

Councilmember Ben Bartlett  
City of Berkeley, District 3

## EMERGENCY ITEM AGENDA MATERIAL

**Meeting date:** June 16, 2020  
**Item Description:** Safety for All: The George Floyd Community Safety Act – Re-Allocate Funding for Non-Criminal Police Duties Towards a Specialized Care Unit (SCU) Pilot  
**Submitted by:** Councilmember Ben Bartlett (Author), Mayor Jesse Arreguin, and Councilmember Rigel Robinson (Co-sponsor)

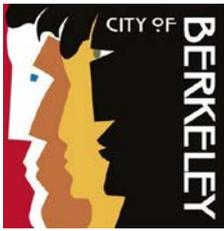
**Rationale:** Pursuant to California Government Code Section 54954.2(b) (2), Councilmember Ben Bartlett submits the attached item to the City Council for placement on the June 16, 2020 meeting agenda. Gov. Code Section 54954.2(b) (2) states that *“Upon a determination by a two-thirds vote of the members of a legislative body presents at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).”*

This item meets the criteria for “immediate action” as follows:

- 1) The budget is being considered and there is public outcry for Council to take action.
- 2) Racism Is a Public Health Emergency.
- 3) Council is considering numerous police items right now.

In all 50 states and more than 145 cities, Americans are calling for an end to police brutality, legitimate police accountability, and the transformation of the police system itself. The killing of George Floyd, a 46-year-old Black man, at the hands of police officers in Minneapolis, Minnesota followed a long series of constitutional abuses of Black men and women. Mr. Floyd’s death has proved to be the tipping point, giving rise to these waves of demonstrations, including many in the City of Berkeley.

The City of Berkeley takes pride in being home to the nation’s first citizen oversight board of police. Therefore, it is fitting for the City of Berkeley to immediately lead the way in reimagining public safety for all. This item directs the City to defund non-criminal responsibilities of the Berkeley Police Department, and re-invest in a Community Crisis Worker Pilot. Specifically, this item will create a network of crisis responders who will address and respond to non-criminal calls. The Community Crisis Worker Pilot will defund the police and re-invest those funds in services where residents experience better outcomes in public safety and community health. In addition, this pilot is predicted to save spending for the Berkeley City budget.



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## CONSENT CALENDAR

June 16, 2020

To: Honorable Mayor and Members of the City Council  
From: Councilmember Ben Bartlett (Author), Mayor Jesse Arreguin, and  
Councilmember Rigel Robinson (Co-sponsor)  
Subject: Safety for All: The George Floyd Community Safety Act - Re-Allocate Funding  
for Non-Criminal Police Duties Towards a Specialized Care Unit (SCU) Pilot

### RECOMMENDATION

Refer to the Thursday, 6/18/2020 Budget & Finance Policy Committee and the FY 2020-21 Budget Process the reallocation of funds spent on non-criminal activities from the Berkeley Police Department and reinvest in a Specialized Care Unit (SCU) Pilot.

### CURRENT SITUATION

In all 50 states and more than 145 cities, Americans are calling for an end to police brutality, legitimate police accountability, and the transformation of the police system itself.

The police killing of George Floyd, a 46-year-old Black man, and the murders of other Black people have lit a flame that has been brewing for a long time. These events of police brutality gave rise to a wave of demonstrations, including many in the City of Berkeley.

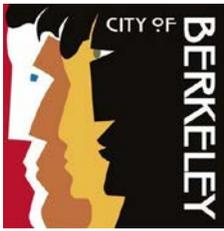
In addition, the Covid-19 pandemic has put a large economic strain on the city of Berkeley. With a 30 million budget shortfall for the 2021 financial year, Berkeley needs to maximize return value, and reallocating funding from the police department's 43% share of the total city budget is an effective way to do so.

In order to better respond to the needs of the Berkeley community, it is critical that the Council takes local-level action on police reform. The City of Berkeley should develop, implement, and enforce a clear and effective roadmap towards making real change, ending anti-Black racism, reducing the use of force, and holding police accountable for their actions.

As a component of the **REDUCE, IMPROVE, RE-INVEST** framework, this item works towards the RE-INVEST goal: *the City should divest from non-criminal police funding and re-invest in a Community Crisis Worker Pilot*. Specifically, this item will create a network of crisis responders who will address and respond to non-criminal calls.

### BACKGROUND

In the current state of policing in the United States, police have an incredibly broad range of responsibilities from responding to non-violent mental health crises to violent



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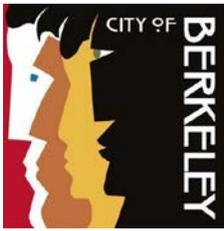
and criminal calls. A 24-week training academy cannot begin to cover the tools necessary to effectively handle the full gamut of non-violent and non-criminal incidences that arise. Adding to this problem, the Covid-19 pandemic has sharply stalled economic growth. The effects of which have not been seen since the Great Depression. The city of Berkeley is facing nearly a \$30 million dollar budget shortfall. At the same time, the city is projected to experience a dramatic increase in homelessness, persons experiencing trauma, and mental health crises. Each dollar must be spent to maximize the return value. Right now approximately 43% of the city budget is spent on the Berkeley Police Department, yet anecdotal data shows only 20% of police time is spent solving crime. The majority of Berkeley Police Officers' time is spent attending to those experiencing homelessness and mental health crises. **The city should re-allocate resources to a Specialized Care Unit (SCU) consisting of community crises-workers tasked with responding to non-criminal calls such as mental health, people in crisis, addiction, traffic, etc.**

The Specialized Care Unit would allow the police to focus on investigating and solving crimes while reducing the problem of over-policing black communities. More residents will experience better outcomes in public safety and community health.

Crisis assistance programs have been implemented in other areas of the country with great success. In Eugene, Oregon a program known as Cahoots has been in place for 30 years. In 2019 alone the program responded to 133,000 911 calls, called for police backup only 150 times, and saved the police department an estimated 14-15 million dollars in medical and transportation costs. **Additionally, the Cahoot pilot program only costs approximately \$2.1 million dollars a year, less than 3% of the current Berkeley Police Department Budget.** Likewise, after weeks of recent nationwide protests calling for police reform, Albuquerque Mayor Tim Keller announced the city is creating an alternative department to respond to non-violent calls, like those dealing with mental health and homelessness, addiction, and other issues<sup>1</sup>. A Specialized Care Unit (SCU) pilot program could be implemented and included in the 2021 Berkeley City Budget, with test periods ranging from two to five years. Re-allocating just a small portion of the Berkeley Police Department budget, and responsibilities, to a private organization, can reduce waste in funding, and greatly improve crisis outcomes and achieving civil rights. The selected vendor would work with the Police Department, with

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<sup>1</sup><https://www.koat.com/article/mayor-keller-announces-civilian-response-department-to-help-with-abq-public-safety/32869947>



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City Oversight, and complete transparency to the public. The program's success will be specified measured including instances of de-escalation, the number of people in crisis connected to supportive services, etc.

This Specialized Care Unit (SCU) consisting of community crises-workers would deal with 911 calls that the operator deemed non-criminal, that posed no imminent threat to first respondents. The program would employ a combination of trained mental health professionals with several years of experience, as well as EMTs and nurses, none of whom would be armed with weapons. While this program would aim to deal with crises with de-escalation techniques, demonstrations of active aggression may warrant police intervention. In these situations, the pilot program could request police backup, with a peaceful resolution still being the objective.

#### REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

In San Francisco, CA, the board of supervisors is considering a resolution that would urge the City's civil service commission to prohibit hiring officers with a history of serious misconduct, including, but not limited to complaints on excessive force and racial profiling.<sup>2</sup> San Francisco Mayor London Breed has also committed to police reforms that will reduce police confrontations with the community. Mayor Breed proposes to divert nonviolent calls of service from the San Francisco Police Department to non-law enforcement, community-based entities who have the professional training and experience to handle these situations.

In Minneapolis, MN, the City Council announced plans to disband its police department and invest in community-based public safety programs. It will begin a year-long process of engaging with every willing community member in the city to develop a new public safety model that is rooted in the needs and interests of their community.<sup>3</sup>

In Eugene, Oregon a program known as CAHOOTS has been providing mobile crisis intervention running for 30 years. It is responsible for handling many situations typically allocated to police nationwide such as crisis intervention, suicide prevention, and non-emergency medical care.<sup>3</sup>

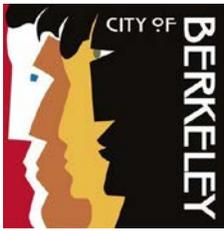
#### OUTREACH OVERVIEW AND RESULTS

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<sup>2</sup><https://www.pbs.org/newshour/show/san-francisco-may-stop-hiring-cops-with-records-of-misconduct?fbclid=IwAR1gBLPHacgDKwz2PF6cdqsfNA0G49Dn1s8SoGBMiexqk8FNVFmdGzYVWWWc>

<sup>3</sup><https://www.forbes.com/sites/tommybeer/2020/06/12/minneapolis-city-council-unanimously-votes-to-replace-police-with-community-led-model/#a5068f71a524>

<sup>3</sup><https://whitebirdclinic.org/services/cahoots/>



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The District 3 Office has consulted with David Muhammad, who is the Executive Director of the National Institute for Criminal Justice Reform; the former Chief Probation Officer in Alameda County; and the former Deputy Commissioner of Probation in New York City. David Muhammad is a leading expert on criminal justice who has helped inform our response to the current situation.

The District 3 Office has also consulted with Marcus McKinney, the Senior Director of Government Affairs & Public Policy at the Center for Policing Equity.

The District 3 Office has also consulted with Professor Tracey L. Meares, Walton Hale Hamilton Professor and Faculty Director of the Justice Collaboratory at Yale Law School.

#### RATIONALE FOR RECOMMENDATION

Transformation of police departments, their role, and relationship to our communities requires a change in culture, accountability, training, policies, and practices. Police departments across the country have policies and practices that breed a culture resulting in killings--like those of George Floyd and of many, many others. These violent behaviors are often rooted in anti-Black racism, and such behavior must stop being acceptable.

To better protect the community from police violence, the City must reallocate funds from Berkeley Police Department's budget towards resources that achieve better outcomes in public safety and community health. It is critical that the Council makes informed legislative decisions that will reduce police footprint, improve current practices of law enforcement, and reinvest in the community. This is a vision for long-term change.

#### FISCAL IMPACTS OF RECOMMENDATION

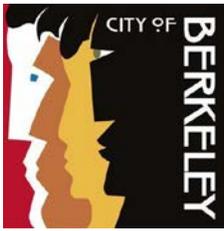
If implemented, a crisis worker pilot program could save the city up to \$14-15 million dollars per year in police expenditures based on the Eugene, Oregon experience with the CAHOOTS program. This would allow for larger cuts to the Berkeley PD budget, while experiencing more prosocial outcomes in the Berkeley Community.

#### ENVIRONMENTAL SUSTAINABILITY

We do not expect this recommendation to have significant negative impacts on environmental sustainability.

#### OUTCOMES AND EVALUATION

If implemented, a Community Crisis Worker Pilot will take over policing responsibilities for non-criminal activities and the Berkeley Police Department will receive a budget cut to compensate for the program. The program is predicted to increase overall safety for



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Berkeley residents and communities, reduce use of excessive force among police officers, and increase protection of civil rights for the people of Berkeley. Overall, this option has proven to be a more cost effective spending option in existing programs, and is predicted to save spending for the Berkeley city budget.

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#### ATTACHMENTS

1. Cover Letter - Safety for All: George Floyd Community Safety Act
  - <https://drive.google.com/file/d/16pqqd9J6NPRzh6298Bgazo7jw1qxTK6Y/view?usp=sharing>