Berkeley Municipal Code laws that disproportionately target and/or impact specific groups on the basis of identity.

#### **Items in report that were never discussed/presented (or barely discussed/presented)**

- BAPPA - is this even feasible?
- HALO - where is the research on this? No opportunity to weigh in.

#### **There is need to recommend specific implementation plans for programs already recommended by Mayor's Fair and Impartial Policing Working Group and adopted by City Council, rather than not simply re-describe them in this report**

- Elimination of pretext stops
- Early Intervention System (EIS)

#### **Inadequate coverage of and support for BerkDOT**

- Inadequate explanation of the purpose behind BerkDOT, how it improves safety and mobility, and what it entails beyond removing traffic enforcement from police (we recommend replacing the current BerkDOT section under "Reduce" with the [draft text provided here](#)).
- Provides no financial resources for the BerkDOT process to move forward, which is currently not funded. There is ample data showing the need for this investment (we recommend adding a justification for recommending funding under the "Reinvest" section with the [draft text provided here](#)).
- Placement of future BerkDOT duties under CERN response (e.g. parking, non-injury collision response) is confusing for CERN CBOs and confusing for BerkDOT.

#### **Some items that were appreciated**

- UBI - actually addresses SDOH/prevention (but perhaps extend into AAPI community)
- "Create a local government agency to be the centralized point of coordination, such as a Department of Community Development" (pg 38) - this could provide leadership on this process moving forward with a focus on racial equity.