



CITY OF OAKLAND

MEMORANDUM

DATE: June 22, 2020
TO: City Council and Members of the Public
FROM: Councilmember Nikki Fortunato Bas
SUBJECT: **Budget Amendments for Community Safety #2**

Dear Colleagues on the City Council and Members of the Public,

I respectfully request that the City Council: Adopt my amendments and policy directives for the FY 2019-2021 Mid Cycle Budget.

While I am pleased to see that the current proposed budget amendments no longer include labor concessions and that there are additional reductions to the OPD budget, I believe we must do more to divert police spending to meet community needs. I am also very concerned that immediately following the Council's establishment of the Department of Workplace and Employment Standards (DWES), the City Administrator is ignoring Council direction on how the DWES is to be structured. By adding the Contracts and Compliance Division under DWES, there will be conflicts of interests due to placing employment law enforcement and business assistance in the same department. Prior to adopting the FY 2020-2021 budget, the Administration should meet with stakeholders to address these serious concerns.

Diverting police spending to community needs

As I shared last week, we have heard Oakland police officers themselves say "we can't arrest ourselves out of the problems." To address the root causes of violent and serious crimes, our residents need mental and physical health services; youth programs; safe, affordable and stable housing; and high quality job opportunities. To address the non-violent and non-crime 911 calls, our residents need trained, trauma-informed crisis responders and mediators who are trusted by the community.

As a City, we must answer the calls from an overwhelming majority of community members to divert police spending to community needs. I believe that we must make an immediate commitment in this FY 2020 - 2021 budget to (1) **re-allocate at least \$25 million in the OPD budget toward community programs and services**, and (2) **make a commitment to develop a plan for a 50% reduction in the OPD budget for the next two-year budget cycle FY 2021**

- 2023. Key elements of this plan include the following, and should be further developed by City and Community stakeholders.

- 1. Purpose — Equitable budget that reflects Oakland’s values**
 - a. Reduce the proportion of the total General Purpose Fund (GPF) budget for OPD by 50%, from 44% to 22% of the GPF budget
 - b. Increase significantly the proportion of the total GPF budget for departments providing community programs and services significantly to address the root causes of violence and crime, including: Housing & Community Development; Human Services; Economic & Workforce Development; Parks, Recreation and Youth Development; Race & Equity; Violence Prevention; Workplace & Employment Standards; Library; Police Commission; and Fire.
- 2. Outcomes — Improved community safety and equity** with measurable outcomes and timelines, including the following indicators:
 - a. continued reduction in racial disparities in stop data
 - b. reduction in use of force incidents
 - c. reduction in use of force lawsuits and settlement payouts
 - d. full compliance with the Negotiated Settlement Agreement
 - e. improvement in 911 response times for violent crimes
 - f. implementation of alternate non-law enforcement responses for 911 calls for non-violent crime and quality of life issues
 - g. increased civilianization of current sworn officer positions
 - h. partnerships with community organizations to respond to non-violent calls for service and to provide ongoing community-led safety programs
 - i. increased community participation in violence prevention programs, including Ceasefire and Oakland Unite grantee programs
 - j. improvements in crime data trends
- 3. Process —**
 - a. Development of stakeholder groups, benchmarks and timelines that build trust with and involve the community, and show commitment to transforming community safety. Important dates include October 2020 (close of current fiscal year and year-end adjustments) and February/March 2021 (preparation for next two year budget). Planning should start in July 2020 with publicly accessible report-backs in October and December 2020, and a plan developed by March 1, 2021.

- b. Deep stakeholder process with transparency and accountability, including meaningful engagement of impacted communities and organizations that represent them, broader Oakland community, law enforcement and City staff, City policy makers
- c. Assessment of 911 calls and assignments — Report on the number and percentage breakdown of 911 calls for service and assignments, including those that are non-emergency and non-violent that could be answered by trained, civilian staff or community organizations. These include calls and assignments about homelessness, mental health, neighbor conflicts, quality of life issues such as noise, and community meetings and events. Also include time spent on each type of issue, response times to service calls, and geographic information tied to racial and socioeconomic disparities.
- d. Police accountability and oversight — Ensure the Police Commission and Community Policing Review Agency (CPRA) have adequate resources and staffing. Move the Internal Affairs Department from OPD to CPRA, as recommended by the Police Commission.
- e. Constitutional policing — Ensure compliance with the Negotiated Settlement Agreement. Receive a bi-monthly report on every outstanding task and have the personnel responsible for the task and the Chief report out, as recommended by the Public Safety Committee.
- f. Budget — Review of the OPD budget including personnel, O&M, equipment, long-term liabilities and information on employee costs including salary ranges, benefits, overtime, and other compensation.
- g. Staffing — Review of sworn and civilian staffing, including service levels for responding, preventing and solving crimes. Historically, cuts have been made to civilian positions that provide neighborhood services and support solving crimes; we should not continue to cut positions that prevent and solve crimes, and be smarter about how we respond with sworn and civilian/community personnel. Which sworn positions could be civilianized? How many officers are nearing retirement? What is the average attrition rate?
- h. Overtime — Accountability in managing the OPD overtime budget, like other departments are required to do. Implementation of the recommendations in the City Auditor's report on OPD overtime.
- i. Measure Z — In advance of Measure Z's expiration in 2024, engage stakeholders to evaluate the measure's impact against its goals, the current

conditions and needs, and prepare to update the measure to align with current community safety context calling for transformation of the system.

Budget Amendments

A. Homelessness/COVID-19

To prevent homelessness and COVID-19 among community members returning home from incarceration, I propose:

\$900,000 for Homelessness Prevention/Fair Chance & Re-Entry COVID Rapid Housing: \$100,000 from Fund 2244 Measure Q Parks would increase the budget of Housing and Community Development to conduct fair chance housing outreach and education through contractors, as was discussed during the passage of Oakland’s Fair Chance Housing ordinance in January 2020. \$800,000 from Fund 2103 HUD-ESG would increase the budget of the Department of Violence Prevention to partner with grantees to provide flexible rapid housing assistance to prevent homelessness and COVID among individuals returning home from incarceration, such as motel vouchers, rental subsidies, and landlord incentives. DVP would collaborate with HCD and HSD.

- a. Note that the budget resolution should be amended as follows on Page 2, first "Further Resolved":
- b. FURTHER RESOLVED: That the City Administrator is hereby authorized to take any and all actions necessary to obtain reimbursement for all expenses related to the COVID-10 crisis from any Federal, State or County agency or any other agency providing such reimbursement, and to reimburse the Funds used to pay those expenses in FY2019-20 and FY2020-21, ***and to modify existing contracts in order to provide COVID related services***; and be it

B. Community Safety

In this FY 2020 - 2021 budget, I believe we should **re-allocate at least \$25 million in the OPD budget toward community programs and services**. This immediate action would demonstrate a commitment to re-thinking and transforming public safety.

The Mayor and City Administrator now propose about \$5.5M in GPF reductions to the OPD budget not including transfers between funds/departments.

Therefore, we should re-allocate \$19.5M more as indicated below with a **\$4.3M reduction in overtime and \$15.2M reduction through vacancy savings**. City data show there are 106 vacant positions, totaling \$21,793,326; 51 sworn, 55 civilian. I propose freezing \$15.2M in positions — redirecting a portion of the savings to the community safety programs and services described below, and launching the community safety planning process to direct where the balance would be spent in restorations to the budget (such as OPRYD, Library, Fire) and additional programming. This process should also prioritize where OPD funds are best spent, investigating the ongoing impacts to cutting neighborhood services and investigation which help prevent and solve crimes, as well as the most appropriate responses to violence and crime.

New/Expanded Community Safety Programs & Services

1. **\$300,000 for Planning a community safety transition:** This would be funded by reducing OPD Overtime in the GPF 1010 and increasing the budget of the Department of Race & Equity to conduct a stakeholder process that results in a plan for an equitable budget that reflects Oakland’s values with improved equity and community safety.
2. **\$500,000 for Mental Health Services Pilot (in addition to \$1M in Errata #3):** This would be funded by reducing OPD Overtime in the GPF 1010 and increasing the budget of the Department of Violence Prevention. The current budget includes funds for a mental health study and community engagement which is being conducted by Urban Strategies Council and has been discussed at the Police Commission. This budget amendment would provide additional funds for piloting the Mobile Assistance Community Responders of Oakland (MACRO) program in East Oakland neighborhoods in partnership with community organizations.
3. **\$2.5M - OUSD Safety Plan and Violence Prevention at School Sites.** This would be funded by reducing OPD Overtime in the GPF 1010 and increasing the budget of the Department of Violence Prevention to create school-site based violence prevention and crisis intervention teams at each of the eight high schools and middle schools with the highest rates of expulsion and suspension in the City of Oakland. These would join the Coordination of Services Teams (COST) and support [OUSD’s safety planning as they remove police from their schools](#). By engaging principals, school site leaders, and youth leaders to develop a crisis intervention and violence prevention program with the purpose of increasing safety in our schools and eliminating the need for law enforcement presence, suspensions and expulsions. These teams would include positions modeled after Oakland Unite’s current programs, including “life coaches,” “violence interrupters,” and “gender based specialists,” which are trained in conflict

resolution, mediation, child and adolescent development, and gender-based violence including domestic and dating violence and sexual exploitation. The teams would complement other services that are a part of the school site's COST, such as mental health clinicians, restorative justice facilitators, and nurses provided by OUSD and other community partners.

4. **\$1M - CSEC and Trafficked Support Programs.** This would be funded by reducing OPD Overtime in the GPF 1010 and increasing the Department of Violence Prevention budget in order to support Commercially Sexually Exploited Children (CSEC) and adults subject to Human Trafficking to provide outreach, support, housing, and job training in partnership with community organizations led by survivors of sex trafficking.
5. **\$800,000 - More Staff for Police Accountability.** This would be funded by reducing OPD Personnel (freezing vacant positions) in the GPF 1010 and adding five investigators to the Community Policing Review Agency to investigate complaints of misconduct within the mandated timeframes and improve police accountability.
6. **\$5M - Community Safety Ambassadors** to address issues in our neighborhoods, parks and business districts with trained, trusted civilian staff who are well-positioned to provide event safety, conflict resolution, mediation, and public education, as well as to create jobs. This would be funded by reducing OPD Personnel (freezing vacant positions) in the GPF 1010 and:
 - a. increasing the budget of the Office of Parks, Recreation & Youth Development (OPRYD) by \$2.5M to build off the May - June 2020 pilot of COVID-19 Parks Ambassadors in our parks to conduct ongoing education throughout the year.
 - b. increasing the budget of the Economic & Workforce Development (EWD) by \$2.5M to conduct event safety, conflict resolution, mediation, and public education for events and in our business corridors. We can build off existing work by community organizations to implement this program. In Chinatown, community organizations and private partners came together to fund the *Asian Prisoner Support Committee* "Ambassadors," who have a daily presence on the streets of Chinatown and build trust with local residents, merchants, and the unhoused community. They clean up graffiti, pick up trash, report illegal dumping, serve food to and support the unhoused community. This funding could expand this model to other business areas including Eastlake, Fruitvale, and across the City. In addition, many cities rely on self-policing or security by the community at events and demonstrations, with police stepping in only during

Councilmember Nikki Fortunato Bas
Subject: Budget Amendments for Community Safety #2

a true emergency. Organizations in Oakland such as *Community Ready Corps* already conduct this type of community-led service such as providing safety support for the recent peaceful events including the car caravan and curfew demonstrations attended by over 5,000 people each.

Policy Directives

1. **Develop a plan for a 50% reduction in the OPD budget for the next two year budget cycle FY 2021 - 2023.** Key elements of this plan are described above, and should be further developed by City and Community stakeholders.
2. **Homelessness allocation** — Ensure community engagement and input in the Council’s future allocation of additional homelessness funds in order to assure their best and most impactful use. At a minimum, this should be discussed at a meeting of the Life Enrichment Committee before coming to Council.

I respectfully request that the City Council: Adopt my amendments and policy directives for the FY 2019-2021 Mid Cycle Budget.

For questions regarding this item, please contact Miya Saika Chen, Chief of Staff, Office of Councilmember Nikki Fortunato Bas, at mchen@oaklandca.gov.

Respectfully Submitted,



Nikki Fortunato Bas
Councilmember, District 2

Attachments

1. Budget Amendments Spreadsheets
2. Oakland Homeless Prevention: Fair Chance & Re-entry COVID Rapid Housing

**FY 2020-21 COUNCIL BUDGET AMENDMENTS
FUND 1010 - GENERAL PURPOSE FUND**

REVENUE ADDITIONS (POSITIVE #) & REDUCTIONS (NEGATIVE #)

Item #	Dept.	Description	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
1			\$ -	\$ -	\$ -	
2			\$ -	\$ -	\$ -	
3			\$ -	\$ -	\$ -	
4			\$ -	\$ -	\$ -	
5			\$ -	\$ -	\$ -	
Subtotal Revenue Adjustments			\$ -	\$ -	\$ -	

EXPENDITURE REDUCTIONS (NEGATIVE #)

Item #	Dept.	Description (Include Job Class & FTE)	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
6	OPD	Reduce Overtime	\$ -	\$ (4,300,000.00)	\$ (4,300,000.00)	
7	OPD	Freeze additional vacant positions	\$ -	\$ (15,200,000.00)	\$ (15,200,000.00)	
8			\$ -	\$ -	\$ -	
9			\$ -	\$ -	\$ -	
10			\$ -	\$ -	\$ -	
Subtotal Expenditure Reductions			\$ -	\$ (19,500,000.00)	\$ (19,500,000.00)	

	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total
FUNDS AVAILABLE FOR PROGRAMMING	\$ -	\$ 19,500,000	\$ 19,500,000

EXPENDITURE ADDITIONS (POSITIVE #)

Item #	Dept.	Description (Include Job Class & FTE)	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
11	DRE	Planning for Community Safety Transition	\$ -	\$ 300,000.00	\$ 300,000.00	Stakeholder process for equitable budget
12	DVP	Mobile Assistance Community Responders of Oakland (MACRO) Pilot	\$ -	\$ 500,000.00	\$ 500,000.00	Additional allocation for \$1.5M total
13	DVP	OUSD Safety Plan + Violence Prevention at School Sites	\$ -	\$ 2,500,000.00	\$ 2,500,000.00	expand Oakland Unite grantee work
14	DVP	CSEC and Trafficked Support Programs	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	expand Oakland Unite grantee work
15	CPRA	5 additional investigators	\$ -	\$ 800,000.00	\$ 800,000.00	to meet complaint workload and comply with timeframes
16	OPRYD	Parks Ambassadors	\$ -	\$ 2,500,000.00	\$ 2,500,000.00	expand COVID-19 pilot to ongoing Parks program
17	EWD	Community Safety Ambassadors	\$ -	\$ 2,500,000.00	\$ 2,500,000.00	education, support, safety in business areas & at events
18	TBD	Restoration of cuts, programming per community safety process	\$ -	\$ 9,400,000.00	\$ 9,400,000.00	allocations to be determined in Q1 of new fiscal year

Subtotal of Expenditure Additions	\$	-	\$ 19,500,000.00	\$ 19,500,000.00
--	-----------	----------	-------------------------	-------------------------

	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total
--	-------------------------------	--------------------------------	-----------------------------

SURPLUS / (DEFICIT)	\$	-	\$	-
----------------------------	-----------	----------	-----------	----------

**FY 2020-21 COUNCIL BUDGET AMENDMENTS
FUND 2244 - Parks Measure Q**

REVENUE ADDITIONS (POSITIVE #) & REDUCTIONS (NEGATIVE #)

Item #	Dept.	Description	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
1			\$ -	\$ -	\$ -	
2			\$ -	\$ -	\$ -	
3			\$ -	\$ -	\$ -	
4			\$ -	\$ -	\$ -	
5			\$ -	\$ -	\$ -	
Subtotal Revenue Adjustments			\$ -	\$ -	\$ -	

EXPENDITURE REDUCTIONS (NEGATIVE #)

Item #	Dept.	Description (Include Job Class & FTE)	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
6	HSD	Homelessness services to be allocated	\$ -	\$ (100,000.00)	\$ (100,000.00)	
7			\$ -	\$ -	\$ -	
8			\$ -	\$ -	\$ -	
9			\$ -	\$ -	\$ -	
10			\$ -	\$ -	\$ -	
Subtotal Expenditure Reductions			\$ -	\$ (100,000.00)	\$ (100,000.00)	

	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total
FUNDS AVAILABLE FOR PROGRAMMING	\$ -	\$ 100,000	\$ 100,000

EXPENDITURE ADDITIONS (POSITIVE #)

Item #	Dept.	Description (Include Job Class & FTE)	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
11	HCD	Homeless Prevention/Fair Chance Housing Outreach Fund	\$ -	\$ 100,000.00	\$ 100,000.00	
12			\$ -	\$ -	\$ -	
13			\$ -	\$ -	\$ -	
14			\$ -	\$ -	\$ -	
15			\$ -	\$ -	\$ -	
Subtotal of Expenditure Additions			\$ -	\$ 100,000.00	\$ 100,000.00	

	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total
SURPLUS / (DEFICIT)	\$ -	\$ -	\$ -

**FY 2020-21 COUNCIL BUDGET AMENDMENTS
FUND 2103 - HUD-ESG**

REVENUE ADDITIONS (POSITIVE #) & REDUCTIONS (NEGATIVE #)

Item #	Dept.	Description	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
1			\$ -	\$ -	\$ -	
2			\$ -	\$ -	\$ -	
3			\$ -	\$ -	\$ -	
4			\$ -	\$ -	\$ -	
5			\$ -	\$ -	\$ -	
Subtotal Revenue Adjustments			\$ -	\$ -	\$ -	

EXPENDITURE REDUCTIONS (NEGATIVE #)

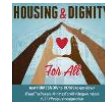
Item #	Dept.	Description (Include Job Class & FTE)	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
6	HSD	Allocate HUD-ESG Cares Act	\$ -	\$ (800,000.00)	\$ (800,000.00)	
7			\$ -	\$ -	\$ -	
8			\$ -	\$ -	\$ -	
9			\$ -	\$ -	\$ -	
10			\$ -	\$ -	\$ -	
Subtotal Expenditure Reductions			\$ -	\$ (800,000.00)	\$ (800,000.00)	

	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total
FUNDS AVAILABLE FOR PROGRAMMING	\$ -	\$ 800,000	\$ 800,000

EXPENDITURE ADDITIONS (POSITIVE #)

Item #	Dept.	Description (Include Job Class & FTE)	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total	Notes
11	DVP	Homeless Prevention/COVID Re-entry Rapid Housing Assitance Fund	\$ -	\$ 800,000.00	\$ 800,000.00	
12			\$ -	\$ -	\$ -	
13			\$ -	\$ -	\$ -	
14			\$ -	\$ -	\$ -	
15			\$ -	\$ -	\$ -	
Subtotal of Expenditure Additions			\$ -	\$ 800,000.00	\$ 800,000.00	

	FY 2020-21 Ongoing	FY 2020-21 One-Time	FY 2020-21 Total
SURPLUS / (DEFICIT)	\$ -	\$ -	\$ -



OAKLAND HOMELESS PREVENTION: FAIR CHANCE & RE-ENTRY COVID RAPID HOUSING

The following organizations are submitting this request: Alameda County Fair Chance Housing Coalition, All of Us or None/LSPC, Allen Temple, Black Culture Zone Collaborative, Black Tech for Black Lives, BOSS, Brotherhood of Elders, Centro Legal de la Raza, CURYJ, East Oakland Building Healthy Communities, East Bay Community Law Center, East Oakland Collective, Essie Justice, Faith in Action, Just Cities, TechEquity Collaborative, The Village, Oakland Youth Advisory Commissioners, Sierra Club, HAWG, and Root & Rebound.

1. Dept of Violence Prevention, COVID Re-entry Rapid Housing Flex Fund: \$800,000

Expedite Funds: Allocate funds to an existing Oakland UNITE nonprofit contractor to administer given the emergency homelessness and health situation facing people released from prison because of COVID outbreaks. There is insufficient time for a City formal RFP process. Collaboration between DVP & DHS.

Program Details: Flexible Rapid Housing Assistance to prevent homelessness and COVID such as motel vouchers, rental subsidies, landlord incentives.

Funding Source: DHS COVID ESG Available Funds

2. Housing & Community Development, Fair Chance Housing Outreach & Education: \$100,000

Expedite Funds: Include the contracts as part of HCD’s Council report/request on anti-displacement contracts.

Program Details: Outreach & Education to prevent homelessness by ensuring that formerly incarcerated residents and their families know and can access their new rights under the Fair Chance Housing Ordinance.

Funding Source: Measure Q Fund 2244

Homeless Prevention Rationale: Outbreaks of COVID-19 within prisons and jails have prompted the release of 3,500 inmates from California’s state prisons, and a decrease of 20,000 in the daily jail population since late February.¹ In Santa Rita Jail alone, 1,000 people have been released after over 50 inmates tested positive for COVID.² In light of Governor Newsom’s efforts, the release of thousands more can be expected in the coming months. Without access to immediate housing, thousands could be left homeless and at-risk of COVID.

When the City Council unanimously voted for the Ron Dellums Fair Chance Housing ordinance, the nation’s most progressive fair chance housing policy, it also supported funding for critical outreach and education. The Fair Chance Housing Ordinance prevents homelessness by removing a structural barrier to housing for formerly incarcerated persons. A survey of Oakland encampments found that 73% of residents were formerly incarcerated.³ Nationwide, formerly incarcerated people are 10 times more likely to be homeless.⁴

¹ Hamilton, M. LA Times (5/17/20). [“California’s prisons and jails have emptied thousands into a world changed by coronavirus.”](#)

² Ibid.

³ Tsai, T. (2019). *Standing Together: A Prevention-Oriented Approach to Ending Homelessness in Oakland*, p. 12. Report by Just Cities, UC Berkeley Goldman School of Public Policy Center on Civility and Democratic Engagement, and the Village.

⁴ Prison Policy Initiative. (2018). [Nowhere to Go: Homelessness among Formerly Incarcerated People.](#)