TO: Honorable Mayor and Members of the City Council

FROM: Councilmembers Linda Maio, Susan Wengraf, Sophie Hahn, and Lori Droste

SUBJECT: Establish the City Council’s tone and direction as the City moves forward with improvements in the Police Department's and Police Review Commission's policies and procedures.

RECOMMENDATION
That the Council clearly establish a positive tone for the public, the Police Review Commission (PRC), and staff. As we move forward to further advance fairness and accountability in policing that we affirm the following:

1. Berkeley's Police Department is one of the finest in the nation.¹
2. The Police Department has been engaged in continuous improvement and commissioned the Center for Policing Equity (CPE) Draft Report for that purpose.
3. The parties (Council, PRC, and others engaged) rely solely on factual data and refrain from promulgating data that is outdated and not been verified.

In addition, Council should take under advisement and solicit general policy suggestions from progressive criminologists in our community, such as has been provided by Dr. Barry Krisberg, a resident and national expert in criminology:
   a. The keys to effective policing are core principles of community policing, restorative justice and the sincere attempt to employ control strategies that are guided by the value of the least restrictive alternative consistent with public safety. Related to this is resistance to militarization of the department.
   b. The Department should have meaningful positive rewards for officers who meet the highest standards.
   c. Police morale is very important.
   d. Due process, rights of citizens and police, should receive the highest levels of support.

BACKGROUND
Berkeley’s police department, widely considered one of the best in the nation (see Center for Police Equity draft report) is engaged in continuous improvement under the direction of Chief Greenwood. Toward that end, the Department solicited a study and

¹ Center for Policing Equity Draft Report (https://www.cityofberkeley.info/CPEDraftInterimReport.aspx)
report from an independent research group, The Center for Policing Equity, and we have received a draft report.

The report contained some inaccurate outdated data and is in the process of being revised. Unfortunately, rather than wait for the final report, some parties have promulgated incorrect outdated information from the draft report, which is insupportable and has done damage to our internal processes and staff morale. Instead of proceeding in recognition of our Police Department's stellar reputation and efforts to engage in self-improvement in a collaborative manner, several official and unofficial actions taken recently were not only inappropriate but also set a negative and combative tone in their conveyance.

The Police Review Commission has not included Chief Greenwood in discussions about how the changes they would like to make will result in a positive or quantitative difference in their processes and outcomes. On his part, the Chief has shared the Department’s principles in interacting with the community, each other, and which can be useful in the PRC's interactions as well:

- give people voice;
- be neutral in how you engage with people/situations;
- treat people with respect; and
- operate with transparency.

Much confusion and negativity has ensued from the mishandling of information and lack of collaboration. It would be helpful for the Council to take leadership in establishing a positive path forward, one that seeks to collaborate widely, works in concert with our Police Department, and bases our actions forward on facts and sound research, transparency, and respect. As is noted in point “c” above, police morale is very important and the degree to which the Council expresses its support of and confidence in our police department as we move forward is a message in itself.

ENVIRONMENTAL SUSTAINABILITY
No environmental sustainability impact.

FINANCIAL IMPLICATIONS
None.

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