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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: David E. Downing
Assistant Chief of Police

SUBJECT: BSCC City Law Enforcement Grant

DATE: January 18, 2017

City Administrator
Approval

Date

2/16/17

RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To: (1) Accept and Appropriate Ninety Thousand Six Hundred Sixty Three Dollars (\$90,663) In Fiscal Year 2016-17 California Board Of State And Community Corrections (BSCC) Grant Funds, Disbursed From The City Of Fremont As Fiscal Agent For The Alameda County Chiefs Of Police And Sheriffs Association (ACCPSA), To Mitigate The Impacts Of California Assembly Bill 109; (2) Contribute Thirteen Thousand Nine Hundred Twenty-Six Dollars (\$13,926) For The Central Services Overhead Cost; And (3) Allocate The Grant Funds To Oakland Police Department (OPD) Projects In Accordance With The BSCC Grant Restrictions.

EXECUTIVE SUMMARY

The State of California, through the BSCC, has allocated \$20 million dollars to cities as part of the prison realignment assistance program. This funding is designed to help cities and counties better manage the burden of monitoring a significant number of convicted felons. This shift in responsibility from the State of California government to local law enforcement jurisdictions occurred with the passage of AB 109 and related legislation known as "realignment (see page 2). Realignment was designed to address state prison overcrowding.

Alameda County is the direct recipient of a share of these realignment funds. The City of Fremont has agreed to serve as the fiscal agent for the four large recipient cities (Berkeley, Fremont, Hayward, and Oakland) as well as for 10 small Alameda County cities. \$362,650 of the total funds is for the four large cities. These cities have agreed to divide the funds equally for \$90,662.50 for each city, including Oakland. The BSCC realignment funds may be used for only specified purposes (see page 2 below for details) including crisis intervention training (CIT). OPD is a recognized leader CIT among local law enforcement agencies. OPD plans to use the realignment funds for backfilling CIT overtime. OPD is requesting that the General Purpose Fund contribute \$13,926 to cover OPD's central services overhead cost, in order to maximum the grant funds to cover overtime related to CIT courses.

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BACKGROUND AND LEGISLATIVE HISTORY

On May 23, 2011, the US Supreme Court upheld an order that requires the State to reduce its state prison population to no more than 137.5 percent of its design capacity. In response, Governor Jerry Brown and the State legislature passed Assembly Bill (AB) 109 as well as subsequent related legislation. Under these laws, new non-violent, non-serious, and non-sexual offenders with sentences of longer than one year are housed in county jail facilities rather than state prisons. This transfer of incarceration housing from the state level to the county level is known as "realignment." Under AB 109, the burden of monitoring a significant number of convicted felons shifted from state to local law enforcement jurisdictions. Subjects who fall under the provisions of AB 109 receive reduced sentences, serve no time in custody, or are released from prison early in order to address prison overcrowding.

The State of California, through the Board of State and Community Corrections (BSCC), has allocated \$20 million dollars to cities as part of the prison realignment assistance program. The framework of how to spend the BSCC funds has been established by the California Police Chiefs Association with guidance on how law enforcement agencies can work collaboratively to best leverage the funds for public safety in their communities.

Alameda County is the direct recipient of a share of these realignment funds. The BSCC has identified four large cities for local funding (Berkeley, Fremont, Hayward, and Oakland), as well as 10 smaller cities. The total funding is \$950,347, of which \$587,897 must be dispersed to the 10 small cities and \$362,650 must be dispersed to the four large cities. The City of Fremont has agreed to serve as the fiscal agent for local Alameda County City recipients.

The BSCC realignment funds may be used for only the following purposes:

- Homeless Outreach Teams;
- Crisis Intervention Training for Officers (including backfill overtime);
- Gang Resistance Education And Training (GREAT);
- Resources for drug-endangered children;
- Outreach to high-risk youth;
- Youth Diversion programs; and
- Gang and violence prevention programs.

ANALYSIS AND POLICY ALTERNATIVES

Each association of police chiefs with the State of California has identified one city per county to act as Fiscal Agent for the BSCC funds. The Fremont Police Department (FPD) has agreed to act as the fiduciary agent for Alameda County's share of the large city and small city realignment funds. All participating agencies have agreed to use a simple formula for dividing the large city and small city funding amounts to individual cities and their respective police agencies. Berkeley, Fremont, Hayward, and Oakland have agreed to divide the \$362,650 equally, equaling \$90,662.50 for each city. The City of Fremont will act as the Fiscal Sponsor for these cities, including Oakland.

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Several cities are choosing to use realignment funds to support efforts around Crisis Intervention Training (CIT) as well as other efforts that focus on individuals facing trauma and homelessness.

Crisis Intervention Training

In a report titled, "Informational Report on the Strategies being Developed and Used on OPD's Methods of Dealing with Mentally Challenged Individuals in our Community," dated April 6, 2015, and presented to the Public Safety Committee on April 28, 2015, OPD explained that it had begun to use a crisis intervention model in approaching individuals facing mental health challenges. The model, known as Crisis Intervention Training (CIT) is informed by an understanding that too many people suffering from serious mental illnesses unnecessarily enter the criminal justice system. The Crisis Intervention model is designed to improve an officer's ability to safely intervene in a variety of instances or altercations, link individuals to mental health services, and divert them from the criminal justice system when appropriate.

CIT in OPD consists of 38 hours of POST¹-certified training. OPD has now trained approximately 200 sworn personnel as well as many civilian dispatchers in the Communications Section. OPD also plans to train approximately 100 more officers in 2017. In fact, as the April 28, 2015 report explains, OPD is a leader in the crisis intervention field and leads trainings for several other local police agencies.

OPD plans to use its \$90,662.50 in BSCC realignment funds to cover the costs of paying officers overtime pay to take the CIT courses in addition to their regular assignments.

PUBLIC OUTREACH / INTEREST

No public outreach was required for this report.

COORDINATION

The Controller's Bureau and the Office of the City Attorney were consulted in preparation of this report.

¹ POST = The California Commission on Police Officer Standards and Training

FISCAL IMPACT

The \$90,662.50 in BSCC realignment funds awarded to OPD through the California Police Chiefs Association framework, as mentioned above, will be used to cover the costs of paying officers overtime pay to take the CIT courses. The funds will be deposited into the CA Board of State and Community Corrections Fund (2152), OPD's Training Organization (103430), Sworn Overtime Account (51214), and OPD's Training Program (PS09) as outlined in the table below.

Fund Source	Organization	Account	Project	Program	Amount
2152	103430	51214	TBD	PS09	\$90,662.50

OPD is requesting that the General Purpose Fund contribute funds in the amount of \$13,926 to cover OPD's Central Services Overhead cost (\$90,992.50 X 15.36%) in order to maximum the grant funds to cover overtime related to CIT courses.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

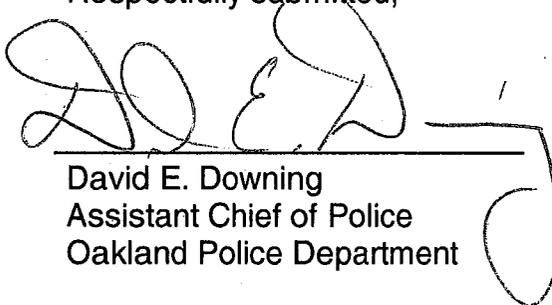
Social Equity: These funds will allow OPD to further its mission of ensuring that all officers and dispatchers are well trained to respond to calls for service involving individuals challenged by short-term and long-term mental health challenges. The public safety of all residents and visitors are enhanced when OPD can best respond to mental-health related concerns more effectively. Effective resource deployments allow OPD to enhance its staffing capacity for other types of calls for service.

ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE

Staff Recommends That The City Council Approves A Resolution Authorizing The City Administrator Or Designee To Accept and Appropriate Ninety Thousand Six Hundred Sixty Three Dollars (\$90,663) In Fiscal Year 2016-17 California Board Of State And Community Corrections (BSCC) Grant Funds, Disbursed From The City Of Fremont As Fiscal Agent For The Alameda County Chiefs Of Police And Sheriffs Association (ACCPA), To Mitigate The Impacts Of California Assembly Bill 109, To Contribute Thirteen Thousand Nine Hundred Twenty-Six Dollars (\$13,926) To Cover The Central Services Overhead Cost, And To Allocate The Grant Funds To Oakland Police Department (OPD) Projects As Authorized By The BSCC Grant Restrictions.

For questions regarding this report, please contact Donneshia Nell Taylor, OPD Fiscal Manager, at (510) 238-3288.

Respectfully submitted,



David E. Downing
Assistant Chief of Police
Oakland Police Department

Reviewed by:
Donneshia Nell Taylor, Fiscal Manager, OPD

Prepared by:
Bruce Stoffmacher, Legislation Manager
OPD, Research and Planning, OCOP

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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____



RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: (1) ACCEPT AND APPROPRIATE NINETY THOUSAND SIX HUNDRED AND SIXTY-THREE DOLLARS (\$90,663) IN FISCAL YEAR 2016-2017 CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) GRANT FUNDS, DISBURSED FROM THE CITY OF FREMONT AS FISCAL AGENT FOR THE ALAMEDA COUNTY CHIEFS OF POLICE AND SHERIFFS ASSOCIATION (ACCPSA), TO MITIGATE THE IMPACTS OF CALIFORNIA ASSEMBLY BILL 109; (2) CONTRIBUTE THIRTEEN THOUSAND NINE HUNDRED TWENTY-SIX DOLLARS (\$13,926) FOR THE CENTRAL SERVICES OVERHEAD COST; AND (3) ALLOCATE THE GRANT FUNDS TO OAKLAND POLICE DEPARTMENT (OPD) PROJECTS IN ACCORDANCE WITH THE BSCC GRANT RESTRICTIONS

WHEREAS, recognizing the need for state support of city law enforcement agencies due to ongoing reductions of funding for city police departments, state funds have been allocated to front line law enforcement services in each county to mitigate the impact of Assembly Bill 109 (AB 109); and

WHEREAS, the State of California, through the BSCC, has allocated twenty million dollars (\$20,000,000) to cities as part of the prison realignment assistance program; and

WHEREAS, the BSCC is authorized to disburse the Police Grant Funds in consultation an allocation formula proposed by California Police Chiefs' Association (CPCA) and approved on January 17, 2012; and

WHEREAS, disbursement of BSCC Police Grant funds is the collective decision of the local law enforcement agencies comprising the Alameda County Chiefs of Police and Sheriffs Association (ACCPSA) in determining the distribution of funds among local city police departments and the sheriff in Alameda County; and

WHEREAS, the City of Fremont has been designated as the fiscal agent by the ACCPSA for the BSCC grant funding in Alameda County; and

WHEREAS, the ACCPSA has agreed that Oakland, along with the cities

of Berkeley, Fremont, and Hayward, as the larger participating cities in Alameda County, shall each share the \$362,650 in BSCC grant funds for the four large city grants; and

WHEREAS, Oakland's share of the BSCC grant funds amounts to ninety thousand six hundred sixty three dollars (\$90,663); and

WHEREAS, the BSCC restricts the realignment grant funds to the following uses: Homeless Outreach Teams; Crisis Intervention Training (CIT) for Officers (including overtime backfill); Gang Resistance Education Training (GREAT); Resources for drug endangered children; Outreach to high-risk youth; Youth Diversion programs; and Gang and violence prevention programs; and

WHEREAS, the Crisis Intervention model is designed to improve an officer's ability to safely intervene in a variety of instances or altercations, link individuals to mental health services, and divert them from the criminal justice system when appropriate; and

WHEREAS, OPD is considered a local leader in the CIT field and has trained over 200 officers, as well as many OPD dispatchers and officers and dispatchers from other law enforcement agencies; and

WHEREAS, OPD plans to use the \$90,663 in BSCC realignment grant funds to fund CIT overtime backfill, in support of OPD's training efforts; and

WHEREAS, by training more officers in Crisis Intervention techniques, OPD will be able to further its efforts to better serve individuals suffering from mental health challenges; now therefore be it

RESOLVED: that the City Council authorizes the City Administrator or designee to accept and appropriate ninety thousand six hundred sixty three dollars (\$90,663) in fiscal year 2016-17 California Board of State and Community Corrections (BSCC) grant funds, which will be distributed to the City of Oakland through the City of Fremont, who will serve as the fiscal agent for the ACCPSA; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator or designee to contribute thirteen thousand nine hundred twenty-six dollars (\$13,926) from the general purpose fund to cover the central services overhead cost; and be it

FURTHER RESOLVED: that BSCC realignment grant funds received from the City of Fremont shall be placed in OPD's Training Organization (103430), CA Board of State and Community Corrections Fund (2152), Sworn Overtime Account (51214) and OPD's Training Program (PS09); and be it

FURTHER RESOLVED: that all contracts issued hereunder shall be reviewed and approved by the City Attorney for form and legality and copies shall be placed on file in the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, GIBSON
MCELHANEY AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California