

## **Oakland Reimagining Public Safety Taskforce Phase I Recommendations**

The Oakland City Council created the [Reimagining Public Safety Taskforce](#) in July 2020 (Taskforce). The Purpose of the Taskforce is to rapidly reimagine and reconstruct the public safety system in Oakland by developing recommendations for Council consideration to increase community safety through alternatives to current activities performed by the Oakland Police Department (such as responding to certain kinds of calls for service), and investments in programs that address the root causes of violence and crime (such as health services, housing, and jobs), with a goal of a 50 percent reduction in the police department general fund budget.

The following recommendations are developed based on the discussion and input provided during Taskforce meetings and from Taskforce member submissions. These recommendations seek to achieve the goals identified in the Taskforce discussion of increasing investments into communities and people and reducing the footprint of the Oakland Police Department (OPD) by moving away from responding to non-criminal and low level issues and focusing on serious crime and violence.

The Taskforce will discuss these recommendations and develop questions and requests to appropriate Advisory Boards to further develop the recommendations. Two example requests to the Advisory Boards are contained in comments below.

These are Phase I recommendations that take into account the primary legal barriers of Measure Z, which requires a minimum of 678 sworn officers in the OPD and the Oakland Police Officers Association MOU with the City which prohibits layoffs of sworn officers. These recommendations could possibly be expanded when these barriers are removed.

### **Reduce the Footprint of OPD**

- Implement policies that prohibit OPD officers from responding to the types of Calls for Services identified by the Taskforce (as outlined in Appendix A). This reduction in duties will result in the need for less officers in the patrol division. Analysis of OPD Calls for Service show that a large number of calls that officers respond to are for non-criminal or low-level issues that a sworn officer is not needed to respond. Patrol staffing should be reduced first in the police beats with the least violent crime.
- Immediately freeze all new hiring in OPD. Allow for promotions to fill key positions but no net increase in FTEs.
- Eliminate the FTEs/positions associated with current and future vacancies until the number of budgeted sworn positions totals 678 (Measure Z minimum number).

- As of August 2020, there were 740 filled sworn positions in OPD and 46 vacancies (budgeted, unfilled positions).
- According to data provided to the Taskforce by OPD, the Department has an approximate attrition rate of 60 sworn officers annually.
- Eliminate OPD's Internal Affairs Division. Either contract out internal investigations to a law firm or to the Police Commission's investigators.
- Move 911 dispatch out of OPD. 911 dispatch could be merged with the 311 or Fire Department dispatch; if merged with 311, the 911 dispatch function would be administered by the City Administrator's Office, if merged with fire dispatch, the Fire Department.
- Eliminate the motorcycle unit/Traffic Division – move these duties to the Department of Transportation.
- Replace Family Violence and Special Victims investigators with non-sworn clinically-trained investigators.
- Get more production and more responses from non-sworn OPD staff:
  - Police Service Technicians
  - Police Evidence Technicians

### **Alternatives Responses and Reinvestments**

A smaller law enforcement footprint will result in a reduced police budget. These savings should be shifted from the police department to community-based services and alternative responses.

#### **Use OPD Budget Reductions to Create \$15M CERN Fund**

- According to OPD's FY 2020-2021 budget, the sworn personnel budget is \$204.4 million. With 786 authorized sworn personnel, the per officer cost is \$260,050.
- OPD realizes an average attrition rate of 60 officers per year. If the City froze and eliminated annual vacancies, \$15,600,000 in personnel savings would be generated each year.
- The City should establish a \$15 million annual fund to establish and support a Community Emergency Response Network (CERN) using these savings. The CERN should be a structured, robust, trained group of community members employed by community-based organizations and/or the Department of Violence Prevention to respond to non-criminal and low-level Calls for Service.
- See Appendix B for a partial list of existing investments in community services and root cause issues. While there is need for much greater investment to combat the root causes of violence, more than \$100 million in annual funding does exist while there is no funding in place toward alternative responses, except possibly for MACRO.

**Commented [DM1]:** Request to the Alternative Responses AB: Discuss/deliberate on the details on how this fund would operate, including the question of should this fund go to only community responses to calls for service, or only to "root cause" issues/community services, or to both.

- Launch and ramp up [MACRO](#) (Mobile Assistance Community Responders Oakland), to respond to mental health related calls for service.
- Renew Measure Z early, go back to the voters in 2022.
  - Remove the officer minimum requirement and the layoff provision
  - Increase the proportion of funding designated for community services, flip the 60/40% split so that services receive 60% of collected revenue. (polling has shown the measure is unlikely to pass if the police do not receive any portion of the funds).
- Place a measure on the Alameda County ballot in 2022 that is a replication of recently passed [Measure J](#) in Los Angeles County. Measure J allocates 10% of the county's general fund to community programs and alternatives to incarceration, such as health services and pre-trial non-custody services. Include provisions to ensure Oakland receives its fair share of the funds.

### **Improvements to OPD**

Improving a smaller OPD after the reduction steps outlined above are implemented, should include new policy, training, and accountability measures. New policies including, restricting the use of force, mandating verbal de-escalation prior to the use of force, a revamped community policing strategy, and eliminating racial bias stops and searches. High quality and frequent training on these newly developed policies must be implemented. And, most importantly, all police personnel must be held accountable for adhering to and demonstrating these policies in action.

- Thoroughly re-organize OPD to ensure that the internal culture is aligned with community expectations. This would require structural changes to achieve this outcome. These changes could include significantly increasing and creating ongoing training, increased accountability, and de-emphasizing response to non-criminal and low-level calls for service. Creating a large division of the Department to focus on quality assurance, training, and accountability to ensure how the Department does its work is procedurally just, without racial bias, and partners effectively with the community.
- Increase hiring standards to screen out candidates with any signs of racial bias, interest in the warrior culture, or who have been fired or forced to resign from previous law enforcement positions.
- Prioritize hires of those who grew up in Oakland and/or live in the city.
- Make deliberate efforts to have the police representative of the community it serves with emphasis on Black and female recruits.

**Commented [DM2]:** Request to the OPD Org and Culture AB: Provide details on the re-org and how it would be implemented

- Revise Use of Force policies to limit use of deadly force as a last resort when officers or members of the public lives are in danger due to a suspect being armed with a dangerous weapon and threatening to use it.
- All other uses of force must be absolutely necessary and proportional.
- Implement new policies that require officers to intervene when they see excessive force being used and to make a report whenever an excessive force is observed or a clear violation of any kind is witnessed.
- All sworn personnel must complete annual, thorough, high quality, and intensive training in subjects including:
  - Use of Force policy
  - Verbal de-escalation
  - Bias free policing
  - Procedural Justice
- Provide police officers with training, outlets, and support to help them process trauma and mental health challenges associated with the difficulty and stress of the job.
- End DOD 1033 program, selling military equipment to police departments – OPD should not receive any more military equipment and sell all existing military equipment.
- Transparency: Provide regular reports to the public on calls for services, stops, arrests, complaints, and uses of force, including totals, demographics, and aggregate outcomes data.
- Effectively use an early intervention system that tracks various data points to identify high risk officers and implement discipline, training and dismissal where necessary.
- Aggressively use progressive discipline to root out problem officers.
- Transfer 20 patrol positions to Crime Reduction Teams (CRTs). With a significant amount of workload reduced from patrol by no longer responding to non-criminal and low level calls for service, in addition to the elimination of 60 vacant positions, OPD can also transfer 20 patrol officers to CRTs to achieve the Taskforce stated goal of focusing OPD on violence.
- Transfer the Internal Affairs investigators to the Homicide Division and Criminal Investigations Division. Internal Affairs has twice as many investigators as the Homicide Division. Oakland has more than triple the recommended case loads for homicide investigators. Increasing investigation unit capacity will advance the Taskforce stated goal of focusing OPD on violence.

## Appendix A

### Oakland Reimagining Public Safety Task Force

#### Taskforce Responses to Framework Questions 1:

#### **What activities/function should the OPD no longer do or do less of?**

- OPD should no longer respond to Calls for Service involving mental health and suicide issues unless there is the threat of violence and/or a dangerous weapon involved.
- Officers should not respond to non-criminal calls involving homelessness and encampments.
- Welfare checks should no longer be conducted by police officers.
- Officers should no longer respond to noise complaint calls.
- Officers should no longer respond to calls related to animals.
- OPD should no longer conduct ambulance accompaniment when there is no on-going violence reported.
- Officers should not respond to automobiles blocking driveways, abandoned autos, etc.
- Auto accidents do not need a sworn officer to take the report.
- Traffic control should be handled by non-sworn staff or alternative response.
- OPD should no longer engage in event management, concerts, and directing traffic for events.
- OPD should not respond to low level issues like theft of utilities, vandalism and substance abuse.
- OPD should no longer engage in parole and probation searches.
- Unless there is a report of a dangerous weapon, there should be non-police response to incidents of domestic disturbance.
- Police resources should no longer go to forcible evictions.
- No longer use the community resource officers for projects/investigations of his/her community or beat.
- No longer host Gun Buy-back events.
- Stop responding to Level 2 calls, don't need sworn officers responding two hours after an incident is over.

- OPD should stop using military equipment and look into giving back any such equipment it has acquired.
- Move the 911 Call Center out of OPD and combine with the Fire Department dispatch center. Provide training to dispatchers to send calls to new, non-law enforcement alternative responses.

**What should OPD specifically continue to do/where are officers' time best spent?**

- OPD should focus on investigations and gun violence.
- Increase/Improve investigations: rape kits that haven't been addressed/cold cases.
- More training and resources for homicide investigations.
- Increase investigations into missing persons, especially of Black people which appears to receive less response.
- Police should focus on sexual violence and providing trauma informed care.
- Officers should walk neighborhoods and establish relationships with the community.
- Community policing should be way OPD does business not held as separate unit
- Build relationships with young people. Perception of police starts at a very young age. Need trauma informed care for youth who come in contact with LE.
- OPD Should continue to respond to serious and violence crime, including home invasions, gun violence (continue Ceasefire), domestic violence, etc.

## Appendix B

### Existing Investments in Community Services

Although there is need for much greater investment, significant funding does exist to address some root cause issues, prevention, and intervention. Below is a snapshot of just some of the government funding, which doesn't include the sizable philanthropic funding in these areas.

- **[Oakland Fund for Children and Youth \(OFCY\)](#)**: Administered by the City of Oakland's Department of Human Services, the fund distributes \$17 million annually to CBOs for youth development, school based, and prevention services.
- **[Measure Z](#)**: Administered by the City of Oakland's Department of Violence Prevention, the fund distributes \$7-\$9 million annually to CBOs for: Life Coaching for very high risk youth and adults; violence intervention and interruption, hospital-based violence intervention, street outreach and community healing events, domestic violence/gender based violence services, services for commercially and sexually exploited minors and employment.
- **AB 109**: Alameda County receives an annual allocation of approximately [\\$50 million from the State to administer criminal justice realignment](#). The Alameda County Board of Supervisors mandates that half of those funds be allocated to community based services, \$25 million per year. Realignment funds go toward: employment, housing, mental health services, case management, transportation, and education.
  - Large portions of these allocations have never been disbursed to community based organizations, a problem the City of Oakland should request be corrected with additional support to Oakland communities, where half of all people on probation come from
- **JJCPA/YOBG**: Alameda County receives an annual allocation of approximately \$10 million from the State to administer the Juvenile Justice Crime Prevention Act (JJCPA) and the Youth Offender Block Grant (YOBG). A portion of those funds are passed through to CBOs to provide an array of services, including mentoring, tutoring, youth employment, and other youth development services. JJCPA also funds the County's [Delinquency Prevention Network](#).
- **[Measure W](#)**: Passed by voters in November 2020, Alameda County will collect a half cent sales tax that is estimated to generate \$150 million a year for 10 years to fund housing and services for those experiencing homelessness, mental health services, job training, social safety net and other general fund services.
- Alameda County has not provided information requested on how much funding is provided to community services by the Social Services Agency, Public Health Department, and Behavioral Health Care Department. The information that is

available publicly shows that tens of millions of dollars are allocated annually to community services combined from these three county agencies.

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