



AGENDA REPORT

CITY HALL - ONE FRANK H. OGAWA PLAZA, 2nd FLOOR - OAKLAND - CA 94612

DATE: March 11, 2021
TO: City Council and Members of the Public
FROM: Councilmember Dan Kalb and Council President Nikki Fortunato Bas
SUBJECT: Mobile Assistance Community Response - Civilian Crisis Response Program

RECOMMENDATION

We respectfully recommend that the City Council adopt the following:

Resolution (1) Directing The City Administrator To Explore And Implement Option(s) For Expediting The One-Year Pilot Phase Of The Mobile Assistance Community Responders Of Oakland (MACRO) Program, Including But Not Limited To: (1) Contracting With The County Of Alameda, For County Mental Health Specialists, Civilian Emergency Medical Technicians (EMTs) And Other County Staff, And/Or Expeditiously Hiring And Training Limited-Duration City Staff; (2) Directing The City Administrator To Return To Council With Monthly Progress Reports, Present To The Council Any Legislation Necessary To Expedite The MACRO Program, Including Staffing And Budgeting For Implementing The Program, After Considering Urban Strategies Council's Recommendations And Receiving Input From Labor Representatives, City Departments, and Community Organizations and Members; (3) Directing The City Administrator To Contract For An Evaluation Of The Initial Phase Of MACRO, (4) Directing the City Administrator To Return By April 20, 2021 with The Appropriate Legislation To Allocate Or Appropriate Funds, For 1.0 Full Time Equivalent Position In The MACRO Program To Manage The Program; And 5) Directing The City Administrator To Return To The Council, After Community Input, With Recommendations For Adding Additional Categories Of Calls For Service After The Initial Phase

and

An Ordinance Amending Chapter 2.29 Of Oakland Municipal Code, Which Sets Forth The Form Of Organization Through Which The Functions Of The City Under The City Administrator's Jurisdiction Are Administered, To Provide That The Functions And Duties Of The Mobile Assistance Community Responders Program And Any Civilian Crisis Response Program Shall Be Administered By The Fire Department

BACKGROUND/LEGISLATIVE HISTORY

Issues of police misconduct, excessive use of force and overall police accountability to the communities they serve are at the forefront of public and political debate as America recently witnessed the murder of George Floyd and learned of the details of Breonna Taylor's homicide by police. Community efforts to address these issues in Oakland have a long history with many black and brown residents historically distrustful of the police, often spurring organized resistance and struggle in order to envision new approaches to public safety and police/community relations.

As many times as police are called for cases with individuals who have mental health issues, a police response can go seriously wrong and even lead to death. Interactions with police add unnecessary stress and tension to a difficult situation and frequently have a delayed response. Recently, community activism has focused on one specific area of concern: how police respond to 911 non-violent and mental health-related calls. Other cities have successfully launched similar programs; for example, Olympia, WA, Portland, OR, and Albuquerque, NM have undertaken similar programs using in-house staffing models to provide civilian response.

Due to community and City Council interest in police alternative response models to support Oakland residents in crisis, \$40,000 was allocated in fiscal year (FY) 2019-2020 budget to explore implementation of a model like Crisis Response Healing Out On The Streets (CAHOOTS), a program in place in Eugene, Oregon, that provides a non-law enforcement response to mental health crisis calls (Resolution No. 87759 C.M.S.). Urban Strategies Council (USC) released a feasibility report in Spring 2020 that examined the CAHOOTS model and surveyed existing programs and services in place to respond to mental health and other non-violent/non-felony crises. USC coordinated with experts in the field, both community organizations and government agencies, as well as community members who have experience with existing crisis response services, to propose Mobile Assistance Community Responders of Oakland (MACRO). The report provided a comprehensive analysis and recommended launching a pilot program in two Oakland areas at an estimated cost of \$3.09 million.

As part of the mid-cycle budget for FY 2019-21, the City Council voted on June 23, 2020 to budget \$1.85 million for the Department of Violence Prevention (DVP) to identify a qualified community-based organization(s) who will implement MACRO in several Oakland neighborhoods with an emphasis on neighborhoods in East and West Oakland in alignment with the neighborhoods identified by the DVP's place-based strategy (Resolution No. 88174 C.M.S.; Amendment to Resolution No. 87759 C.M.S.).

In addition, on December 15, 2020, City Council requested that the City Administrator's Office or designee begin reviewing options for the creation of Oakland City staff civilian response positions for the MACRO program (Resolution No. 88433 C.M.S.).

Proposals from community-based organizations were due November 20, 2020. DVP received five

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proposals in response to the RFQ. Following an evaluation by a review panel of community members and City/County staff with personal experience and/or professional expertise relevant to the program, the three agencies with the highest scores were interviewed. Following the interviews, the proposal from Bay Area Community Services (BACS) received the highest combined score.

Prior to the March 2, 2021 meeting of the City Council, the three highest-scoring applicants withdrew their proposals to implement the MACRO program. At the March 2 meeting of the City Council, Council President Fortunato Bas made a motion seconded by Councilmember Kalb authorizing and directing the City Administrator to explore options for expediting the one-year pilot phase of the MACRO program within the Fire Department by:

- Contracting with the County of Alameda, including but not limited to county mental health specialists, and/or
- Expeditiously hiring and training limited-duration staff within the Fire Department's newly designated Division, and/or
- Entering into professional services agreement(s) with one or more nonprofits qualified in mental health outreach

The motion also directed the City Administrator to return to the Council on March 16 to report his progress and seek Council approval of any legislation he needs to expedite the MACRO pilot, including staffing and budgeting of the designated Division, after considering the Urban Strategies Council's recommendations and input from Labor Representatives and City departments as appropriate. The motion also directed the City Administrator to contract for an evaluation of the initial phase of MACRO and to develop recommendations, with community input, for adding additional categories of calls for services after the initial phase.

ANALYSIS

Given that the top three applicants withdrew their applications to implement the MACRO pilot program, the fastest way to begin implementation of such a crucial program is by bringing the program in-house, possibly with initial assistance from an appropriate County agency. OFD is respected in the community, and already responds to emergency situations 24 hours a day, 7 days a week using the 9-1-1 dispatch system. Additionally, bringing the pilot program under the purview of OFD allows the City of Oakland to better monitor the program, and ensure accountability and transparency.

Housing the pilot within OFD means that OFD staff will immediately begin the process of learning how to best implement these crisis services in Oakland, therefore making for a more efficient and effective transition after the pilot period. Other cities have implemented MACRO-like programs in partnership with their Fire Departments. For example, this past November, San Francisco launched the first phase of its Street Crisis Response Team (SCRT) pilot program.¹ The program is a

¹ <https://sfmayor.org/article/san-franciscos-new-street-crisis-response-team-launches-today>

collaboration between the San Francisco Department of Public Health and the San Francisco Fire Department with significant support from the Department of Emergency Management.

Housing MACRO within OFD also creates good, permanent, union jobs. The most expeditious route to launching MACRO in-house is to first hire limited duration employees while concurrently working with the Civil Service Board to create permanent job classifications that will allow these temporary workers to become permanent

Community engagement and input are essential to MACRO's effectiveness, and many community and labor organizations have been engaged in the process of developing MACRO thus far. Training of the MACRO team is essential to its effectiveness, and such training should advance the goal of MACRO to create a transformative alternative response to police, where community members that have been at the center of violence (as victims or perpetrators) are considered for hire as responders. Training should be led by community organizations and experts with experience and expertise in mental health response, de-escalation, and working with Oakland's most impacted communities including individuals who have been involved in the criminal legal system, unsheltered individuals, domestic violence survivors, youth, survivors of state violence, among others, and should be representative of the communities being served.

This Resolution describes City Council's intent to create an Advisory Board for the purpose of serving as an advisory partner to the Oakland Fire Department in developing MACRO, which members shall include, but not be limited to, experts in the provision of emergency and/or crisis and/or mental health services who have experience working with Oakland's most impacted communities, including individuals who have been involved with the criminal legal system, unsheltered individuals, domestic violence survivors, youth, survivors of state violence; and members shall be representative of the communities being served.

PUBLIC OUTREACH/INTEREST

As outlined in DVP's December 21, 2021 staff report, USC engaged in a nine-month process with stakeholders and community members in research and design of the pilot proposed in the feasibility report. Community agencies convened by USC for the feasibility report include: Anti Police-Terror Project, Berkeley Mental Health Commission, Block by Block Organizing Network, Brotherhood of Elders, Building Opportunities for Self-Sufficiency, Ceasefire, Coalition for Police Accountability, Copwatch, Faith in Action, Family Violence Law Center, Frontline Healers, Homeless Advocacy Working Group, Homeless Action Center, Imani Church, Justice Teams Network, Neighbors for Racial Justice, North Oakland Restorative Justice, Qal' Bu Maryam Mosque, Restorative Justice for Oakland Youth, Timelist, Youth Alive and others. In addition, DVP staff coordinated with USC's MACRO project leads and community stakeholders to determine next steps for implementation of the

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MACRO pilot. A community member from this team participated on the review panel as well.²

Later, Council President Nikki Fortunato Bas and Councilmember Dan Kalb continued to meet with community stakeholders including IAFF 55, IFPTE 21, SEIU 1021, Anti Police-Terror Project, Coalition for Police Accountability, Community Ready Corps, and Communities United for Restorative Youth Justice.

COORDINATION

The City Attorney's office was extensively consulted in the development of the legislation and the authors met with the City Administrator.

FISCAL IMPACT:

The grant agreement will be funded by General Purpose funds allocated for implementation of MACRO in June 2020. The funds for the grant agreement in the amount not to exceed \$1,600,000 will be allocated from the General Purpose Fund (1010), Violence Prevention Administration (70111), Contract Contingencies (54011), MACRO Project (1005384), MACRO Task (1010.SC22), 1010.70111.MACRO (23818), and Fostering Safe and Healthy Communities Program (SC22).

SUSTAINABILITY ASSESSMENT

ECONOMIC: Diverting individuals in crisis from arrest and incarceration to short term crisis response clinics, outpatient mental health care and drug treatment has the potential to save dollars in medical care, police services, police overtime costs and incarceration costs, among other costs.

RACE & EQUITY: MACRO will help youth, adults, and families who have been disproportionately impacted by violence and trauma, especially Black, Latino and other communities of color, gain more equitable access to critical support services such as crisis response and related supportive services.³ Development of MACRO should be led by community organizations and experts with experience and expertise in mental health response, de-escalation, and working with Oakland's most impacted communities including individuals who have been involved in the criminal legal system, unsheltered individuals, domestic violence survivors, youth, survivors of state violence, among others, and should be representative of the communities being served.

ENVIRONMENTAL/GEOGRAPHIC: By expanding social services and providing more options for community members who are the most impacted by violence and mental health crises, marginalized

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<https://oakland.legistar.com/LegislationDetail.aspx?ID=4760360&GUID=71A9F4F0-F335-415B-98AA-8FF46414E8B2&Options=&Search=>

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communities are made safer, healthier, and stronger. Safer and healthier neighborhood conditions contribute to the growth and revitalization of historically underserved Oakland communities.

GOVERNANCE/ CULTURAL: By bringing MACRO in-house, under the purview of the Fire Department, the City of Oakland makes a profound statement of values, making clear that crisis response, including mental health support, is a high priority. Oakland communities, including marginalized communities and communities disproportionately impacted by violence and trauma, may begin to heal and build trust with government service providers.

For questions regarding this report, please contact Councilmember Dan Kalb at dkalb@oaklandca.gov or Council President Nikki Fortunato Bas at nfortunatobas@oaklandca.gov.

Respectfully Submitted,



Dan Kalb
Councilmember, District 1



Nikki Fortunato Bas
Council President, District 2