



## Kriss Worthington

Councilmember, City of Berkeley, District 7  
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### ACTION CALENDAR

October 31, 2017

To: Honorable Mayor and Members of the City Council  
 From: Councilmembers Kriss Worthington, Ben Bartlett, and Kate Harrison  
 Subject: Refer to the Berkeley Police Department to Address Disparate Racial Treatment and Implement Policy and Practice Reforms

#### RECOMMENDATION:

Refer to the Berkeley Police Department to track yield rates, develop training programs to address disparities found through the yield rates, and implement policy and practice reforms that reflect cooperation between the Berkeley Police Department and broader Berkeley community.

#### BACKGROUND:

The short-term reforms listed in this referral address the issue of racial disparity of police policies and practices in Berkeley.

The Council directs the Berkeley Police Department to take the actions listed below:

1. Track yield rates (i.e., the percentage of citations or arrests per traffic or pedestrian stop and the ratio of contraband found by search conducted) by individual officer, by patrol and by the department as a whole disaggregated by the race of the individual(s) stopped. This data will focus BPD examination of the reasons for disparate racial treatment and to identify outliers. For the first year, BPD will report its findings quarterly to the Council, using anonymized data.
2. Develop training programs to address the organizational causes of disparate treatment uncovered in #1 above and through examination of footage on police body cameras (e.g., more scenario-based training on procedural justice and the roots of disparate treatment, expanded de-escalation training).
3. Consult and cooperate with the broader Berkeley community, especially those communities most affected by observed racial disparities, to develop and implement policy and practice reforms that reflect these shared values.
4. Subject to applicable law, provide the PRC with the same access to all department files and records, in addition to all files and records of other City departments and agencies, as the department's Internal Affairs Division (IAD). The Department and other city departments and agencies will make every reasonable effort to respond to the PRC's requests for files and records within (10) days.
5. Use the "Preponderance of the Evidence" as the standard of proof for Board of Inquiry Decisions of the PRC.

6. Extend the current 120-day limit on the imposition of discipline to one year, consistent with existing California law.

FINANCIAL IMPLICATIONS:

Staff time.

ENVIRONMENTAL SUSTAINABILITY:

Consistent with Berkeley's Environmental Sustainability Goals and no negative impact.

CONTACT PERSON:

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