



Office of the City Manager

December 21, 2017

To: Honorable Mayor and Members of the City Council

From: *DWR* Dee Williams-Ridley, City Manager

Subject: Update; Use of Force Policy Development

This memorandum provides an update on the progress of the Berkeley Police Department's work on the revision of General Order U-2, Use of Force, as requested by Council on October 31, 2017.

The working group has drafted new and revised language to U-2, including:

- Formal language regarding the value of human life and dignity, without prejudice to anyone;
- Formal language regarding using de-escalation tactics and techniques which seek to minimize the need to use force and increase the likelihood of voluntary compliance;
- Re-draft definition of force;
- Expand the threshold of reporting force, including sub-categories of physical force;
- Consider approaches to categorization of force levels; using plain language to increase transparency;
- Posting of use of force statistics on the City's Open Data Portal.

Additionally, staff is drafting a model report to serve as a template for an annual use of force report.

External factors which could affect implementation of the completed policy include: necessary review from the City Attorney's office, and the need to meet and confer with the Berkeley Police Association. Once finalized, the policy will be provided to the Police Review Commission.

We look forward to completing work on this item. In the meantime, it may be helpful to note that the Department's overall use of force use appears quite small, proportional to the number of incidents to which the Department responds. The Chief has commented on this in the past, and provided the following information for your information.

Use of Force data against calls for service data: In the past three years, 2015,-2017, approximately 105 of the 223,878 incidents BPD responded to resulted in a Use of Force report. In other words, .047% (*forty-seven thousandths of a percent*) of the incidents BPD responded to resulted in a documented Use of Force report. The majority of force used is physical force.

Use of Force Complaints data against calls for service data: In the same period, approximately 34 of the 223,878 incidents BPD responded to resulted in a Use of Force complaint: about one out of every 6,500, or .015%, *fifteen-thousandths of a percent*.

If you have any questions, please let me know.

cc: Jovan Grogan, Deputy City Manager
Ann Marie Hogan, City Auditor
Mark Numainville, City Clerk
Matthai Chakko, Assistant to the City Manager / Public Information Officer