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MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Edward D. Reiskin
City Administrator

SUBJECT: Reimagining Public Safety Task
Force response to Resolution No.
88607 CMS

DATE: June 15, 2021

City Administrator
Approval

Date: Jun 15, 2021

INFORMATION

The Oakland City Council established the Reimagining Public Safety Task Force (RPSTF) on July 28, 2020 (Resolution No. 88269 CMS), a seventeen-member body tasked with the goal to “rapidly reimagine and reconstruct the public safety system in Oakland by developing a recommendation for Council consideration to increase community safety through alternative responses to calls for assistance, and investments in programs that address the root causes of violence and crime...with a goal of a 50% reduction in the Oakland Police Department (OPD) General Purpose Fund (GPF) budget allocation.” In addition to the Task Force, five subject-area Advisory Boards were also established, each co-chaired by one Task Force member and one non-Task Force member. Each Advisory Board established workgroups by topic area, and after a series of presentations by City staff and other experts, and numerous meetings and discussions, the Advisory Boards developed a total of 155 recommendations which were submitted to the Task Force on March 1st. After extensive discussion, the Task Force adopted a total of 88 recommendations at its March 10th and March 17th, 2021 meetings. Several recommendations were subsequently merged by the Task Force Co-Facilitators, resulting in a reduction in the total number of recommendations from 88 to 48 ([view here](#), pages 25-31).

The RPSTF final recommendations were presented to the Public Safety Committee on April 13, 2021 and were approved by the City Council at a special meeting on May 3. In addition, Council President Fortunato Bas and Councilmember Fife sponsored a resolution at the special May 3 meeting, which elevated twelve recommendations from the RPSTF that “1) reduce situations that could lead to escalation and police violence, 2) provide the most appropriate response to service calls, including those that do not require a sworn police officer, and 3) address the root causes of violence and poverty” (view report and resolution [here](#)). The resolution, adopted unanimously by the City Council, prioritized these twelve recommendations for “staff analysis, costing, and serious consideration in the Fiscal Year 2021-2023 Budget.” This informational memo provides initial staff costing and analysis, as well as information about the status of items that are currently included as part of the Mayor’s proposed Fiscal Year 2021-2023 Policy Budget.

- I. Recommendation: Invest long-term into Mobile Assistance Community Responders of Oakland (MACRO) by scaling up the pilot program over the next three years (at an estimated cost of \$25 million) as put forth by recommendation 57, allowing police to shift resources to address violent crimes, while keeping vulnerable members of our community safe by limiting the possibility of escalation and use of force.

Response:

The Mayor's proposed Fiscal Year (FY) 2021-23 Policy Budget adds \$2.6 million to start and ramp-up the Mobile Assistance Community Responders of Oakland (MACRO) program. In addition, City Administration has engaged with Alameda County, is looking to secure 1:1 federal matching funds through MediCal/Medicaid, as well as pursue state, federal and grant funding.

- II. Recommendation: Invest in alternative crisis response programs, including creating crisis hotlines outside of the 911 emergency system as put forth by recommendation 58 (with an approximate cost of \$750,000 per year to be distributed by RFP process), which will allow the City to meet the needs of members of our community who may not feel safe seeking assistance through the current emergency response system that centers law enforcement.

Response:

Similar to long-term investments in MACRO, the City plans to seek 1:1 federal matching funds through MediCal/Medicaid, as well as pursue state, federal and grant funding to support creation of crisis hotlines outside of the 911 emergency system. Staff continues to monitor the progress of State Assembly Bill (AB) 988, which would establish a monthly fee on mobile phone and landline bills to create a new three-digit phone line, 988, for suicide prevention and localized emergency response for individuals in mental health crisis by trained mental health professionals.

- III. Recommendation: Increase gender-based violence services by investing (an additional \$1.35 million annually) in funding to the Department of Violence Prevention (DVP) as put forth by recommendation 72; invest (\$1 million) annually to expand flexible funding for survivors of gender-based violence per recommendation 73; and invest (\$2.5 million) annually for gender-based violence prevention as highlighted in recommendation 74; with an average of 6,000 911 calls related to domestic violence per year in Alameda County and Oakland accounting for the highest rate of calls at 25.2 per 100,000 residents, it is critical to allocate the necessary funds towards preventative and supportive measures.

Response:

DVP's current proposed Violence Prevention Services Spending Plan (Spending Plan) recommends investing \$2.2 million towards Tier 1 gender-based violence (GBV) response and support operations, including 24-hour intimate partner violence (IPV) hotline, legal and bedside advocacy for IPV, drop-in center and life coaching for commercially sexually

exploited (CSE) youth, and emergency shelter/safe space and therapeutic support for both CSE and IPV. An additional \$2.5 million in funding would be needed to enable the DVP to offer services and resources identified as Tier 2 investments in the Spending Plan, which include scaling-up current IPV and CSE services, as well as providing GBV-centered employment support and placement, GBV support groups, GBV-centered leadership development and a community education campaign. An additional \$1.55 million in funding would be needed to enable the DVP to offer services and resources identified as Tier 3 investments in the Spending Plan, including transitional housing, systems data collection/research development, and policy advocacy/organizing. The Council President's amendments to the Mayor's proposed FY 2021-23 Policy Budget allocates \$7.0 million in one-time funding in FY 2021-22 and \$10.0 million in one-time funding in FY 2022-23 to the DVP to "invest in DVP Strategy & Alternative Safety Plan: Community Outreach Workers, Violence Interrupters, Ambassadors, Restorative Justice, Gender-Based Violence Services." The Spending Plan was most recently discussed at the Public Safety Committee meeting on June 8, 2021 and is scheduled to return before this Committee on July 13, 2021, after adoption of the FY 2021-23 Policy Budget.

- IV. Recommendation: Pending changes in California State law, move most traffic enforcement out of the Oakland Police Department (OPD) and into the Oakland Department of Transportation (OakDOT) as put forth by recommendation 59; most traffic stops are non-violent and do not require the presence of law enforcement and should be handled by unarmed civil servants and with Black residents being stopped at significantly higher rates than any other group, this is a necessary first step to addressing the racial disparities in traffic enforcement.

Response:

Recognizing that state law currently prohibits civilian traffic enforcement, this recommendation is generally consistent with the goals and strategic direction of the Safe Oakland Streets (SOS) initiative. SOS recommends a comprehensive, coordinated, interagency approach to create a safe transportation system through engineering, engagement/education, planning, evaluation, policy and enforcement that eliminates traffic deaths and reduces severe injuries, protects the most vulnerable, and reduces disparities by race, income and age. SOS includes OakDOT working with OPD to advance local and state policy that would allow for additional, effective tools such as automated enforcement and changes in local speed limit setting to be conducted by OakDOT and that – with a focus on addressing any potentially adverse equity impacts – can reduce the need for traditional enforcement and associated biases and risks, decrease dangerous speeding and other behaviors associated with injury and death, and improve safety for our most vulnerable residents. SOS further recommends focusing the City's limited traditional enforcement resources, to be conducted by OPD, on the high injury network and most dangerous driving behaviors with a data-driven approach, developing explicit guidance for reducing the racial disparity in non-dispatch traffic stops and crashes,

and adding traffic violations as a special section in the annual OPD Stop Data report for accountability.

Pursuant to the SOS initiative and the RPSTF, the Mayor's proposed FY 2021-23 Policy Budget transfers the Vehicle Enforcement Units within the OPD Traffic Division to OakDOT in FY 2022-23. These Units include Abandoned Auto Detail, Scofflaw Detail, Commercial Detail, and Taxi Detail. The transition of these functions to OakDOT may facilitate deemphasizing criminalization of outcomes related to poverty.

- V. Recommendation: Enact and implement Police Commission's proposed "Militarized Controlled Equipment Policy" and seek to demilitarize the Oakland Police Department (OPD), which includes but is not limited to, eliminating the BearCAT armored vehicles as put forth by recommendations 38 and 43; the militarization of police departments has no significant impact on crime reduction but serves to further deteriorate police-community relations and establishing a regulatory framework on the purchase and use of militarized equipment by OPD is a necessary step towards a more community-centric approach to safety.

Response:

A proposed ordinance, sponsored by Vice Mayor Kaplan, to establish rules for the Oakland Police Department's acquisition and use of military and militaristic equipment was discussed at the June 8, 2021 Public Safety Committee meeting, and is advancing to the June 15, 2021 City Council meeting for City Council consideration.

The newly proposed ordinance would add Chapter 9.65 to the Oakland Municipal Code (OMC) to create a new regulatory environment similar to the Oakland Surveillance Technology Ordinance (OMC 9.64). OPD currently develops use policies, impact reports, and annual reports for different types of surveillance technology subject to OMC 9.64. These work products require significant staff time to develop, refine, and present to the Oakland Privacy Advisory Commission. Numerous professional and sworn staff of different classifications and rank are involved in this work. OPD has limited staff to currently address the numerous privacy regulations required by current OMC 9.64. The proposed "Acquisition and Use of Military and Militaristic Equipment Ordinance" (OMC 9.65) may require the coordination of disparate inventory systems that were not created to work together in a manner that leads to efficient tracking per OMC 9.65 reporting requirements. There will be an increase in the manual workload to implement the necessary requirements. Staff believes that the addition of OMC 9.65 will likely lead to a similar if not greater level of administrative burden than currently required by the Surveillance Technology Ordinance (OMC 9.64). OPD does not currently have the necessary budget allocation to sustain the new work requirements OMC 9.65 would require. In order for OPD to be able to comply with the requirements of the proposed ordinance as currently written, the City Council will have to provide the necessary positions and funding as discussed June 10, 2021 [staff supplemental report](#).

- VI. Recommendation: Build a restorative justice web of support, including providing more comprehensive reentry support and expanding restorative justice diversion for youth and young adults (with an estimated annual cost of \$1,700,000-3,000,000), as put forth by recommendations 67, 68, 69 and 70; working with restorative justice centers, community organizations, service providers, school restorative justice hubs and community healing spaces, we can create non-punitive structures to addressing harm and preventing violence.

Response:

Recommendation 69/107 seeks the expansion of two restorative justice diversion programs, Neighborhood Opportunity and Accountability Board (NOAB) and Community Works West (CWW), proposing to allocate \$150,000 annually to expand CWW's program and \$600,000 annually to expand NOAB. Cumulatively, these recommendations seek to scale-out restorative justice transformative justice centers (such as Alt Ed Hub, which is included in Measure Y) that can provide wrap-around services for conflict mediation, diversion, re-entry support and services, office space, career technical education, and bridge support. Related to this, the Oakland Unified School District (OUSD) issued a new safety plan following the vote to remove police officers from schools last year – thus, there will need to be restorative justice (RJ) training for security officers and campuses will need more supports for mediating conflicts and preventing conflicts.

The Oakland Fund For Children and Youth (OFCY) currently funds OUSD RJ through a grant, and has for many years. The Human Services Department (HSD) also managed the \$1.2 million in one-time funding provided to OUSD from the City Council last year for RJ work. The DVP has also invested in RJ work. This augmented investment can build upon work supported historically and begin to bring it to scale.

- VII. Recommendation: Increase general purpose fund (GPF) allocation and available grants for Department of Violence Prevention strategies, invest in Community Outreach Workers and Violence Interrupters, and provide financial support to individuals at risk of engaging in crime or violence (in the amount of \$150,000-\$175,000 annually per community outreach worker total), as put forth by recommendations 144 and 148, which will allow communities to build capacity to address their own needs while creating opportunities where they may not exist and limiting reliance on law enforcement.

Response:

DVP's current proposed Violence Prevention Services Spending Plan (Spending Plan) recommends investing \$4.4 million to maintain Tier 1 gun/group/gang violence response operations, including violent incident crisis response and youth and adult life coaching and employment support and placement, and \$2.2 million to maintain Tier 1 community healing and restoration activities, including community ambassadors, mental health and grief/trauma supports and provider network capacity building/trainings. An additional \$5 million in funding towards gun/group/gang violence response and \$2.5 million towards community healing and restoration would be needed to enable the DVP to offer services

and resources in these categories identified as Tier 2 investments in the Spending Plan, which include scaling-up current violence incident crisis response services, community ambassador program, mental health and grief/trauma supports and other Tier 1 activities and operations. An additional \$3.1 million in funding towards gun/group/gang violence response and \$1.55 million towards community healing and restoration would be needed to enable the DVP to offer services and resources in these categories identified as Tier 3 investments in the Spending Plan, including transitional housing, youth drop-in neighborhood centers, reentry hub, grassroots mini-grants, leadership development, policy advocacy, and roving medical clinics. As mentioned above, the Council President's amendments to the Mayor's proposed FY 2021-23 Policy Budget propose allocating \$7.0 million in one-time funding in FY 2021-22 and \$10.0 million in one-time funding in FY 2022-23 to the DVP to "invest in DVP Strategy & Alternative Safety Plan: Community Outreach Workers, Violence Interrupters, Ambassadors, Restorative Justice, Gender-Based Violence Services." The Spending Plan was most recently discussed at the Public Safety Committee meeting on June 8, 2021 and is scheduled to return before this Committee on July 13, 2021, after adoption of the FY 2021-23 Policy Budget.

- VIII. Recommendation: Increase investment and alignment in the Oakland Youth Advisory Commission (OYAC) and the Oakland Police & Community Youth Leadership Council (OPC-YLC) to enable effective resourcing for recruitment, planning and coordination needed to center and legitimize youth voices related to improving community safety at scale, (at an annual cost of \$532,200), as put forth in recommendation #122.

Response:

In the Mayor's proposed FY 2021-23 Policy Budget, the Oakland Youth Advisory Commission (OYAC) members will be awarded stipends (\$22,500 per FY). The more robust proposal put forth in Recommendation 122 includes adding staffing to the current 1.00 full-time equivalent (FTE) employee to support expanded stipend resources, contracting capacity, internships, etc. This would allow for more robust youth voice work in multiple policy areas. Staff recommends that stipends be aligned with the OFCY Youth Educational grants of \$900 per year, or if increased, that they be increased for all youth serving members on similar boards. The youth stipends proposed in Recommendation 122 would be commensurate with the going-rate for youth stipends in Oakland which is on average \$20 per hour. Youth Commissioners and OPC-YLC members meet a minimum of 12 hours per month and sometimes 20 hours per week depending on the priorities.

Recommendation 122 also proposes hiring 1.00 FTE Program/Legislative Associate (salary range \$73,000-\$103,000) who would contribute youth voice and perspective to the City's management of public safety. Per the Police Commission Chair, the Police Commission would like to enable youth participation but the workload for Commissioners and current staff is already very high. Adding this Program/Legislative Associate would expand the Youth Commission's capacity to participate in policy-related conversations on

public safety. The additional staff person would be responsible for tracking and translating policy for youth participants.

The OPC-YLC additionally would like permanent funding to support building relationships between youth leaders and the Police Department, which results in advising on hiring panels, internships, and engaging with youth community effectively. Recommendation 122 also proposes hiring 1.00 FTE Youth Leadership Program Manager (salary range \$79,000-\$90,000) to support OPC-YLC, as well as 1.00 FTE Youth Grant Writer (salary range \$80,000-\$120,000) to support both OYAC and OPC-YLC.

The current OYAC operations and maintenance budget (O&M) is \$25,000; increasing the OYAC budget to \$150,000 would enhance the ability of the Commission to incorporate arts, conduct citywide youth conferences, continue restorative justice, collect youth data, and organize wider youth input.

- IX. Recommendation: As part of the Council's priority efforts to create more affordable housing and to reduce homelessness, create immediate housing solutions, including purchasing motels and/or hotels for housing, providing rental assistance, and expanding supportive services to include the needs of the working-class and unhoused populations as put forth in recommendation 77; investment in social services, including stable housing is essential to eliminating crime and violence.

Response:

The Mayor's proposed FY 2021-23 Policy Budget dedicates \$32 million to affordable housing over the next two years; including \$21 million through special one-time grants that the Housing & Community Development Department (HCD) has successfully acquired through federal and state grant programs, specifically the HOME program and Homekey grant. This funding is in addition to the ongoing \$1.17 million HCD receives from the US Department of Housing and Urban Development (HUD) for its annual allocation of the HOME program funding. HCD is anticipating \$7.5 million in impact fee revenues that it can dedicate to affordable housing development throughout the city (\$4.5 million in FY 2021-22 and \$3 million in FY 2022-23). In addition, the proposed FY 2021-23 Policy Budget distributes \$12.8 million in rent relief through the Keep Oakland Housed initiative to qualifying Oakland tenants in FY 2021-22 or until funds run out. The City recently received this emergency aid for rent relief from the U.S. Treasury's Emergency Rental Assistance Program as a part of the federal stimulus package that was passed in December 2020. Oakland tenants can apply for this funding online, over the phone, or through in-person assistance. This is separate rent relief funding from what the State of California is providing to tenants and property owners through its Senate Bill 91 Housing is Key legislation. If the City receives any additional rent relief funding, it will continue to distribute this assistance through the Keep Oakland Housed partner agencies.

The proposed FY 2021-23 Policy Budget also adds \$19.3 million in one-time homelessness funding to the \$22 million in baseline contracts the Human Services Department (HSD) receives to provide services to unhoused individuals. In FY 2020-21, HSD received additional one-time allocations of state and federal funds totaling approximately \$27 million. Another \$9 million at least is expected from the State in FY 2021-22. Each of the new funding sources has varying eligible activities; however, taken together, these new funding sources present an unprecedented opportunity to: 1) maintain a COVID-19 compliant emergency shelter of 128 bed HomeBase trailers in East Oakland to unhoused residents at high risk of serious illness or death from COVID-19; 2) preserve and extend existing interventions until FY 2021-22 to support approximately 800 people in emergency shelters, community cabins, and safe RV parking sites; 3) expand other homeless services in alignment with the Permanent Access To Housing (PATH) framework such as encampment support, hotel vouchers, employment support, and permanent housing subsidies; and 4) maintain permanent affordable housing such as Clifton Hall, which is 42 units of permanent housing for homeless seniors created under the state HomeKey program with a 15-year operating reserve while also increasing exit resources in various shelter facilities to support clients in securing permanent housing.

On June 1, 2021 the City Council [adopted a resolution](#) authorizing the City Administrator to negotiate and execute contracts or agreements with a number of agencies for construction or professional services to support the development, construction and/or operation of interim homelessness interventions at multiple locations throughout the city. This resolution also directs the City Administrator to work with the City Council as well as county, state and federal partners to pursue funding to develop sites for homeless intervention efforts, to review and report back to Council with action to regulate and permit recreational vehicle (RV) parks in Oakland, and to report back to the City Council on costing, options and needs to open sliding scale RV or vehicle campgrounds with sanitation. Many of the actions detailed in the resolution are currently in progress and staff continue to work in collaboration with City Councilmembers to fulfill the resolution's directives.

- X. Recommendation: In line with Recommendation 47, commit to working with government, private, and philanthropic partners to allocate funding towards a second phase of Reimagining Public Safety; ensuring that facilitation of the second phase is rooted in community practice, such as being trauma-informed to interrupt sexism and racism, so that the process does not perpetuate the harm we seek to undo, as amended by the Task Force on March 17, 2021.

Response:

As recommended by Task Force Recommendation 47, City Administration looks forward to the next stage and the additional resources to support Phase II of the Reimagining Public Safety process to build upon the work done by the RPSTF and to ensure meaningful assessment of recommendations.

- XI. Recommendation: Explore possible transfer, no earlier than July 2022, of most of the Internal Affairs Division of OPD to the Community Police Review Agency (CPRA) and reorganizing OPD's internal structure in alignment with recommendations 31, 41, 84.

Response:

The Administration welcomes the opportunity to engage with the Police Commission and other stakeholders to determine and analyze the impacts and options associated with this recommendation.

- XII. Recommendation: In line with Recommendation 148, commit to creating a framework for a new Department of Children, Youth and Families (DCYF) and allocate the necessary funds toward the creation and staffing of DCYF.

Response:

The Department of Human Services (HSD) and Department of Parks, Recreation and Youth Development (OPRYD) support creation of a framework in the upcoming fiscal cycle to assess development of a new Department of Children, Youth and Families (DCFY). Currently, HSD is still supporting the formation and transition of DVP; HSD provides all administrative support including HR and Fiscal services, and no physical space has been identified for DVP. HSD recommends that this process be fully completed before additional departments are formed. As background, DCYF in San Francisco is a City/ County agency and holds more resources than are held by Alameda County and Oakland.

For questions, please contact Rose Rubel, City Administrator Analyst, at 510-238-6587.