To: Honorable Mayor and Members of the City Council

From: Councilmember Cheryl Davila

Subject: Support Redistribution of City Resources and Operations from the Berkeley Police

RECOMMENDATION

Adopt a resolution supporting Redistribution of City Resources and Operations from the Berkeley Police, and taking the following actions:

1. Request that any function that is currently served by Berkeley Police but would be better served by trained city staff or community partners should be transferred out of the police department with all due haste.

2. These functions include all non-emergency calls, mental health calls (including wellness checks), calls related to intoxication, calls related to homelessness, calls involving domestic violence, and any other calls that can be served by any other city resource, and

3. The current proposed police budget for 2021 ($72,774,334) will be reduced by an amount of 50% ($36,387,167) or greater and funding of community programs and non-police city agencies will be increased by a commensurate amount, and

4. Reducing the Berkeley Police Department budget by at least 50 percent will allow funding for but not limited to youth programs or community groups and programs, housing and homeless services, food security, mental health services, healthcare, creation of new city jobs, and public health services.

5. Calls involving domestic violence, homelessness, and mental health require specialized responding staff who have been trained in de-escalation and are able to provide direct services to Berkeley residents who are in crisis. The City Auditor is hereby directed to prepare a report to Council that reveals the amount of funding that will become available as a result of these reductions in police responsibilities.

6. The City Manager will identify the expertise needed for non-police responses to these calls, taking into account comparable approaches including CAHOOTS as well as existing local programs which could possibly expand with additional funding such as: the Berkeley Free Clinic, Building Opportunities for Self Sustainability (BOSS), and the Women’s Daytime Drop-in Center, Consider the Homeless and others, and initiate an RFP process for community organizations to provide those services.

7. The City Manager should create a plan for a non-police hotline that can receive 911 calls and connect those calls with non-police resources as appropriate, either by expanding the 311 mandate or creating a new city agency (perhaps 811 recognizing 8 to Abolish).
8. The City Council requests the Berkeley Unified School District and all Berkeley schools, both public and private to end programs that bring police officers into the schools, and to do everything within their power to protect undocumented students and families and to safeguard their information and prevent it from being shared with from police, including ICE (Immigration and Customs Enforcement).

9. That general fund dollars are not to be expended to pay out settlements resulting from police officer negligence, brutality, or murder. Those settlements will henceforth be deducted from police department budgets.

10. That the Police Review Commission and Peace and Justice Commission are instructed to form a joint committee to annually review police responsibilities and make recommendations to the City Council regarding additional functions that could better be served by non-police staff.

BACKGROUND

The death of George Floyd at the hands of Minneapolis police on May 25th was yet another heartbreaking entry in the long list of Black people who have been killed by police officers in the United States. The murder of Mr. Floyd has sparked widespread demonstrations across the country and the world, including here in Berkeley, drawing attention to systemic racism in American policing.


which finds its roots in Slave Patrols⁶ and the quashing of organized labor⁷, and demonstrators are demanding the redistribution of civic resources from militarized police departments to social services where they belong.

Cities across the nation have begun the necessary process of defunding or outright abolishing their police departments⁸ ⁹ ¹⁰ ¹¹ ¹² ¹³.

Police reforms that do not include redistributing resources away from police have not been sufficiently effective in curbing police abuses, as evidenced by many attempts including in Los Angeles after the beating of Rodney King nearly thirty years ago, where the city made various reforms based on an independent commission’s recommendations¹⁴ but Los Angeles police continued to abuse and kill¹⁵, and the city has been host to California’s largest demonstrations in the weeks since Floyd’s death¹⁶.

Here in Berkeley, many police reforms have been instituted but unconscionable inequities persist. Just in the last several weeks, between March 13th and June 12th, 2020, BPD police

---


statistics show African American stops are exactly 50% of total 608 stops at 304, with white stops at 143 for 23.52% of all stops. When adjusted to take into account the low number of African Americans residing in Berkeley, African American stops are about 42.7 per 1,000 of their population, where white stops are about 2.9 per 1,000, a disparity of 14.5 to 1.\(^{17}\)

Approximately 37% of the City of Berkeley’s general fund is allocated to the police department, totaling $70,622,557 in 2020 increasing to 72,774,334 in 2021 which is four times the combined budget for Health, Housing, and Community Services.

Police budgets have increased steadily, both in terms of per capita spending and police share of total spending, there is no correlation between an increased investment in policing and reductions in crime\(^{18}\).

A reallocation of part or all of the police budgets offer enough funding to comprehensively address many inequities that underlie calls to the police and to create non-police interventions. Models do already exist, and many involve partnerships with community groups and providers, such as the CAHOOTS program in Eugene, OR., which has been successfully in place for some three decades\(^ {19}\) and is now inspiring reforms in San Francisco\(^ {20}\) and elsewhere.

Police misconduct has minimal consequences for police departments because settlements are often paid out of general funds rather than police budgets\(^ {21}\), putting financial pressure on other city services. Some cities resort to issuing bonds to cover settlements, which the Action Center on Race and the Economy (ACRE) call “Police Brutality Bonds”\(^ {22}\), and these drastic measures are more common in recessions like the one that we are currently facing as a result of COVID-19.

According to Berkeley officers, more than 35% of police calls related to mental health\(^ {23}\) and the presence of armed police officers can significantly escalate these situations. As recently as 2013, a Black, transgender Berkeley resident with a history of schizophrenia died in police custody after her roommate called 911 to request assistance for her mental health crisis\(^ {24}\).


Armed police pose a significant danger to people experiencing mental health crises: in 2015, at least 1 in 4 victims of fatal killings by police in the United States were adults with mental illness.  

FINANCIAL IMPLICATIONS
The current proposed police budget for 2021 ($72,774,334) will be reduced by an amount of 50% ($36,387,167) or greater and funding of community programs and non-police city agencies will be increased by a commensurate amount. Reducing the BPD budget by at least 50 percent will allow funding for but not limited to youth programs or community groups and programs, housing and homeless services, food security, mental health services, healthcare, creation of new city jobs, and public health services.

ENVIRONMENTAL SUSTAINABILITY
Protecting our communities during this climate and health crisis is an act of environmental sustainability.

CONTACT PERSONS
Cheryl Davila
Councilmember District 2
510.981.7120
cdavila@cityofberkeley.info

ATTACHMENTS:
1. Resolution

---

RESOLUTION NO. ##,###-N.S.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERKELEY, CALIFORNIA, SUPPORTING REDISTRIBUTION OF CITY RESOURCES AND OPERATIONS FROM THE BERKELEY POLICE

WHEREAS the death of George Floyd at the hands of Minneapolis police on May 25th was yet another heartbreaking entry in the long list of Black people who have been killed by police officers in the United States; and

WHEREAS The murder of Mr. Floyd has sparked widespread demonstrations across the country and the world, including here in Berkeley, drawing attention to systemic racism in American policing which finds its roots in Slave Patrols and the quashing of organized resistance.


labor\textsuperscript{32}, and demonstrators are demanding the redistribution of civic resources from militarized police departments to social services where they belong; and

WHEREAS cities across the nation have begun the necessary process of defunding or outright abolishing their police departments\textsuperscript{33} \textsuperscript{34} \textsuperscript{35} \textsuperscript{36} \textsuperscript{37} \textsuperscript{38}; and

WHEREAS police reforms that do not include redistributing resources away from police have not been sufficiently effective in curbing police abuses, as evidenced by many attempts including in Los Angeles after the beating of Rodney King nearly thirty years ago, where the city made various reforms based on an independent commission’s recommendations\textsuperscript{39} but Los Angeles police continued to abuse and kill\textsuperscript{40}, and the city has been host to California's largest demonstrations in the weeks since Floyd’s death\textsuperscript{41}; and

WHEREAS here in Berkeley, many police reforms have been instituted but unconscionable inequities persist. Just in the last several weeks, between March 13th and June 12th, 2020, BPD police statistics show African American stops are exactly 50% of total 608 stops at 304, with white stops at 143 for 23.52% of all stops. When adjusted to take into account the low number of African Americans residing in Berkeley, African American stops are about 42.7 per 1,000 of their population, where white stops are about 2.9 per 1,000, a disparity of 14.5 to 1.\textsuperscript{42}, and

\begin{itemize}
\item \textsuperscript{34} Boston councilor questioning police funding; Walsh says he's 'committed to making real change'. (2020, June 8). Retrieved from https://whdh.com/news/boston-councilor-questioning-police-funding-walsh-says-hes-committed-to-making-real-change/
\end{itemize}
WHEREAS approximately 37% of the City of Berkeley’s general fund is allocated to the police department, totaling $70,622,557 in 2020 increasing to $72,774,334 in 2021 which is four times the combined budget for Health, Housing, and Community Services; and

WHEREAS police budgets have increased steadily, both in terms of per capita spending and police share of total spending, there is no correlation between an increased investment in policing and reductions in crime; and

WHEREAS a reallocation of part or all of police budgets offer enough funding to comprehensively address many inequities that underlie calls to the police, and to create non-police interventions. Models do already exist, and many involve partnerships with community groups and providers, such as the CAHOOTS program in Eugene, OR., which has been successfully in place for some three decades and is now inspiring reforms in San Francisco and elsewhere; and

WHEREAS police misconduct has minimal consequences for police departments because settlements are often paid out of general funds rather than police budgets, putting financial pressure on other city services. Some cities resort to issuing bonds to cover settlements, which the Action Center on Race and the Economy (ACRE) call “Police Brutality Bonds”, and these drastic measures are more common in recessions like the one that we are currently facing as a result of COVID-19; and

WHEREAS according to Berkeley officers, more than 35% of police calls related to mental health and the presence of armed police officers can significantly escalate these situations. As recently as 2013, a Black, transgender Berkeley resident with a history of schizophrenia died in police custody after her roommate called 911 to request assistance for her mental health crisis; and

WHEREAS armed police pose a significant danger to people experiencing mental health crises: in 2015, at least 1 in 4 victims of fatal killings by police in the United States were adults with mental illness; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Berkeley, California, support Redistribution of City Resources and Operations from the Berkeley Police, and taking the following actions:

1. Request that any function that is currently served by Berkeley Police but would be better served by trained city staff or community partners should be transferred out of the police department with all due haste.

2. These functions include all non-emergency calls, mental health calls (including wellness checks), calls related to intoxication, calls related to homelessness, calls involving domestic violence, and any other calls that can be served by any other city resource.

3. The current proposed police budget for 2021 ($72,774,334) will be reduced by an amount of 50% ($36,387,167) or greater and funding of community programs and non-police city agencies will be increased by a commensurate amount.

4. Reducing the Berkeley Police Department budget by at least 50 percent will allow funding for but not limited to youth programs or community groups and programs, housing and homeless services, food security, mental health services, healthcare, creation of new city jobs, and public health services.

5. Calls involving domestic violence, homelessness, and mental health require specialized responding staff who have been trained in de-escalation and are able to provide direct services to Berkeley residents who are in crisis. The City Auditor is hereby directed to prepare a report to Council that reveals the amount of funding that will become available as a result of these reductions in police responsibilities.

6. The City Manager will identify the expertise needed for non-police responses to these calls, taking into account comparable approaches including CAHOOTS as well as existing local programs which could possibly expand with additional funding such as: the Berkeley Free Clinic, Building Opportunities for Self Sustainability (BOSS), and the Women’s Daytime Drop-in Center, Consider the Homeless and others, and initiate an RFP process for community organizations to provide those services.

7. The City Manager should create a plan for a non-police hotline that can receive 911 calls and connect those calls with non-police resources as appropriate, either by expanding the 311 mandate or creating a new city agency (perhaps 811 recognizing 8 to Abolish).

8. The City Council requests the Berkeley Unified School District and all Berkeley schools, both public and private to end programs that bring police officers into the schools, and to do everything within their power to protect undocumented students and families and to safeguard their information and prevent it from being shared with from police, including ICE (Immigration and Customs Enforcement).

9. That general fund dollars are not to be expended to pay out settlements resulting from police officer negligence, brutality, or murder. Those settlements will henceforth be deducted from police department budgets.

10. That the Police Review Commission and Peace and Justice Commission are instructed to form a joint committee to annually review police responsibilities and make recommendations to the City Council regarding additional functions that could better be served by non-police staff.