



AGENDA REPORT

TO: Steven Falk
Interim City Administrator

FROM: Susan Manheimer
Chief of Police

SUBJECT: OPD NICJR Youth Incarceration
Diversion Program MOU

DATE: March 17, 2020

City Administrator Approval

Date: 4-15-2020

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Oakland Police Department (OPD) And The National Institute For Criminal Justice Reform (NICJR), A California Nonprofit Organization, To Establish An Effective Partnership Committed To The Successful Implementation Of The Neighborhood Opportunity And Accountability Board Diversion Program (NOAB).

EXECUTIVE SUMMARY

OPD and NICJR have developed the framework for a youth diversion program to target youth in Oakland after arrests for certain misdemeanor crimes. The “Neighborhood Opportunity And Accountability Board Diversion Program (NOAB)” goals are to reduce criminal recidivism rates while increasing public safety and positive youth development – and serve as a model for transforming the youth justice system in the United States. The Oakland NOAB will be structured as a pilot with support from several local youth development organizations. The NOAB’s focus will be youth arrested for certain misdemeanor crimes in parts of East Oakland. OPD and NICJR have developed a MOU to outline the roles and responsibilities of each organization.

Staff recommends that the City Council adopt a resolution to authorize the City Administrator or designee to formalize the MOU with NICJR for this innovative program.

BACKGROUND/LEGISLATIVE HISTORY

NICJR is a non-profit organization providing technical assistance, consulting, research, and organizational development in the fields of juvenile and criminal justice, youth development, and violence prevention. NICJR has partnered with the California Partnership for Safe Communities for several years to help implement Oakland’s Ceasefire/ Gun Violence Reduction Strategy, as well as in other cities. NICJR’s efforts also include working to transform the criminal justice system through research, advocacy, and technical assistance, and providing training and policy development with numerous jurisdictions across the United States.

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A growing body of research shows that early intervention can stop the onset of criminally delinquent activity. Early intervention supports the development of a youth's assets and talents with various forms of support. This approach can ultimately be more cost-effective compared to the many societal costs associated with crime (victimization, police, legal, and incarceration). The City of Oakland has invested in youth intervention strategies for many years through Oakland Unite, under the Department of Human Services and newly created Department of Violence Prevention that fund programs to provide support for at-risk youth and young adults to interrupt the cycle of violence and recidivism.

ANALYSIS AND POLICY ALTERNATIVES

Both OPD and NICJR seek to reduce criminal recidivism rates while increasing public safety and positive youth development. The NOAB is an innovative initiative that ultimately seeks to transform the youth justice system in the United States by empowering youth and community members to determine how youth who commit delinquent acts can be engaged in positive developmental strategies as opposed to relying on punitive, deficit-based. The NOAB will begin as a pilot in Oakland in partnership with OPD as well as key community based organizations:

- Restorative Justice for Oakland Youth (RJOY);
- Carl B. Metoyer Center for Family Counseling;
- Community and Youth Outreach (CYO); and
- Youth Uprising.

The goal of this partnership is to provide comprehensive intervention services, which will seek to reduce youth delinquency, build community cohesion, decrease justice system costs, and improve police-community relations. Through case management, mentorship, support services, restorative justice¹, Cognitive Behavioral Therapy, health and wellness support, NICJR and its partners will seek to reduce recidivism rates while increasing public safety and positive youth development. OPD and NICJR will work together to develop intervention policies and actions for youth participant's continued participation and success in NOAB.

Through this pilot collaboration, OPD will refer youth (under 18 years old) to NICJR and NOAB when an arrest occurs. The Oakland NOAB (see **Attachment A** "Oakland Neighborhood Opportunity and Accountability Board Protocols") will begin with a focus on East Oakland (NOAB Zone). The NOAB Zone will run between Fruitvale Avenue and the San Leandro Border. Juvenile arrest data will be used to inform any further targeting of specific neighborhoods. The program will focus on arrests for misdemeanor offenses (e.g. property crimes that do not involve use of firearms) where no intervention may lead to youth facing greater exposure to jail and prison; violent misdemeanor offenses (e.g. strong arm robberies) can be the basis of referrals with approval from the District Attorney's Office.

OPD and NICJR seek a formal MOU to articulate the duties and responsibilities of each organization. Article V, Section 504(l) of the Oakland City Charter requires that the City Council

¹ Restorative Justice for Oakland Youth (RJOY) defines Restorative Justice as "Restorative Justice (RJ) is a set of principles, a philosophy, focused on mending broken relationships to create a better future. It is a fundamental shift in the way that we think about and do justice, in the way that we do community."

approve all intergovernmental relationships and contracts. Therefore, and for the reasons stated in this report, staff recommends that the City Council adopt the resolution and authorize the City Administrator or designee to sign the MOU to allow this youth diversion program to proceed.

FISCAL IMPACT

This report is for informational purposes only. There is no fiscal impact to OPD and the City of Oakland for participation in this partnership with the NICJR.

PUBLIC OUTREACH / INTEREST

No further outreach was required beyond standard City noticing requirements.

COORDINATION

The Office of the City Attorney approved this resolution and MOU for form and legality. The Department of Violence Prevention and Oakland Unite, a division of the Human Services Department, have reviewed this report.

SUSTAINABLE OPPORTUNITIES

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

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

Race and Social Equity: The proposed MOU aims to provide greater support around criminal justice reform and youth development in areas of the City where greater numbers of youth are exposed to crime and violence. This program aims to benefit youth people in East Oakland as starting focus with the aim of breaking the school to prison pipeline through focused intervention strategies.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Oakland Police Department (OPD) And The National Institute For Criminal Justice Reform (NICJR), A California Nonprofit Organization, To Establish An Effective Partnership Committed To The Successful Implementation Of The Neighborhood Opportunity And Accountability Board Diversion Program (NOAB).

For questions regarding this report, please contact Drennon Lindsey, Deputy Chief, OPD Bureau of Investigations, at (510) 238-6971.

Respectfully submitted,

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Attachments (1)

A: Oakland Neighborhood Opportunity and Accountability Board Protocols