Office of the City Manager

WORKSESSION
March 12, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jennifer Louis, Chief of Police

Subject: 2023 Berkeley Police Department Annual Report

INTRODUCTION

At the request of City Council, the City Manager provides regular reports on crime in Berkeley. The Berkeley Police Department Annual Report details 2023 year-end crime, collision, stop data and use of force data. This annual report also serves to provide a number of status updates on Council referral items, department initiatives and legislative mandates.

CURRENT SITUATION AND ITS EFFECTS

The mission of the Berkeley Police Department is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect. The Department works in service to the community and in partnership with the community, the Office of the Director of Police Accountability and the Police Accountability Board, as well as other City Departments and our regional partners.

The Berkeley Police Department understands the importance of partnering with the community and maintaining accountability. We are committed to being transparent about our policies and actions, to sharing data and information, and welcoming suggestions on enhancing our service quality as we safeguard our community. To help achieve that goal, the Department launched our Transparency Hub. That hub gives the public an accessible platform to analyze critical data and insights related to policing activities, calls for service, crimes, traffic safety, and community engagement. It can be accessed at bit.ly/bpd-transparency and provides near-real-time, area-specific data directly to our community.

To further support our public safety efforts and collaboration with stakeholders and our commitment to transparency and accountability, the Department has expanded the annual crime report to provide a more comprehensive annual report which is attached here and will be presented to Council during the Special Meeting on March 12, 2024. This report will cover a range of topics beyond the traditional reporting on crime and collision data. It will include reporting on staffing levels, specific information on call volume, type and response, efforts related to fair and impartial policing initiatives, crime and public safety problem solving responses, as well as other important departmental efforts.

ENVIRONMENTAL SUSTAINABILITY
There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

FISCAL IMPLICATIONS
Specific fiscal implications related to items referred to within this report are addressed in the biennial budget process. Additional information of costs can be provided as needed.

CONTACT PERSON
Chief Jennifer Louis, Police Department, (510) 981-5700
Data and Policy Analyst Arlo Malmberg, Police Department (510) 981-5747

ATTACHMENT
1. 2023 Berkeley Police Department Annual Report

cc: Dee Williams-Ridley, City Manager
        LaTanya Bellow, Deputy City Manager
        Anne Cardwell, Deputy City Manager
        Jennifer Louis, Chief of Police
        Mark Numainville, City Clerk

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March 12, 2024

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Introduction

In presenting the Berkeley Police Department's annual report, we reaffirm our enduring mission, embrace our vision for the future, and recommit to our core values. These principles guide our daily operations and strategic planning, ensuring that we serve our community with the utmost integrity, respect, and dedication.

Mission: United in service, our mission is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Vision: The Berkeley Police Department will be a team of leaders at every level. We will foster strong relationships with our community, inspiring trust through our service, building on our historic tradition of progressive policing, and dedicated to the safety of all.

Values: Service is our calling. As members of this community, the Berkeley Police Department team is committed to proactive law enforcement and problem solving, holding these as our core values:

- *Integrity*: We are ethical, fair, and trustworthy in all we do.
- *Safety*: We strive to keep our community and each other safe.
- *Respect*: We fulfill our duties with dignity, compassion, and empathy.
- *Diversity*: We value the strength of a diverse workplace and community. We endeavor to reflect the community we serve, promoting inclusion and fairness.
- *Professionalism*: We commit to organizational excellence through progressive training, positive attitude, and superior performance.

Command Staff began the year by strategically assessing the key challenges and opportunities facing the department. We sought to align our priorities with the needs of the community, the concerns of the Council, and the principles named above. Guided by this analysis, we focused on three priorities for 2023:

Recruitment and Retention: Our priority is attracting and retaining staff who align with our core principles. We are proud of our diverse team that shares our community's values and commitment to service.

Proactivity and Problem Solving: Crime prevention and long-term problem solving is a major focus for us. That's why we emphasize being proactive, using data to spot potential issues early and working with the community to find solutions before problems escalate.

Internal Communication: This year we recommitted ourselves to clear, consistent communication so every member of our department feels informed, understands what's expected, and has the resources they need to do their jobs well.

These priorities are reflected in the work completed in 2023 and detailed below. To that end, the value of this report is multifold. To the Council, it offers a transparent, measurable account of our stewardship of public trust and resources, while also highlighting how our strategies align

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with and complement the work of the Office of the Director of Police Accountability and the Police Accountability Board. To the community, it underscores our unwavering commitment to public safety and service, demonstrating our efforts in connecting with and uplifting the Reimagining Public Safety initiative and Fair and Impartial Policing principles. To our department, it provides a foundation for continuous improvement and a benchmark for the pursuit of excellence as we move into 2024.

As we present this annual report we invite our community and its representatives to reflect on our shared achievements, to engage with us in addressing the challenges ahead, and to contribute to the evolution of our service to better suit the needs of all those we are privileged to serve.

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Staffing & Workload

Despite a high workload, our department has sought to enhance efficiency and service quality. Through innovative recruitment and retention strategies, community engagement, and performance analytics, we have continued to strengthen our operational effectiveness. Our ongoing commitment to strategic analysis and accountability ensures sustained care and excellence in our service to the community.

Staffing

Current Levels

As of 2/7/24, we are staffed at 151 police officers, well below our current authorized staffing level of 181 sworn personnel. Two of those positions are held by recruit officers who are currently in the academy, and 5 are in field training and will not reach solo officer status until June 2024. Twenty four of the 151 officers are eligible to retire, and at least half of these 24 have stated an intent to retire over the course of 2024.

Berkeley Police Department currently is authorized 36 dispatch positions and is currently staffed with 23 dispatchers and 4 dispatch supervisors. There are currently 2 dispatchers and 0 supervisors that are eligible to retire. The Communications Center is supported by several per diem and other dispatch-qualified employees who alleviate some of the strain of understaffing.

Sworn Staff
Annual Peak Staffing Levels
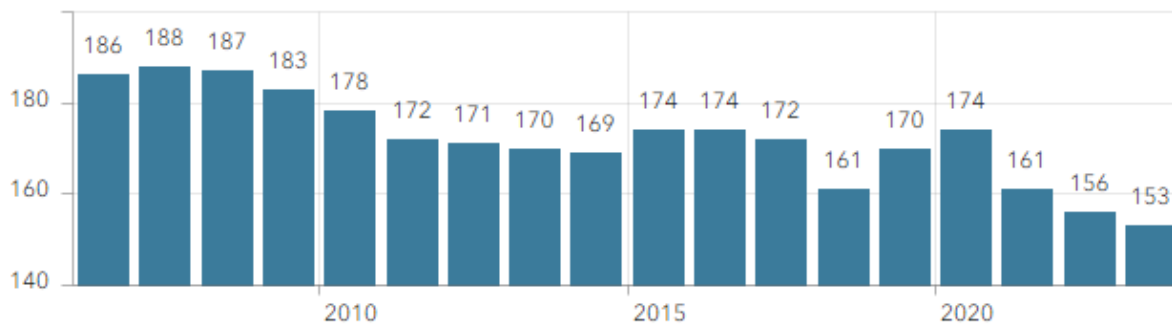
We are also in the process of hiring additional Community Service Officers (CSO). We are authorized 29 CSOs and are currently staffed with 25. For the last several years we were authorized 22 CSOs but 6 CSOs and 1 CSO Supervisor were added to the Fiscal Year 2023 budget as a recommendation stemming from the reimagining public safety process. Conceptually, the additional CSOs will be trained to respond to lower priority calls and bridge the gap between sworn and professional personnel performing a variety of tasks that would have traditionally fallen to a sworn officer. Community outreach and engagement will be part of the work of CSOs as well. Staff has encountered difficulty identifying the scope of necessary training and attracting existing CSOs to this developing position since it was only funded on a limited three-

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year term in the FY 2023 budget. The Department is committed to supporting this reimagining public safety goal and will continue work to develop this program.

Recruitment and Retention Strategies

The Berkeley Police Department prides itself on rigorous evaluation of police officer applicants, as well as hiring and training some of the profession's best officers who exemplify the department's overall mission as well as the values of our diverse and vibrant City. Beyond the expectations to successfully complete training and education requirements, the department demands that officers hold themselves to a departmental culture of integrity, respect, and professionalism. The Department continues to actively recruit and work with Human Resources to facilitate open and continuous recruitments to reach full staffing of police officers, dispatchers and other critical positions in the department.

Recruitment and Retention Team

To help address the challenges associated with hiring, in 2022 the department committed to the creation of a Recruitment and Retention Team. That team is comprised of officers and

dispatchers who work with Personnel and Training on a part-time basis to attend job fairs, work on our social media outreach, respond to applicants who submit interest cards, and facilitate ride-alongs with officers and sit-alongs with dispatchers. In 2023, the Recruitment and Retention Team attended 111 events, corresponded with 2,600 potential applicants, and ultimately funneled 8 recruits into the academy and 4 Lateral officers into the Field Training Program. They also helped to hire 7 Public Safety Dispatchers.

Recruitment Incentives

In 2022, the department introduced the Recruitment and Retention Incentive Program, approved by City Council, to enhance our recruitment strategy and strengthen community ties. This initiative allowed all city employees to refer potential candidates, significantly increasing our recruiter base and ensuring that we are attracting candidates familiar with the community. In that way, this initiative supports our efforts to hire individuals who understand and embody Berkeley's deeply rooted values. The incentive program also boosted hiring bonuses for applicants, with 19 applicants qualifying for the incentive in 2023.

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<u>Wellness</u>

In 2023, BPD received Collaborative Reform Assistance through the COPS Office, which funded in-person financial wellness training to all employees. This also provided future virtual training for 30 new employees as they are hired. The department used funding from the BSCC Officer Wellness Grant to contract with the West Coast Post Trauma Retreat to provide confidential immersive assistance to employees to work through traumatic experiences and build resilience. We also used this funding to provide two blocks of training from The Counseling Team International. The training was called First to Respond, Last to Seek Help and Mental Health Mayday, which further assisted officers navigating vicarious trauma and negative health impacts. The BSCC grant was also used to purchase a two-year contract to provide staff with a mobile wellness application called Light House. This application provides staff with anonymous access to health and wellness resources. We renewed our Public Safety Family Counseling Group contract, which supports our Peer Support Team through training and guidance. Their clinicians are essential to assisting with our response to critical incidents, facilitation of critical incident stress debriefs, and providing individual support to employees. BPD continued our partnership with O2X staff to provide nutrition, mental health, sleep and yoga workshops to employees. Our onsite strength and conditioning coach and athletic trainer both saw improved engagement with public safety personnel. Outdated fitness equipment was replaced, a new outdoor break area was created to provide staff an area to regroup and hold meetings outdoors. The BPD Wellness and Resilience Group along with BPD leadership will continue to look for ways to provide services and opportunities to enhance the overall well-being of BPD employees.

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Workload / Calls for Service

The Berkeley Police Department (BPD) is committed to providing timely and effective responses to calls for service from our community. This section of the annual report provides a detailed analysis of the calls for service we receive and the strategies we have employed to manage and respond to these calls efficiently and effectively.

Yearly

In 2023, the Berkeley Police Department received a total of 63,791 calls for service (CFS). This figure gives us a sense of the community's needs and the demand for police services.

Calls for Service by Year, 2019-2023
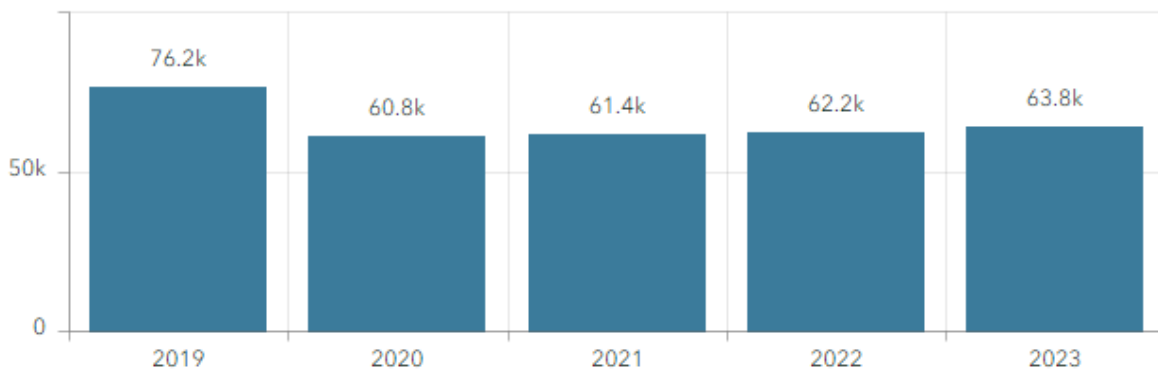
The data shows a 2.3% increase in the volume of calls compared to the previous year (62,245 total in 2022), signaling a slow increase of call volumes towards pre-pandemic levels. Over the past 5 years, BPD has managed an average of 64,868 calls for service annually.

Monthly

The average number of calls for service per month in 2023 was 5,308.

Calls for Service by Month, 2023
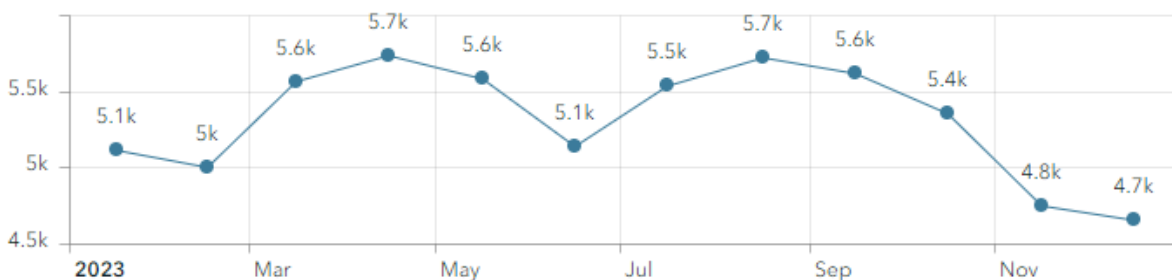
There is a discernible pattern throughout the year with peaks in May and September, reaching up to 5,737 calls. This pattern is consistent with trends observed in recent years and provides insight into seasonal variations in the frequency of calls that we may expect to see in future years.

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Geography

Geographically, the distribution of calls for service highlights areas of higher demand within the city. In 2023, City Council District 4 registered the most calls of any council district.

Calls for Service & Council Districts, 2023

This geographical pattern has informed our operational strategies, leading to adjustments in police beats (more on our beat map below) and resource allocation to ensure an appropriate and timely response to community needs.
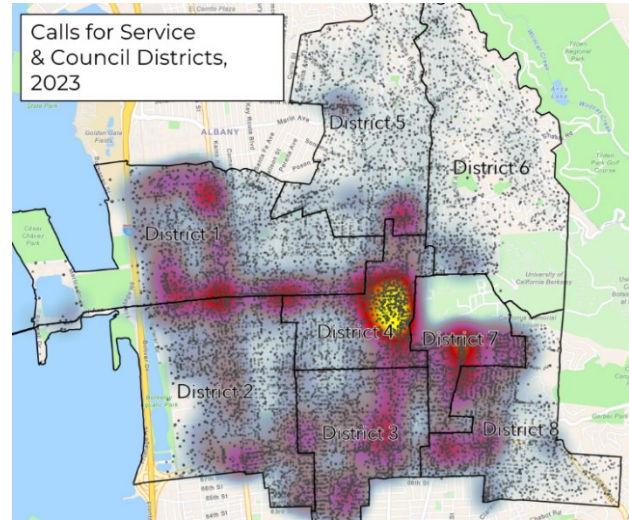
Initial Call Type

When a dispatcher receives a call for service, they determine a call type, often a penal code type, using the information immediately available from the caller. An officer may arrive on scene and determine the nature of the incident is different than that of the initial call type. Therefore, the call type data, along with priority level data (below), is useful as an indication of the information available to the call taker before an officer arrives on scene to investigate further. The most frequent non-officer-initiated call types in 2023 were:

Most Frequent Initial Call Types*	2019	2020	2021	2022	2023
Disturbance	6,833	5,578	5,493	5,450	5,378
Audible Alarm	4,207	3,405	3,671	4,007	4,231
Wireless 911	2,830	2,401	2,580	2,814	3,144
Welfare Check	3,020	2,559	2,693	2,679	2,736
Theft	2,864	2,852	2,101	2,187	2,312

Non-officer-initiated calls; 5 most frequent in 2023

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The data for 2023 shows that the most frequent call types align with the patterns observed in recent years, offering insight into the prevalent issues and concerns within the community.

Calls for Service by Priority Level, 2023
Non-Officer-Initiated Calls

Priority Level

In 2023, nearly 50% of non-officer-initiated calls for service were classified as Priority 1 or Priority 2. These categories represent the most urgent calls, requiring immediate police response due to their potential threat to life, safety, or property.

Other 4.52%
Level 1 13%
Level 4 21.81%
Level 2 36.65%
Level 3 24.02%
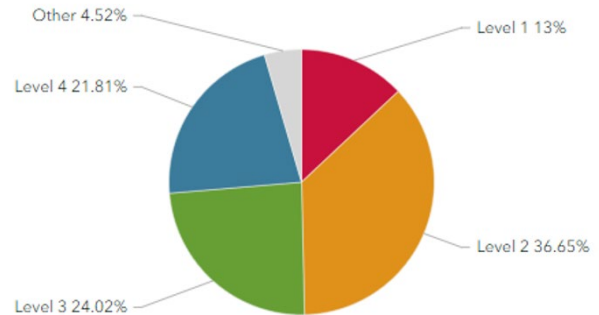
It is important to note that calls classified as lower priority, such as Priority 3 or Priority 4, often involve serious matters that are considered 'cold,' meaning there is no immediate danger to life or property. These calls might include reports of past incidents where the suspect is no longer on the scene or situations that, while serious, do not require an urgent police response. BPD is dedicated to investigating and resolving these matters with the same level of professionalism and thoroughness as higher priority calls, as every call represents a significant concern for the community members involved.

Dispositions

The disposition of a call for service is selected by officers and dispatch from a predefined list and marks the conclusion of the incident. Due to the complexity and dynamic nature of police responses, a single call may result in multiple dispositions.

Dispositions of Interest*	2019	2020	2021	2022	2023
Case Report	10,141	8,819	8,948	10,318	11,247
RIPA Survey	-	594*	1,489	1,379	1,118
Homeless-Related	-	-	1,275*	2,721	2,727
Mental-Health Related	1,573	1,133	1,840	2,912	3,109

Non-officer-initiated calls; dispositions for RIPA and Homeless-Related started in 2020 and 2021, respectively.

The disposition data shows a notable increase in "Mental-Health Related" dispositions in 2022 (reflecting a change in reporting practice) and "Case Report" dispositions in 2023 (reflecting a rise in crime). "Homeless-Related" dispositions have rapidly increased since being tracked in 2021, while "RIPA Survey" dispositions (stops) have decreased since being tracked in 2020. These trends reflect evolving community needs and the changing focus of police response efforts.

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Workload Metrics

The workload metrics below offer insights into the operational challenges and demands that BPD faces. As staffing levels grow at a slow pace in comparison to the increasing volume of calls for service, it is important to assess the impact on the workload of our officers and the quality of service provided to the community.

Calls per Officer per Shift

Average Calls Handled per Officer per Shift
Non-Officer-Initiated Calls
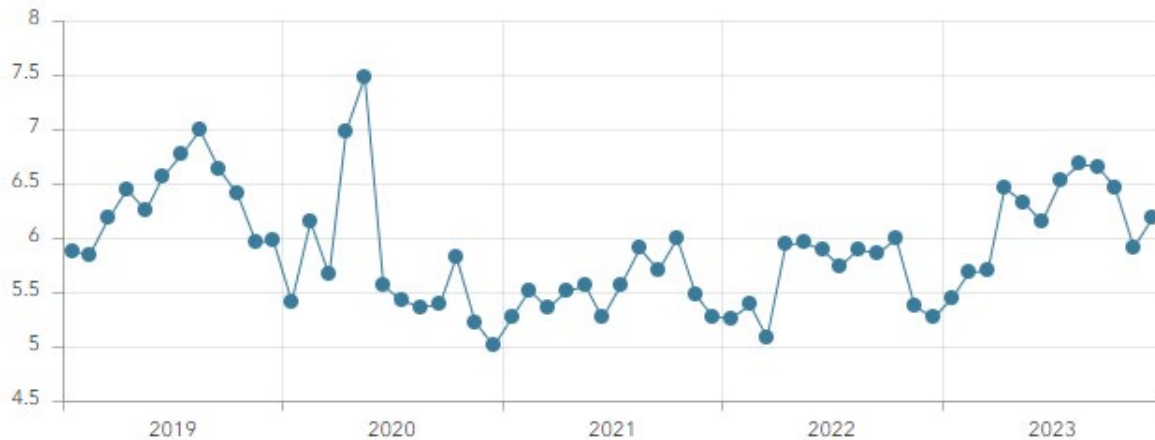
One of the primary indicators of an officer's workload is the number of calls handled per shift. Despite efforts to manage workload through backfilling shifts with overtime, officers addressed more calls per service per shift than in any year since 2019.

This trend is an indicator of the growing demands placed on our officers, highlighting the need for strategic planning and resource allocation to maintain high service standards.
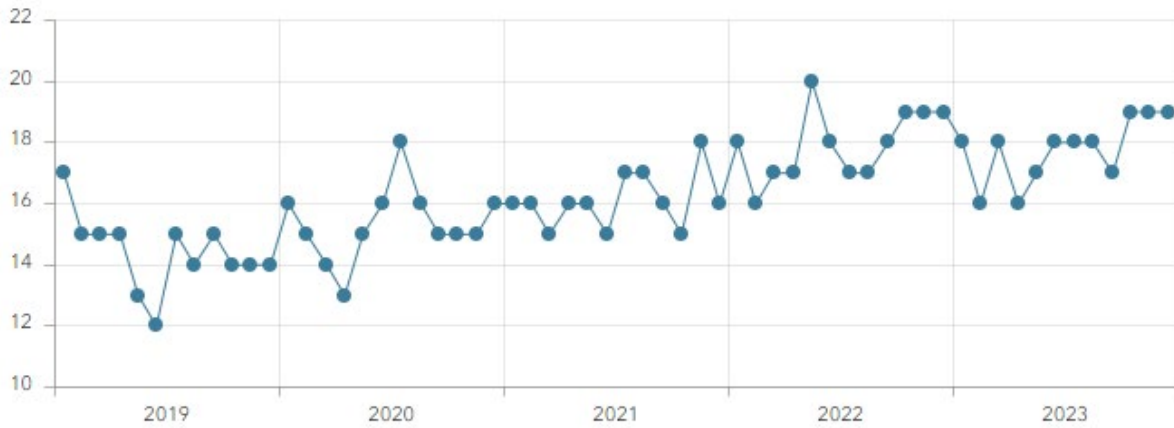
Time on Scene per Call

Another crucial aspect of an officer's workload is the time spent on scene per call. This metric is influenced by various factors, including the nature of the call and the overall activity in the city at the time of the call.

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Median Officer Time On Scene per Call
Minutes | Non-Officer-Initiated Calls

Despite the increase in calls per shift seen above, officers are dedicating more time on scene for each call. This trend reflects both the increasingly complex and demanding nature of the calls and our officers' commitment to providing thorough and quality service in response to each incident.

Department Initiatives

What We've Done

In the face of challenging staffing levels coupled with an increasing workload, the Berkeley Police Department (BPD) has proactively taken steps to prioritize our efforts and enhance organizational efficiency.

Department Priorities

In 2023, BPD identified and committed to three core priorities that guided our actions and decisions throughout the year: recruitment and retention, proactivity and problem solving, and internal communication. These priorities were carefully chosen to address the most pressing challenges and opportunities facing the department and thereby maximize the impact of our efforts

The deliberate focus on these three priorities in 2023 was instrumental in keeping the department on track amidst a myriad of challenges and decisions. By consistently revisiting and reflecting on these key areas, we strived to align critical and pivotal decisions made throughout the year with our overarching objectives and the needs of the community we serve. This strategic focus has streamlined our efforts and reinforced our commitment to excellence, innovation, and community engagement.

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Updated Beat Structure

Due to the dynamic nature of crime patterns, service demands and staffing levels, BPD recognized the necessity to re-evaluate our beat structure, which had been in place for nearly a decade. Though effective at its inception, the previous 16-beat structure placed a significant strain on our limited patrol resources and intensified a need for forced overtime.

In response to these challenges, our Strategic Analysis Team

conducted a comprehensive analysis of calls for service volume, considering temporal and spatial factors. This data-driven approach culminated in the development of a more efficient 14-beat map, designed to achieve a better balance in workload distribution and service delivery across the city.
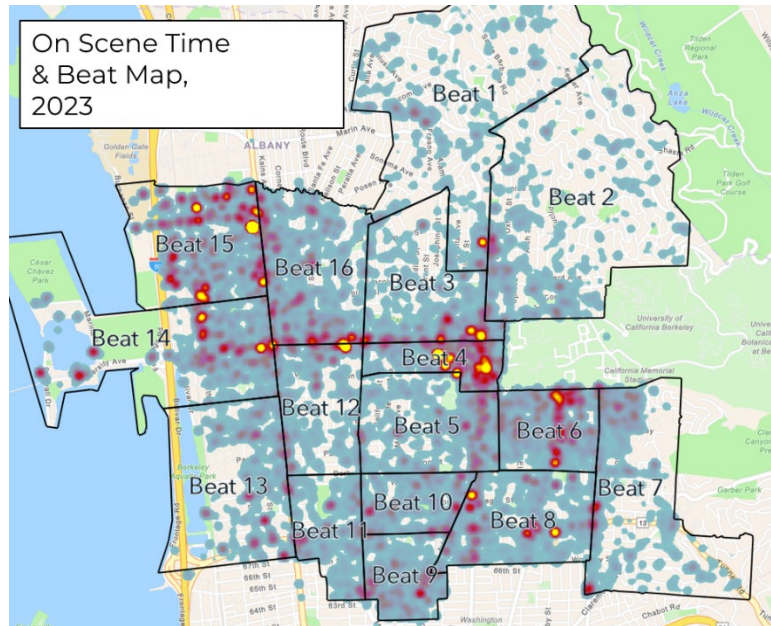
The transition to the new beat structure was implemented in April of 2023 by the Operations Division. This strategic shift not only addressed the immediate need for more manageable workloads and reduced reliance on overtime but also sets the stage for the generation of valuable data that will inform the ongoing sworn staffing study.

Early results suggest our efforts to achieve a more equitable workload distribution among officers have been successful. Nevertheless, we believe the addition of swing officers would significantly enhance the effectiveness of this new structure. This would provide the adaptability necessary to address unanticipated fluctuations in service demands.

As BPD continues to evaluate and improve its operations, we look forward to the analysis and recommendations from an impending comprehensive staffing assessment (detailed later in this report). That assessment will be invaluable as we make informed decisions about staffing levels and beat design.

Community Engagement

The limitations on officer resources puts greater emphasis on the importance of trusted relationships with our community. The Department's community engagement efforts are of

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vital necessity to maintaining and increasing an efficient workflow. The Berkeley Police Department's dedication to community engagement and connectedness was a primary focal point in 2023. From monthly Coffee with a Cop events, to numerous neighborhood meetings, city sponsored special events and strategic department Pop Up events, the diverse community engagement activities have initiated, deepened and expanded police department relationships with our community.

One program in particular which highlights our ongoing relationship with our community is the Law and Social Justice pathway, a two-year criminal law program at Berkeley High School. Now in its 8th year, Law & Social Justice brings professionals working within the criminal justice system into contact with juniors and seniors at Berkeley High. The BHS students are introduced to police officers, community service officers, dispatchers, prosecutors, defense lawyers, judges, probation officers, and parole officers, both in the classroom and in the field. The goal of the class is to introduce students to careers while creating a place of informed dialogue pertaining to the criminal justice system. At the completion of this school year the class will have educated more than 680 students.

How We're Doing

In our ongoing effort to provide transparent and accountable policing, BPD closely monitors a range of performance metrics. These metrics serve as indicators of our effectiveness and

MOMENTS OF IMPACT

Among the many opportunities offered by the Law and Social Justice class at Berkeley High, ride-alongs with Berkeley PD police officers stand out for their profound impact on students. One student recounted their experience with Officer Villaroel, saying, "*The most thrilling part about the ride along was when we went code 3 with lights and sirens and we started speeding down the street... I could just feel the adrenaline going through me.*" The student went on to reflect "*people either have good experiences or bad experiences with cops and depending on the experience you've had your opinion on cops might change… being on that ride alone makes me want to become a cop.*" This firsthand experience not only highlights the challenges and skills involved in policing but also emphasizes the importance of understanding the diverse perspectives people have towards law enforcement.

Similarly, another student was moved by the personal story of Officer Valle, noting, "*he also told us that [he] could have never imagined he would become a police officer, because as a teenager he had multiple unpleasant experiences with law enforcement*" Officer Valle ultimately "*decide[d] that he wanted to be the change in the system which resulted in him doing some ride alongs, and then going to the academy*" Such stories are emblematic of the transformative potential of the Law and Social Justice pathway, bridging the gap between law enforcement and the community by fostering empathy, understanding, and dialogue.

Through these interactions and experiences, the Law and Social Justice pathway not only educates but also molds future leaders, thinkers, and change-makers in our society, reinforcing the connection between Berkeley PD and our community.

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efficiency and also offer insights into areas where we can improve. This section dives into key performance indicators including response times, time on scene by call type, and officer-initiated calls.

Response Times

Response time is a critical measure of our service to our community. BPD is committed to maintaining swift response times and ensuring that community members receive timely assistance in emergencies and other situations requiring police presence.

Median Response Times
First Unit, Minutes
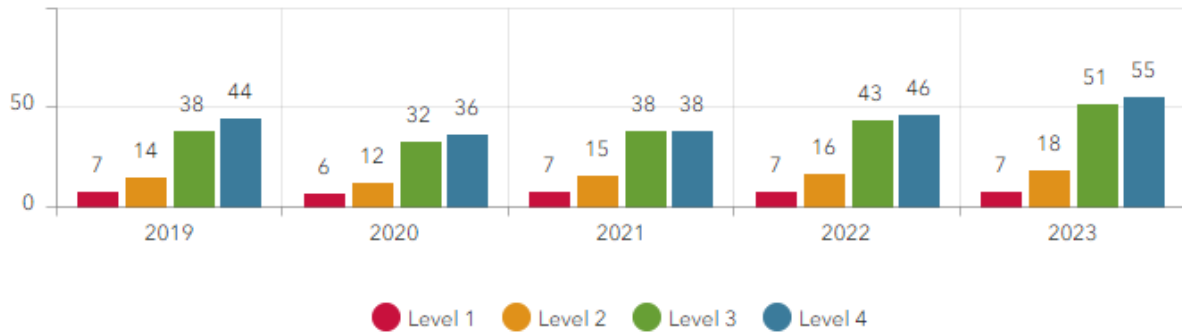
*Excludes Officer Initiated calls and call types: Audible Alarms and Traffic Stop

Below is a comparison of response times to agencies in the region that publish this data. Because every agency defines priority levels differently, we have included (where available) the percentage of calls that each priority level represents for the corresponding agency.

Our median response time for Priority 1 calls was 7 minutes, meeting or exceeding regional standards.

Median Response Times, 2023 (minutes)	Level 1 (% of all calls)	Level 2	Level 3	Level 4
Berkeley	7 (13%)	18 (37%)	51 (24%)	55 (22%)
San Francisco	9 (19%)	32 (30%)	105 (51%)	-
Oakland	14	184	443	-
San Jose	7 (5%)	24 (42%)	-	-

Comparison cities chosen based on data availability and region

Time on Scene by Call Type

The time our officers spend on the scene is indicative of the complexity of incidents and our commitment to thorough, community-centered policing. Below is a table of 5 types of calls for service and the resources that BPD allocated to those calls. Below the on-scene time is

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measured from the time that the primary unit- that is, the officer responsible for managing the scene and initial investigation- arrives on scene until that officer is no longer working on the incident.

Median Time on Scene by Call Types of Interest	Median Primary Unit On-Scene Time	Avg. Units/Call
Disturbance	17 minutes	1.9
Grand Theft	62 minutes	1.8
Robbery	116 minutes	5.3
Sexual Assault	194 minutes	2.0
Shooting	285 minutes	15.9

The call types listed above represent some of our most common (Disturbance, Grand Theft) and resource intensive (Robbery, Sexual Assault, Shooting) call types. Less severe calls like disturbances required less time on scene, while more serious crimes such as shootings demanded significantly more officer time and resources. This reflects the department's adaptive resource allocation intended to ensure that more critical situations receive the attention necessary for thorough investigation and community support.

Officer-Initiated Calls

Officer-initiated calls serve as an indicator of proactive policing practices and our dedication to ensuring community safety and preventing crime (for an analysis of the impact of our proactive stops, see the "Stop Report" section below). In 2023, the number of officer-initiated calls reflected the challenges and constraints faced by the BPD, including staffing levels and prioritization of non-officer-initiated calls for service.

Calls for Service by Year, 2019-2023
Officer-Initiated Calls
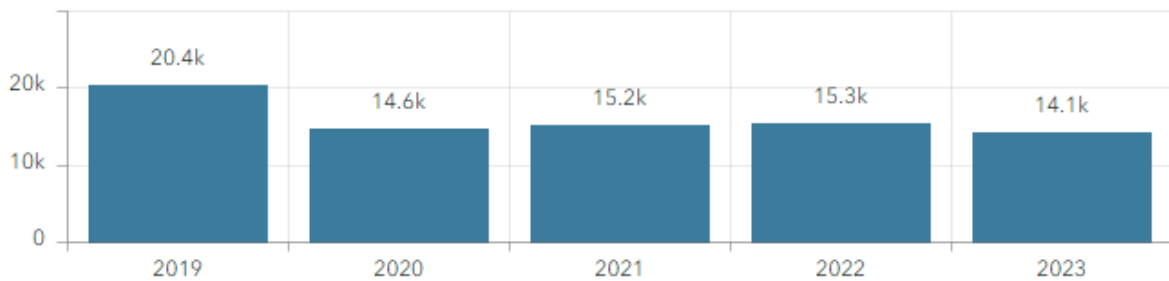
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Calls for Service by Month, 2023
Officer-Initiated Calls

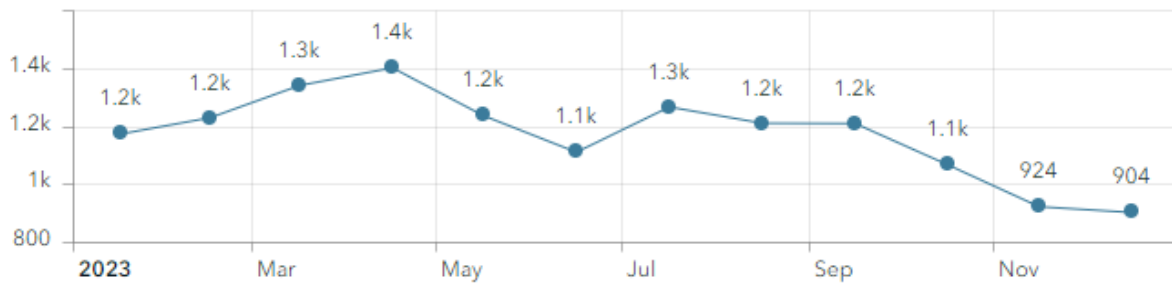The data indicates a lower volume of officer-initiated calls, with an average of 1,173 calls per month. This trend is unsurprising given the impact of staffing levels and the distribution of workload among our officers. Despite these figures, BPD remains committed to proactive community engagement and crime prevention. We are actively exploring strategies to enhance our proactive policing efforts and ensure that our officers have the support and resources they need to effectively engage in community policing and crime prevention, alongside their responsibilities in responding to non-officer-initiated calls for service.

What's Next

As the Berkeley Police Department (BPD) continues to evolve and adapt to the changing needs of our community and the broader landscape of public safety, we are focused on implementing strategic initiatives that enhance our operational capabilities, ensure accountability, and foster community trust. The upcoming initiatives outlined below represent our proactive approach to addressing current challenges and embracing opportunities for growth and innovation.

Sworn Staffing Study

In our continuous efforts to enhance operational efficiency and align our staffing strategy with the evolving needs of the community, BPD has partnered with Citygate Associates, a firm renowned for its expertise in public safety organizational strategies. Citygate is currently in the process of conducting a comprehensive and independent staffing analysis. This report will bring their extensive experience and specialized knowledge to bear on challenges surfaced by the department, the City Auditor's Audit on Police Overtime and the Fair and Impartial Policing Working Group (more details on recommendations by those bodies below).

Citygate is wrapping up the information gathering phase which involves soliciting feedback from stakeholders as well as analyzing relevant data. The study is on track to be completed by the end of the fiscal year (June 30, 2024). We are optimistic that the findings and recommendations provided by Citygate Associates will be instrumental in shaping our strategic staffing decisions. Early recommendations are being incorporated into the budget process as well as the Command Team Building Workshop we are holding in March 2024. The insights gained from this study will guide our department through this phase of rebuilding staffing levels

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and make sure that future deployment of police services in Berkeley is both effective and aligned with the principles of the Reimagining Public Safety initiative.

<u>Strategic Analysis and Accountability</u>

In a step toward institutionalizing data-driven decision-making and enhancing accountability, the department is focusing analytical efforts on strategic planning and accountability. This approach builds upon the foundational work of the Strategic Analysis Team and aims to drive the implementation of equitable, fair, and effective public safety strategies that are deeply rooted in the principles articulated by the City's Reimagining Public Safety initiative.

This organizational focus will deepen collaboration with key partners including the Police Accountability Board by providing essential data and insights that support comprehensive police accountability and oversight. Key initiatives will include the enhancement and management of our Early Intervention Systems (EIS, more information in the "Audits and Oversight" section) and the overall risk management framework, demonstrating a commitment to operational excellence and innovation in public safety. This shift represents a proactive effort to meet the emerging needs of the department and community and embodies a vision of a more accountable, transparent, and community-aligned approach to public safety.

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Crime & Investigations

Amid increasing crime rates, our department employs creative, problem-oriented solutions. Our robust clearance rates, competitive on a regional scale, reflect our commitment to delivering first-class police work from start to finish.

Crime Data

Understanding the distinctions between calls for service, case reports, and confirmed crimes is crucial for clarity when reviewing crime data. Calls for service are the initial contacts made by the public with our department, ranging from reports of suspicious activities to requests for emergency assistance. These calls often prompt further investigation.

Following an investigation, if there is reason to believe a crime has occurred, an officer writes a case report. These case reports document the investigation's details, including any evidence collected, witness statements, and the officer's observations and conclusions at that stage.

The determination of whether prosecution will be pursued falls to the District Attorney (DA). The DA reviews the case report and decides whether they can prove beyond a reasonable doubt that a crime occurred. This higher standard—beyond a reasonable doubt—is the legal benchmark used in criminal trials to determine the guilt of the accused before any criminal penalty is imposed.

The statistics presented below are derived from case reports. These reports form the backbone of our crime data analysis as they provide a comprehensive overview of our department's investigative activities and outcomes.

It is important to note that the data below utilizes the Uniform Crime Reporting (UCR) Summary Reporting System (SRS) methodology. The SRS is a national reporting standing that facilitates a summarized account of major crime categories, thereby allowing comparisons over time and across jurisdictions. In 2024 we transitioned to the National Incident-Based Reporting System (NIBRS), which is an updated national reporting standard that promises a more detailed and nuanced approach to crime data collection and analysis.

NIBRS provides several key advantages over the UCR SRS. Unlike UCR SRS, which focuses on a limited number of "Part One" crimes, NIBRS includes a broader range of crime categories, offering a more comprehensive view of crime in the community. NIBRS captures detailed

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information about each criminal incident, including the types of offenses committed, characteristics of the victims and offenders, types of property involved, and the relationship between the victim and the offender. The detailed data collected through NIBRS supports more sophisticated and nuanced analysis, enabling law enforcement agencies, policymakers, and researchers to identify trends, patterns, and correlations in crime data more effectively across jurisdictions nationwide.

Part One Crimes

Part One Crimes, as classified by the UCR, are comprised of both violent and property crimes, reflecting the most serious offenses. Part Two Crimes include a range of other offenses, providing a broader scope of the crime landscape.

Part One Crimes by Year

In 2023, there was a 10.5% overall increase in total Part One Crime in Berkeley compared to 2022. Specifically, Part One Violent Crimes saw an increase of 100 cases, while Part One Property Crimes rose by 759 cases.

Part One Crimes by Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	% Change 2022-2023
Homicide	3	1	2	1	1	0	5	0	3	1	-66.7%
Sexual Assault	35	44	54	83	65	74	47	57	89	97	+9.0%
Robbery	263	330	361	364	353	369	274	265	292	386	+32.2%
Aggravated Assault	130	155	185	218	167	175	210	210	282	282	+0.0%
Total Violent Crimes	**431**	**530**	**602**	**666**	**586**	**618**	**536**	**532**	**666**	**766**	**+15.0%**
Burglary	932	1090	805	843	829	771	797	803	1036	1228	+18.5%
Larceny	3615	4099	3965	4556	4004	4993	3933	3736	4611	4532	-1.7%
Auto Theft	555	717	650	621	548	492	805	1098	836	1350	+61.5%
Total Property Crimes	**5102**	**5906**	**5420**	**6020**	**5381**	**6256**	**5535**	**5637**	**6483**	**7110**	**+9.7%**
Arson	15	22	24	30	31	17	52	72	52	84	+61.5%
Total Part One Crimes	**5548**	**6458**	**6046**	**6716**	**5998**	**6891**	**6123**	**6241**	**7201**	**7960**	**+10.5%**

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The most significant percentage increases in Part One Crimes were observed in Auto Theft (61.48%), Arson (61.54%), and Burglary (18.53%). Conversely, decreases were recorded in Homicide (-66.7%) and Larceny (-1.71%).

Crime Categories of Interest

In 2023, we observed notable trends in specific crime categories, each presenting unique challenges and requiring tailored approaches for effective management and prevention.

Shootings

2023 marked a significant decrease in shooting incidents within Berkeley, with a total of 31 confirmed incidents compared to 53 in 2022. Confirmed shooting incidents encompass both witnessed events and instances where evidence of gunfire, such as shell casings, was discovered.

Shootings by Type
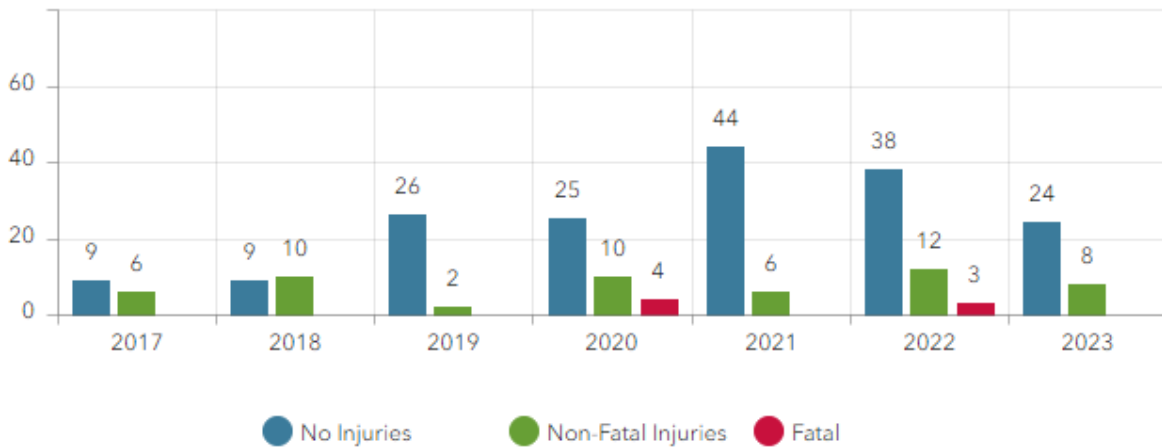
While the decline in shootings in 2023 is encouraging, the data presented in the chart above shows that the number of incidents remains substantially higher than the 15 reported in 2017. The data further indicates that the decrease in 2023 primarily stems from a reduction in 'No Injury' events, where a firearm was discharged but no individuals were struck; however, the persistent occurrence of both 'Fatal' and 'Non-Fatal Injury' shootings highlights the need for ongoing interventions to combat gun violence. For more on our efforts to recover guns and our collaboration with the City of Berkeley's Gun Violence Intervention & Prevention program see below.

Robbery

Robberies are crimes involving the unlawful taking of property from a person or their immediate presence, through the use of force or threat of force. This definition encompasses a range of scenarios, from physical confrontations where a victim is threatened or harmed to secure their belongings, to intimidation tactics where the threat of violence compels a victim to surrender their property. Robberies can occur in various settings, including but not limited to,

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public streets (pedestrian robberies), commercial establishments (commercial robberies), residences (home invasions), banks (bank robberies), and incidents involving vehicles (carjackings). The key elements that define an act as robbery include the intent to permanently deprive the owner of their property, the use or threat of force, and the direct interaction with the victim.

Robberies	2018	2019	2020	2021	2022	2023
Pedestrian	229	247	131	119	148	205
Commercial	108	97	117	118	117	135
Home Invasion	5	4	8	8	8	5
Bank	3	2	5	6	4	2
Carjacking	10	14	13	14	15	39
Total	**355**	**364**	**274**	**265**	**292**	**386**
By Gun (% of total)	82 (23%)	74 (20%)	46 (17%)	74 (28%)	69 (24%)	111 (29%)

The data for 2023 indicates a noticeable increase in robbery incidents, particularly in the pedestrian and carjacking categories. This uptick brings the total number of robberies to 386, marking a 32% rise from the 292 cases in 2022.

Hate Crimes

Hate crimes are crimes motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability. Hate crimes in Berkeley continue to be a critical concern. The majority of hate crime reports in 2023 were characterized as crimes of intimidation, involving slurs or graffiti, rather than physical violence.

Hate incidents are acts of prejudice that are not crimes and do not involve violence, threats, or property damage. We take hate incident reports because these incidents perpetuate prejudice and intolerance, creating an environment of fear and alienation for the targeted individuals and communities, even in the absence of criminal activity.

Hate Crimes	2018	2019	2020	2021	2022	2023
Race/Ethnicity/National Origin	11	5	7	29	24	27
Religion	3	1	2	11	3	9
Sexual Orientation	3	2	1	2	11	9
Gender	1	0	2	0	0	0
Disability	0	0	0	0	0	1
Total	**18**	**8**	**12**	**42**	**38**	**46**

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Hate Incidents	2021	2022	2023
Race/Ethnicity/National Origin	16	22	24
Religion	1	5	19
Sexual Orientation	4	4	7
Gender	0	0	0
Disability	1	0	0
Total	**22**	**31**	**50**

Prior to October 7th, there were 29 hate crimes, 24 of which were tied to race or religion, including 5 anti-Jewish and 1 anti-Arab or anti-Muslim hate crimes. There were 31 hate incidents before this date, with 24 of these being race or religion-related, including 5 anti-Jewish and 4 anti-Arab or anti-Muslim incidents. Since October 7th, we recorded 17 hate crimes, of which 12 were directly related to race or religion, including 5 anti-Jewish hate crimes and a single hate crime targeting Arab or Muslim individuals. In the same period, hate incidents rose to 19, all related to race or religion, with a notable increase to 13 anti-Jewish hate incidents, while no anti-Arab or anti-Muslim hate incidents were reported.

Sexual Assault

The number of sexual assault cases remained at a high level in 2023, mirroring the figures from 2022. This persistent trend emphasizes the importance of providing support services, raising awareness, and implementing preventive measures to address and reduce instances of sexual assault within the community. The Department continues to take reports where the full elements of the penal code are not met, when a survivor requests a report for catharsis and in other non-investigatory situations. For a significant number of cases the survivors choose not to follow through with an investigation. There are a number of reasons for this, but it inflates our reported numbers compared to other agencies and leads to lower clearance rates. It also reflects our total commitment to providing support to survivors. Additionally, these cases are typically closed as "Suspend" not "Closed" as an added safeguard to protect information on these sensitive cases from being released; this practice directly lowers our clearance rate for sexual assaults.

Sexual Assault	2018	2019	2020	2021	2022	2023
Felony	65	74	47	57	89	97
Misdemeanor	31	64	38	50	81	62
Total	**96**	**138**	**85**	**107**	**170**	**159**

In 2023, there were 97 felony and 62 misdemeanor sexual assault cases reported, totaling 159 cases, including an increase in the number of felony cases, and a slight decrease from the previous year's total of 170 cases.

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Property Crimes

2023 saw a notable increase in certain property crimes, specifically retail thefts and vehicle thefts, while catalytic converter thefts declined significantly.

Property Crimes of Interest	2018	2019	2020	2021	2022	2023
Commercial Burglaries	275	307	324	316	435	574
Vehicle Thefts	548	492	805	1098	836	1350
Catalytic Converter Thefts	35	186	586	573	847	457

The Department works in collaboration with regional loss prevention agents to identify organized retail theft offenders. Additionally, the department has been working with the San Francisco Police Department Organized Retail Crime and Fencing units, the Oakland Police Department CRT, the CHP Organized Retail Crime Unit, the Emeryville Police Department, the Palo Alto Police Department, the Walnut Creek Police Department, and the Central Marin Police Authority. We share suspect information, including surveillance photos/videos, suspect vehicles, and suspect MO to link cases committed by the same groups of suspects throughout the Bay Area.

Department Initiatives

What We've Done
Firearm Recoveries

In 2023, a total of 69 firearms were recovered, marking a decrease of 42% from the previous year.

Firearm Recovery Methods	2019	2020	2021	2022	2023
Patrol calls for service	33	36	51	64	41
Patrol proactive traffic stops	25	17	24	12	11
Detective Follow-up investigation	29	32	43	43	17
Total	**87**	**85**	**118**	**119**	**69**

All firearms recovered are processed through the National Integrated Ballistic Information Network (NIBIN). This database is a nationwide collaboration coordinated by the Bureau of Alcohol, Tobacco and Firearms (ATF). The Department enters ballistic information for each firearm recovered and the database makes connections with evidence recovered from shooting scenes, provides information about persons who have owned and or purchased the firearm.

BPD routinely processes recovered firearms for DNA and fingerprints. This work is key to helping determine who shooters or illegal firearms possessors are.

Gun Violence Intervention & Prevention

To further address the issue of gun violence, the City of Berkeley has developed a Gun Violence Intervention & Prevention program framework as a key component of its Reimagining Public

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Safety initiative. This comprehensive program aims to significantly reduce gun violence incidents through a multifaceted approach. The strategy combines place-based interventions in critical areas, direct engagement with individuals at risk, street outreach, and the provision of robust social services. This collaborative effort, involving multiple city departments, community-based organizations and field experts, is grounded in empirical evidence and best practices. It represents Berkeley's holistic and proactive approach to fostering a safer community by addressing the proximate causes of gun violence and supporting those most at risk.

Tailored Response and Proactivity to Hate Crimes

In response to hate crimes, the Berkeley Police Department emphasizes customized and effective strategies. Each incident is carefully evaluated based on its specific details, including the people involved and the context, ensuring the response is accurately tailored.

Area Coordinators from the Community Services Bureau work closely with community leaders from the areas impacted, offering targeted safety advice. This includes specific strategies for Crime Prevention Through Environmental Design (CPTED) and personal safety, all adapted to fit the unique needs of each situation.

The department also proactively keeps an eye out for potential threats to stay ahead of any issues. To further enhance safety, patrols are increased around places of worship and sensitive locations during important events, providing extra security when it matters most.

Additionally, the Hate Crime Awareness Week campaign plays a crucial role in raising awareness about hate crimes, encouraging community resilience, and urging people to report incidents. Through these focused and anticipatory actions, the Berkeley Police Department commits to maintaining a safe and welcoming environment for everyone.

Automated Security Checks

BPD, with insights from our Strategic Analysis Team, has started using data to guide our patrols through automated security checks. These checks send officers to specific places at times where their presence can help prevent crime. By using detailed crime data to decide where and when officers should go, we are more effectively deterring crime. This careful planning of patrols is part of our larger goal to make our policing strategies smarter and more data-driven. This way, we can ensure our crime prevention efforts are not only successful but also adapt to the changing needs of our community.

Engravings

To combat a rise in catalytic converter thefts, the BPD invested in an engraving tool, marking 82 catalytic converters with unique identifiers. This initiative is meant to deter thieves by making stolen parts more identifiable and thus harder to sell.

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Through these initiatives, the Berkeley Police Department has demonstrated its resolve in adopting a forward-thinking and community-centric approach to law enforcement. Our efforts in 2023 have sought to address immediate concerns as well as lay a strong foundation for sustainable safety and security in our community.

How We're Doing

As we navigate the complexities of crime and law enforcement, the Berkeley Police Department (BPD) remains steadfast in its commitment to transparency and accountability. Our performance metrics for 2023, including Part One Crimes per capita and clearance rates, provide valuable insights into our effectiveness and our ongoing efforts to enhance public safety in our community.

Part One Crimes per Capita:

With a population of approximately 118,950 (as of July 2022), there were 669 part one crimes overall per 10,000 residents in Berkeley. There were **64 violent crimes** per 10,000 residents and **598 property crimes** per 10,000 residents in 2023. In 2022, there were 57 violent crimes per 10,000 residents and 555 property crimes per 10,000 residents.

Based on the latest data from the Department of Justice available to the public, the following crime statistics were reported in 2022 for cities selected for their proximity to Berkeley and similar population sizes:

- In Santa Clara, population 126,930, there were **31 violent crimes** (395

MOMENTS OF IMPACT

On 1/21/2023 officers responded to an assault between multiple subjects. The offender had threatened the 14-year-old survivor with a knife, twisted her wrist, causing pain and stole various items from her.

The survivor explained she had been living on the street and she had met the offender three weeks prior. The survivor had begun living with the offender and she was sexually and physically assaulted by the offender during this time. The offender also threatened to kill the survivor and prevented her from leaving the apartment. The survivor disclosed that the offender furnished and injected methamphetamine into the victim's hand. The offender was arrested at the scene.

Through extensive conversations and follow up, Detective Martinez and the survivor built trust and established a close connection. The victim disclosed that she was a victim of human trafficking in other cities prior to her arrival in Berkeley. Detective Martinez connected her with a shelter specializing in homeless and trafficked youth. Ultimately the Alameda County District Attorney's Office charged the offender with multiple sexual crimes, robbery, burglary and drug possession.

In the department's continued commitment to the survivor, Detective Martinez worked with her family to find the right family member for her to live with long term and we matched her with a social worker specializing in trafficked youth. This social worked helped get the survivor back into school, into therapy and helped obtain other resources for the survivor and her family. Throughout the department's contact with the survivor she expressed how she felt seen and heard by the department and her appreciation for the work that was done on her case.

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incidents in total) and **360 property crimes** (4,564 incidents in total) reported per 10,000 residents.

- San Leandro, population 86,762, reported **58 violent crimes** (499 incidents in total) and **490 property crimes** (4,254 incidents in total) per 10,000 residents.
- Richmond, population 114,301, reported **88 violent crimes** (1,006 incidents in total) and **272 property crimes** (3,117 incidents in total) per 10,000 residents.

Clearance Rates

Forensic and electronic evidence, diligent and detailed investigative efforts, as well as community willingness to share information are critical to developing leads and chargeable cases. The following table summarizes our clearance rates of crimes in UCR categories alongside clearance rates for Santa Clara PD (SCPD), San Leandro PD (SLPD) and Richmond PD (RPD) . A note about clearance rates: the numbers reported for BPD in the second table below only cover cases closed within one year of being reported; however, many investigations occur over an extended period and these cases will be closed after this reporting period.

Part One Crimes Clearance Rates* by Year – *DOJ*	2020 SCPD	2020 SLPD	2020 RPD	**2020 BPD**	2021 SCPD	2021 SLPD	2021 RPD	**2021 BPD**	2022 SCPD	2022 SLPD	2022 RPD	**2022 BPD**
Homicide	100%	14%	25%	**33%**	-	100%	25%	**100%**	0.0%	0.0%	35%	**67%**
Sexual Assault	23%	27%	9.1%	**6.4%**	15%	17%	67%	**5.3%**	27%	0.0%	17%	**7.9%**
Robbery	39%	20%	19%	**21%**	35%	19%	26%	**26%**	24%	12%	10%	**31%**
Aggravated Assault	57%	32%	27%	**37%**	65%	38%	44%	**44%**	64%	41%	34%	**43%**
Burglary	7.6%	5.0%	7.6%	**11%**	6.4%	4.7%	17%	**16%**	10%	5.2%	11%	**15%**
Larceny	5.5%	4.1%	2.6%	**6.8%**	4.0%	4.2%	1.5%	**4.8%**	8.5%	4.1%	1.1%	**5.4%**
Auto Theft	4.3%	2.7%	11%	**3.7%**	3.7%	2.7%	7.4%	**4.3%**	6.7%	2.4%	2.5%	**6.1%**
Arson	20%	20%	6.1%	**15%**	47%	4.5%	17%	**19%**	29%	8.3%	17%	**15%**

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Part One Crimes Clearance Rates* by Year – *1-Year*	2020 BPD	2021 BPD	2022 BPD
Homicide	100%	100%	100%
Sexual Assault	22%	10%	15%
Robbery	30%	29%	32%
Aggravated Assault	57%	61%	46%
Burglary	12%	15%	10%
Larceny	7.3%	7.0%	6.6%
Auto Theft	9.3%	8.2%	11%
Arson	25%	32%	27%

Here we are reporting both a DOJ-calculated clearance rate and a 1-year clearance rate for BPD cases. The DOJ rates are calculated by dividing the number of cases reported by the number of cases closed in the same calendar year. A 1-year clearance rate is the percentage of cases that were closed within a year of being reported.

Looking at the 1-year clearance rates, BPD consistently achieved a 100% clearance rate for homicides across all three years. For sexual assault, BPD's clearance rates ranged from 22% in 2020 to 15% in 2022. Robbery and aggravated assault rates for BPD were generally high, with robbery clearance peaking at 32% in 2022 and aggravated assault at 61% in 2021. Burglary, larceny, and auto theft clearance rates remained relatively low across all jurisdictions, with BPD maintaining consistent rates over the past 3 years.

In 2023, the Property Crimes Bureau was staffed with 3 detectives out of 5 allocated positions, the Youth Services Detail was staffed with 2 detectives of 3 allocated positions, while the Robbery, Homicide and Sex Crimes units were fully staffed.

What's Next
Gun Violence Restraining Orders

The Department recently began using a newly created tool called the Gun Violence Retraining Order (GVRO). This restraining order allows for the seizure of firearms from a person who "poses an immediate and present danger of causing personal injury to self or another by custody or control, owning, purchasing, receiving or having access to a firearm or ammunition." Thus far this tool has been used in response to calls for service where gun violence or self-harm could be an issue. Going forward we will leverage this powerful tool to proactively take guns from individuals who pose an immediate and present danger.

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Automated License Plate Readers & External Fixed Surveillance Cameras

As directed by City Council, in 2023 the Berkeley Police Department (BPD) took additional steps forward in acquiring fixed Automated License Plate Readers (ALPR) and External Fixed Video Surveillance Cameras. Since ALPRs and video surveillance cameras are clearly defined as surveillance technology by the City of Berkeley Surveillance Technology Ordinance (#7,592), we spent months completing the steps outlined in the ordinance to acquire these technologies, including: drafting Surveillance Use Policies; presenting those policies for recommendations to the Police Accountability Board; and receiving City Council Approval of the policies.

Fixed ALPR: After receiving Council approval of the policies (422 and 1305), Berkeley Police Department secured a contract with the preferred vendor, Flock Safety, for the acquisition and installation of 52 cameras on a two-year trial basis from the time of activation. BPD is currently working with Flock Safety and Berkeley Public Works (PW) Department to determine placement of the cameras.

External Fixed Video Surveillance Cameras: San Pablo Park, Berkeley Marina and the PW Transfer Station have had fixed cameras in place for several years. In 2021 BPD was given approval by Council to install additional cameras at ten locations. Those locations are listed in the BPD policies related to Fixed Cameras, 351 and 1304. In 2023, Public Works installed the first camera approved in Policy 351 at 6th and University Avenue and the Berkeley Police Department established procedures for tracking access that will permit an audit to be conducted annually.

Throughout 2023, BPD fielded many inquiries from the Berkeley community expressing a strong interest and support for ALPR and fixed surveillance cameras. In 2024 we will continue on our path to installing and utilizing these technologies for combatting crime with careful consideration of cost, equity, privacy and efficacy guiding us every step of the way.

Regional Collaboration

In January 2024, Berkeley PD participated in a regional convening on crime and public safety hosted by Mayor Arreguín. In attendance were law enforcement leaders and elected officials from across the Bay Area. We discussed the regional efforts underway to address crime and safety concerns as criminals have become more sophisticated and brazen. We identified opportunities for strengthened partnerships across jurisdictional lines and will continue our collaboration in this space to more efficiently and effectively use our resources to solve crimes. There is a lot to be gained from improving our regional approach to data collection and analysis. Investing in both real-time crime analysis for tactical purposes and to inform strategic analysis and long-term planning can enhance our efforts significantly. By sharing data and insights, we can develop more effective strategies to combat crime and ensure public safety. In 2024, we will continue this partnership further at a regional level, exploring innovative solutions and fostering a more collaborative environment for tackling these challenges together.

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Road Safety & Collisions

Leveraging detailed collision data and community insights, our department has strategically enhanced traffic safety through targeted initiatives and enforcement. As we move forward, our partnership with Vision Zero promises to further deepen our dedication to efficient and effective traffic safety solutions.

Collision Data

In 2023, there were a total of 873 collisions. They included 514 injury and 359 non-injury collisions. Total collisions increased by 23, or 2.6% from 2022. Non-injury collisions increased by 3.6% and fatal collisions decreased to 0. Injury collisions decreased by 6.2% and DUI collisions increased by 3.7%.

Collisions	2019	2020	2021	2022	2023
Fatal collisions	4	2	7	2	0
Injury collisions	520	316	431	548	514
Non-injury collisions	405	271	351	346	359
Total	**929**	**589**	**789**	**896**	**873**

The most common causes of injury collisions (the primary collision factor or PCF) were 22350 VC, 21800-21804 VC, 21950(a)VC, and 22107 VC. Bicyclists (107) and pedestrians (97) accounted for 39.7% of the injury collisions. Bicyclists were found at fault in 60 of the collisions and pedestrians in 22 of the collisions. A closer examination of the 60 at fault injury collisions involving a bicycle revealed 19 involved a solo bicyclist falling or hitting an object.

In 2023, 81 collisions (26 injury / 55 non-injury) involved a DUI driver (an increase from 53 in 2022) which resulted in 39 injured people.

2023 was the first year with no fatal collisions since 2011.

The three intersections which accounted for the highest number of collisions were University Ave/ Acton St, Ashby Ave / San Pablo Ave, and Ashby Ave / Shattuck Ave. The top twelve intersections where collisions occurred were:
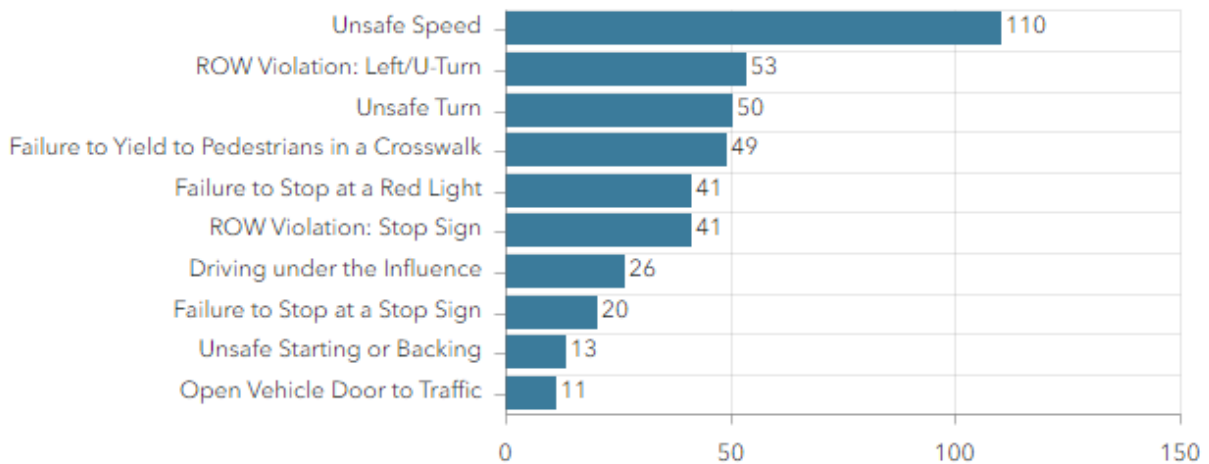
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High Collision Intersections, 2023	Total Collisions	Injury Collisions	# of People Injured	Suspected Serious Injury*
University Ave / Acton St	11	9	14	2
Ashby Ave / San Pablo Ave	11	7	11	0
Ashby Ave / Shattuck Ave	11	4	5	0
Ashby Ave / College Ave	10	6	7	1
University Ave / San Pablo Ave	9	4	8	1
University Ave / MLK Jr Way	9	5	5	0
Ashby Ave / MLK Jr Way	8	7	12	4
San Pablo Ave / Gilman St	8	7	10	0
Shattuck Ave / Channing Way	7	4	4	0
Shattuck Ave / University Ave	7	4	4	0
Mlk Jr Way / Blake St	6	6	9	0
Sacramento St / Alcatraz Ave	6	5	9	0

*Suspected serious injury is any injury other than a fatality that results in significant injury as defined in the CHP Collision Investigation Manual (CHP, 2017, p. 5-5)

Primary Collision Factors, 2023
Injury Collisions

Factor	Count
Unsafe Speed	110
ROW Violation: Left/U-Turn	53
Unsafe Turn	50
Failure to Yield to Pedestrians in a Crosswalk	49
Failure to Stop at a Red Light	41
ROW Violation: Stop Sign	41
Driving under the Influence	26
Failure to Stop at a Stop Sign	20
Unsafe Starting or Backing	13
Open Vehicle Door to Traffic	11

As previously stated, bicycles were involved in 107 of the injury collisions and pedestrians were involved in 97. Of the 97 injury collisions involving a pedestrian, 22 found the pedestrian to be at fault, 74 found the driver of a vehicle to be at fault and 1 found a bicyclist to be at fault. Of the 107 injury collisions involving a bicyclist, 60 found the bicyclist at fault, 34 found the driver of a vehicle at fault, 2 found a pedestrian at fault and the remainder were either unable to

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determine fault or a person other than a driver, caused the collision. The biggest factor for this is an occupant in a parked vehicle opening a car door before it is safe/ not yielding to bicyclist in violation of 22517 VC (PCF for 10 bicycle injury collisions in Berkeley in 2023.)

Department Initiatives

What We've Done

In 2022, BPD reprioritized traffic enforcement efforts around a three-prong approach that focuses on primary collision factors, community member reports and observations reported to the BPD and community caretaking. Community caretaking functions consider safety violations that aren't always noted as the primary collision factor but can be a significant contributing factor in serious collisions. BPD will continue to collect and analyze collision data to understand and guide needs and shape future resource allocation decisions.

Primary Collision Factors

Automated Security Checks – Calls for service are automatically generated based on collision data, and time and location of occurrence to focus officer discretionary enforcement time on collision prone locations.

Community Reports

Community members are able to submit traffic safety concerns via the Transparency Hub. The submission is triaged and added to the traffic unit's enforcement requests. After launching this feature in April 2023, the traffic unit received 53 traffic concern submissions.

Community Caretaking

BPD Traffic Unit uses OTS funds to hold DUI checkpoints and DUI saturation patrols. The checkpoints are set up at strategic locations based on the DUI collision and arrest data. DUI checkpoints and saturation patrols use highly trained officers to identify and apprehend impaired drivers and educate the motoring public.

BPD Traffic Bureau just completed a full year of offering a free presentation to senior drivers focusing on the importance of roadway safety for older drivers. The unit has been using education funds from the Office of Traffic Safety (OTS) Grant to teach the program called, "Drive Safer, Drive Longer". This material was developed by the Training, Research and Education for Driving Safety (TREDS) Program at the University of California San Diego School of Medicine. The classes are held once a quarter at the north and south Berkeley Senior Centers and is designed to increase awareness of the dangers older drivers encounter and to offer strategies to keep them safe and mobile.

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In 2023, BPD applied for and was awarded grant funding that supports our efforts to reduce traffic collisions and impaired driving in Berkeley. Grant sources include the Office of Traffic Safety (Selective Traffic Enforcement Program / STEP Grant) and the California Highway Patrol Cannabis Tax Fund Grant to provide additional enforcement, education and traffic 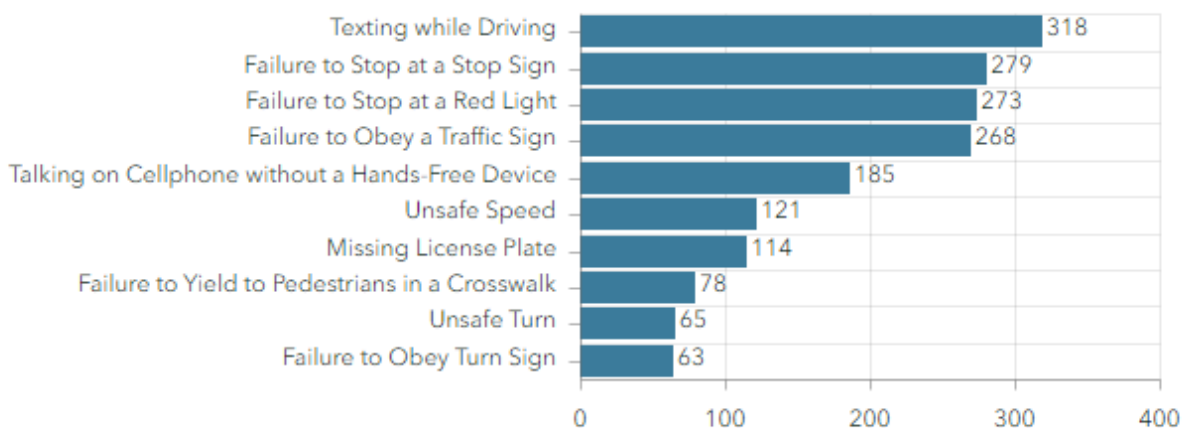safety programs. The funding allows us to conduct DUI checkpoints, DUI saturation patrols and provide enforcement in locations identified as high collision areas targeting dangerous driving behavior. Grant funding allows officers to attend training to become proficient in field sobriety testing to detect both alcohol and drug impairment. In partnership with OTS and other law enforcement agencies throughout the state BPD participates in national campaigns such as pedestrian safety month, winter DUI mobilization, distracted driving awareness, bicycle safety, motorcycle safety, walk to school day and click it or ticket enforcement.

How We're Doing
Moving Violations and Primary Collision Factors

Most frequent vehicle violations, 2023

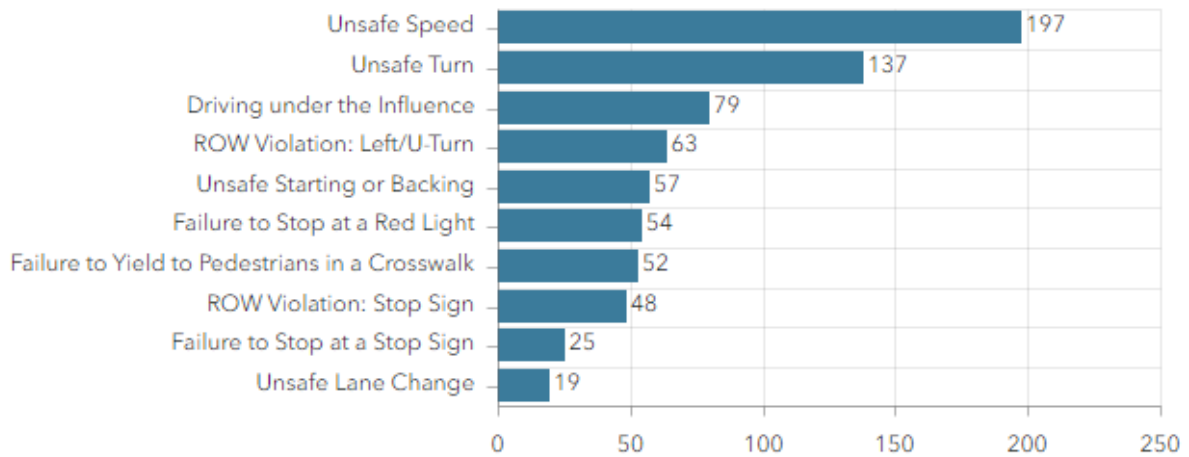| Violation	Count
Texting while Driving	318
Failure to Stop at a Stop Sign	279
Failure to Stop at a Red Light	273
Failure to Obey a Traffic Sign	268
Talking on Cellphone without a Hands-Free Device	185
Unsafe Speed	121
Missing License Plate	114
Failure to Yield to Pedestrians in a Crosswalk	78
Unsafe Turn	65
Failure to Obey Turn Sign	63

*Excludes stops made in response to calls for service and information-based stops

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Primary Collision Factors, 2023
All Collisions

Primary Collision Factor	Count
Unsafe Speed	197
Unsafe Turn	137
Driving under the Influence	79
ROW Violation: Left/U-Turn	63
Unsafe Starting or Backing	57
Failure to Stop at a Red Light	54
Failure to Yield to Pedestrians in a Crosswalk	52
ROW Violation: Stop Sign	48
Failure to Stop at a Stop Sign	25
Unsafe Lane Change	19

The tables above outline the moving violations associated with our vehicle stops as well as the primary collision factors for all stops. The violations related to this year's stop data correlate closely with primary collision factors as well as other serious traffic safety violations geared toward community caretaking.

Transparency Hub Survey Responses

After a community member submits a traffic safety concern via the Transparency Hub and enforcement or education is conducted at the location by the traffic unit, the submission is updated by traffic unit staff indicating the concern had been addressed. In 2023, the traffic bureau conducted 10 traffic safety interventions in response to community concern submissions.

What's Next
In 2024, BPD will continue to use Office of Traffic Safety grant funding to support traffic safety measures to enhance our enforcement and education efforts. Through grant funding, we intend to increase the number of Drive Safer, Drive Longer classes for aging drivers, increase the number of DUI checkpoints, and continue to use the Traffic Safety Transparency Hub and collision data to guide our traffic enforcement strategies. As we look for other ways to improve our strategies, we are committed to deepening our Vision Zero collaboration with key stakeholders to identify high-risk locations, analyze the causes and contributing factors of collisions, and develop meaningful interventions. Our continued partnership with Vision Zero stakeholders will allow BPD leadership to identify strategies that inform decision making around the way and areas we prioritize traffic safety, guided by our three-pronged approach for traffic enforcement.

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# Accountability: Stops & Use of Force

Our department's thorough review of stop data and use of force incidents underscores our commitment to moving forward efforts supporting Fair and Impartial Policing. Performance metrics and tests for bias help ensure our practices don't perpetuate societal inequities. With ongoing enhancements in our Early Intervention System (for more, see the "Audits & Oversight" section below), we are steadfast in our mission to deliver public safety equitably to our community.

Stop Data Report

In October 2020, the Berkeley Police Department began tracking and ultimately supplying the State of California with our stop data pursuant to the Racial Identity Profiling Act (RIPA). BPD began this data collection a full two and a half years before agencies our size were required to comply with RIPA. Berkeley began this process early as part of the department's efforts to better capture, understand and share the data associated with our stops.

During 2023, BPD averaged 442 total stops including 305 vehicle stops, 129 pedestrian stops, and 7 bicycle stops per month for a yearly count of 5,306 total stops, 3,665 vehicle stops, 1,554 pedestrian stops, and 87 bicycle stops.
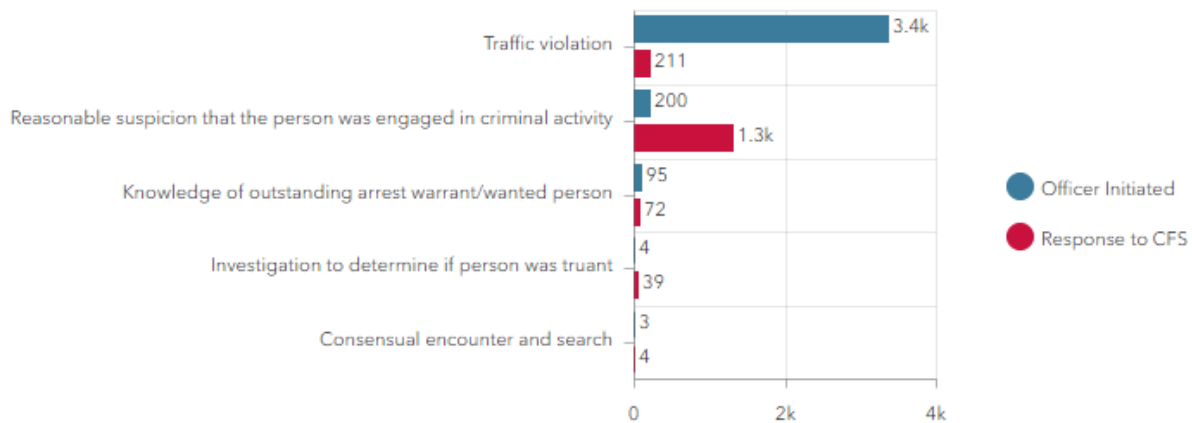
Stops by Year and Type
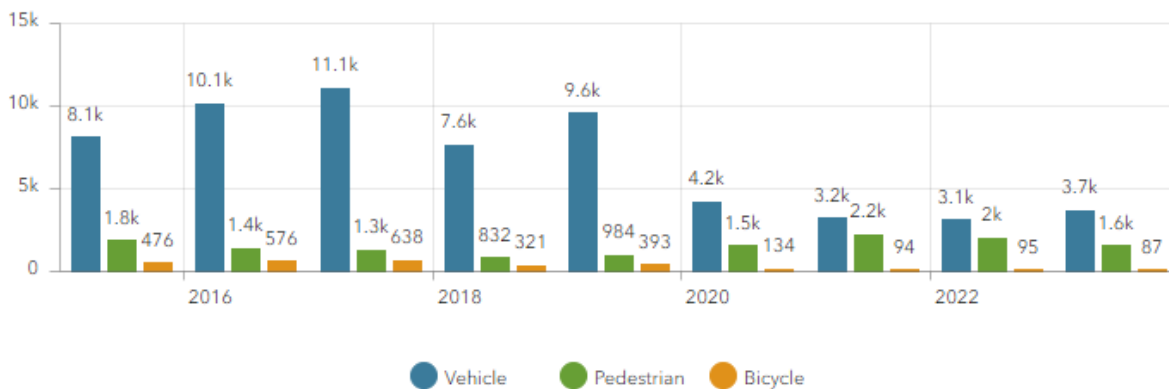
69.08% of all stops were officer-initiated, primarily focusing on traffic violations, while the remaining stops were in response to calls for service. This data, along with the breakdown of reasons for the stops, is depicted in the following graph.

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Reason for Stop, 2023

Yields

880 stops resulted in at least 1 arrest, 2,100 stops resulted in a citation and 1,661 resulted in a warning. 471 stops resulted in no enforcement action.

According to data published by the RIPA board in 2024, Berkeley's yield rate was higher than 92% of all agencies in California in 2022.

In 2023 BPD's search rate for all stops was 14% and had an overall contraband yield rate of 42%. Those searches resulted in 82 seizures of one or more weapons, including 15 recoveries of one or more firearms. The yield rate for all discretionary searches (searches not incident to arrest, a search warrant, vehicle inventory for towing, or exigent circumstances/emergency) was 48%.

Tests for Bias

BPD is deeply committed to ensuring fairness and impartiality in all aspects of law enforcement. To uphold these values, we rigorously examine our practices for any potential biases, employing a series of analytical methods to evaluate the objectivity of our policing. This section details our approach to testing for bias. From analyzing at-fault collision demographics to employing methods like yield rate analysis and the veil of darkness test, our approach is multifaceted and data-driven, aiming to foster a culture of transparency, accountability, and equitable policing.

At the core of our analytical approach is an emphasis on discretionary decision making. Research in this field posits that moments of discretion are when implicit bias is most likely to manifest itself. For that reason, in the analyses below we focus on stops where officers were not responding to a call for service nor relying on additional information (for example, a description of a wanted vehicle) when making the decision to stop. This filtering allows us to key in on moments of maximum discretion where we would most clearly see the effects of implicit bias if such bias were to play a role in officer decision making.

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At-Fault Collision Demographics

A key component of this approach is the comparison of at-fault collision demographics with the demographics of individuals stopped for moving violations. This comparison helps us assess whether traffic stops are being conducted based on objective, race-neutral criteria. This test is particularly important because moving violations made up 81% of all discretionary stops in 2023.

Collision data gives us representative sample of who is driving in Berkeley. This information is useful because it gives us a baseline of the population that officers encounter when they make a stop. Looking at drivers who were determined to be the at-fault party in a collision further refines that baseline to give us a sample of who is driving dangerously in Berkeley. Because we expect our traffic enforcement to focus on dangerous drivers, if our traffic enforcement is unbiased, we would expect a close alignment between the demographics of those involved in at-fault collisions and those stopped for moving violations. Close alignment of those demographics would indicate that stops are influenced by driving behavior rather than implicit biases.

At-Fault Collision & Discretionary Moving Violation Demographics, 2023
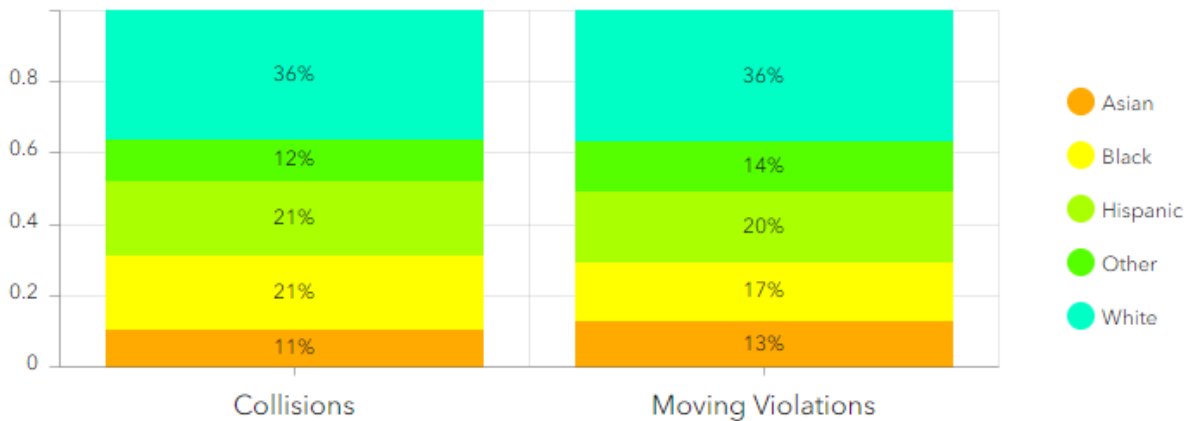
An analysis of 2023 data indicates a close alignment between these two demographic groups. This is the finding we would expect if officers are using race-neutral factors when making a discretionary stop for a moving violation.
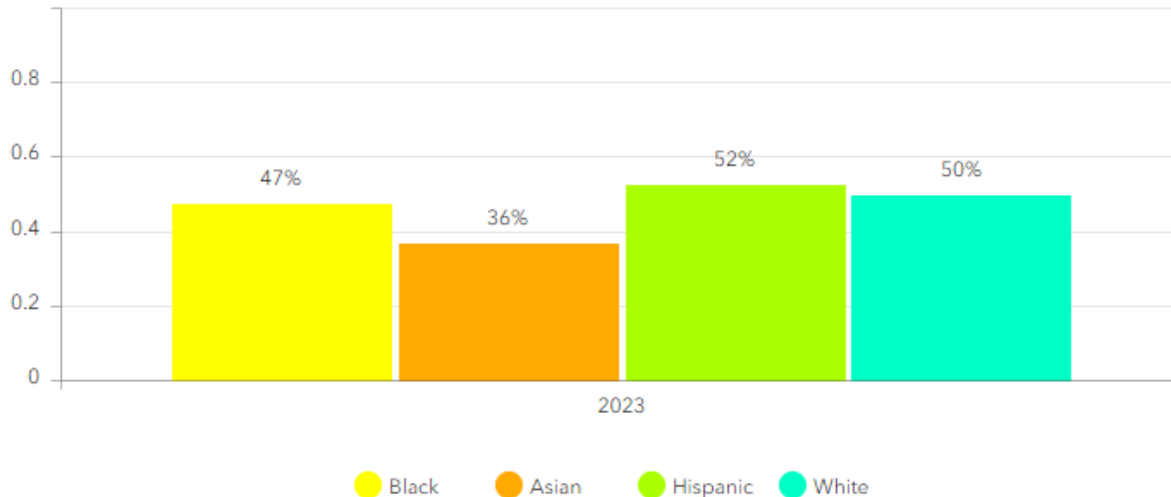
Yield Rate Analysis

Another method of determining whether officer discretion is influenced by implicit racial bias is to measure whether the officer's decision to search is subject to a lower threshold of suspicion for Black and Brown people as compared to for White people. Often called yield rate analysis, the method assumes that race-neutral indicators observable by an officer will accurately predict the probability that a search will uncover contraband. The logic follows that a search triggered by a given level of suspicion based on race-neutral factors will 'yield' contraband at the same rate across racial groups. Conversely, a higher yield rate for searches of White people

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as compared to searches of Black people would indicate that officers are deciding to search White people when they have a higher confidence of finding contraband.

Discretionary Search Yield Rate by Race, 2023

The nearly equivalent search yield rates between Black and White individuals are in line with what we would expect to see if searches conducted by officers were based on factors that do not involve race. A regression analysis conducted by the RIPA board in 2024, which examined data from 2022, found that race—specifically being Black or Hispanic as opposed to White—did not have a statistically significant effect on the likelihood of a Berkeley PD search yielding contraband. This is the result we would expect to see from search decisions being carried out without bias.

Veil of Darkness

The "veil of darkness" analysis is a test of implicit bias at the decision to stop. The analysis looks at the proportion of stops that are of a racial group when it is light outside versus when it is dark outside. If Black people are stopped more often in the light than in the dark, it could indicate that the visibility of race is playing a role in the decision to stop. The test takes advantage of daylight savings time and seasonal changes in day length by looking at times of the day (say, 6:30pm) where for part of the year it is dark outside and part of the year it is light out. Those times can be called the "inter-twilight period." In that way the test can control for any changes in the distribution of who is on the street throughout the day (as opposed to just doing day vs. night) while observing the difference in stop patterns when race is more visible or less visible to an officer.

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The graph below is a visual representation of this comparison. The test relies on the assumption that race is more apparent to the officer in the light than in the dark, and to the extent that the assumption is violated by the presence of streetlights or racially correlated characteristics of the car or neighborhood, the validity of the test is undermined. Nevertheless, as long as the assumption holds on average, the test can indicate the presence of the effect; that is, a result

Discretionary Stop Demographics during Inter-twilight Period, 2023
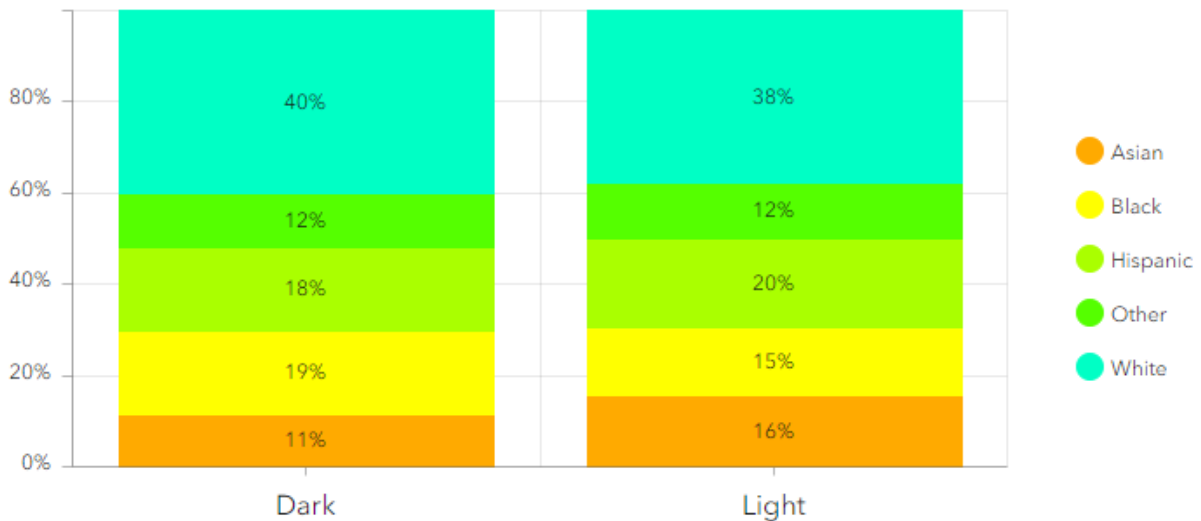
concluding a statistically significant result would be evidence of the presence of bias, while a null result would not necessarily prove the absence of bias.

The close alignment of demographic groups for discretionary stops in the dark and in the light during the "inter-twilight period" seen above is what we would expect to see if those stops were being made based on race-neutral factors.

Use of Force Report

Berkeley Police Department takes pride in our ability to accomplish our work with minimal reliance on force through approaches that include de-escalation techniques, as well as an awareness of mental health crisis issues and appropriate responses. The department reinforces these skills and strategies through regular training.

In February 2021, BPD transitioned to a new Use of Force Policy that had several substantial changes, that included a de-escalation requirement and an expanded use of force reporting standard. Under this policy, reportable force is delineated into the following four categories:

Level 1 – Involves grabs, control holds, the use of leverage, or body weight with no injury or complaint of pain.

Level 2 – Applies when an officer points or deploys a firearm while interacting with someone. It also applies to a Level 1 force that involves more than momentary discomfort but does not have an injury or complaint of pain.

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Level 3 – Parallels our old Use of Force reporting standard and involves the use of a weapon, subject injury, or complaint of pain. This category also applies to specific circumstances when an officer does not activate their body-worn camera.

Level 4 – Applies when an officer uses a firearm or when there is an in-custody death.

The department use of force policy requires officers to report uses of force to their sergeant, who documents these incidents in a formal report. A lieutenant and captain review each report, including associated body worn camera (BWC) footage, before forwarding it to Internal Affairs. In a given incident, more than one technique or type of force may be used to bring a resistant or combative individual into custody, and more than one officer may use force during the incident.

In 2023 there were 346 incidents that involved 1,214 uses of force. 68 % of all uses were Level 1 uses of force, and 28% were level two. These two categories accounted for 96% of all uses.

While the department has consistently evaluated individual use of force incidents, our expanded data collection and analysis tools allow us to understand and evaluate our use of force trends and share them with the community.

Of the 49,703 non-officer-initiated calls for service that BPD received in 2023, 0.54% (268 incidents) resulted in a use of force incident, and 0.06% (29) resulted in a use of force that produced more than a minor complaint of pain or where a weapon was used (Level 3 and 4). 77.46% of our use of force incidents occurred when officers responded to calls for service from the community, and trends show that calls for service account for a larger percentage of cases

Calls for Service and Use of Force Incidents

| | Non-Officer Initiated Calls for Service | Use of Force Incidents in response to Call for Service |
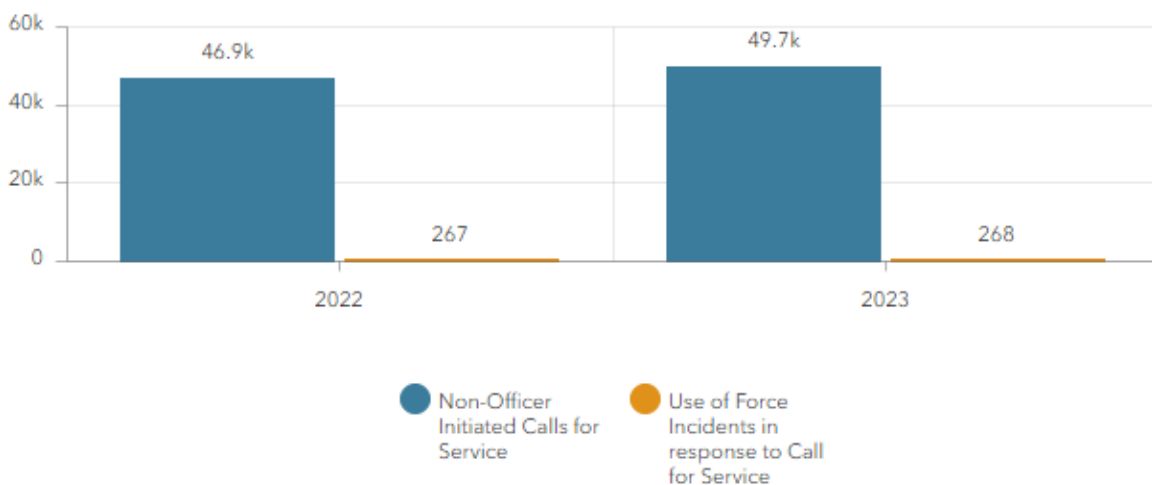
where force was used this year than in previous years: 77.46% versus 75.85% in 2022 and 68.5% in 2021.

The chart below illustrates that while carrying out arrests, the likelihood of use of force incidents occurring during arrests is relatively similar across racial groups. Specifically, the use

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of force was involved in 7% of arrests for Asian subjects, 13% for African American subjects, 11% for Hispanic subjects, and 12% for White subjects. These closely aligned rates are what we would expect if the decision to use of force is being determined by factors other than race.

Utilizing the number of arrested subjects as a baseline for comparing use of force rates is a valuable approach because it reflects the most common scenario in which force is applied. By evaluating use of force as a percentage of arrests, we can more accurately assess the frequency and circumstances in which force is used. This method helps to isolate the act of arrest as a variable and allows for a direct comparison of use of force incidents relative to that variable across different racial groups.

The close percentages across racial groups is what we would expect to observe if use of force is

Arrest Use of Force Rates
All Use of Force Levels
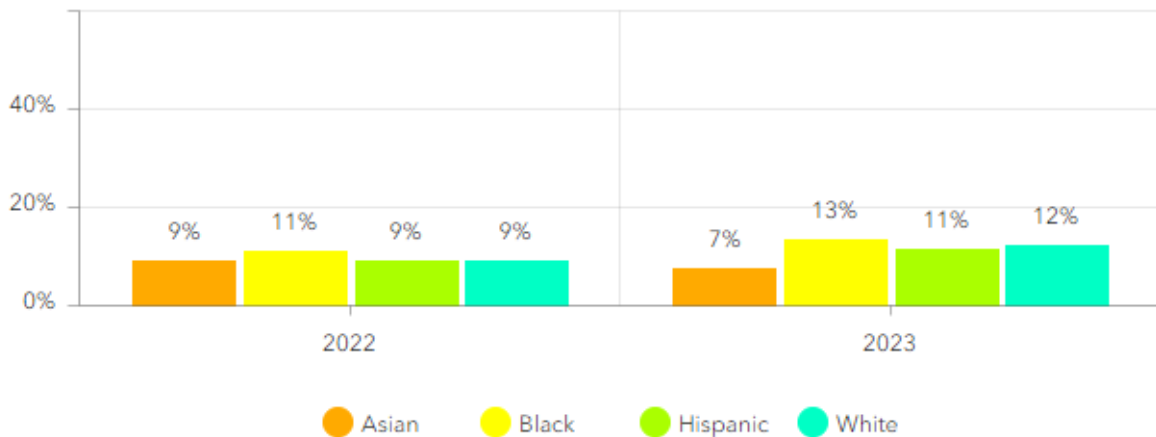
more closely associated with the dynamics of the arrest situation itself rather than the race of the individuals involved.

The department also tracks use of force complaints. While our use of force cases are always reviewed by a Lieutenant and Captain, those associated with a personnel complaint are also subject to an Internal Affairs Bureau (IAB) investigation. The results of the investigation (including BWC footage) are given to a Board of Review that evaluates the case and makes a recommendation to the Chief.

In 2023 the department received a total of 12 complaints associated with use of force incidents. To date, 7 of those investigations have been completed while 5 are still being evaluated. Additionally, 6 out of those 12 cases were also independently assessed by the Office of the Director of Police Accountability and Police Accountability Board. Of the 7 completed cases reviewed by the department or the ODPA/PAB, 0 resulted in sustained findings of misconduct.

The department will continue to collect, evaluate, and assess our use of force data and use it to inform our policies and training with a focus on achieving positive outcomes.

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Audits & Oversight

In 2023, the Berkeley Police Department significantly advanced towards fulfilling oversight directives, completing key reports, audits, and policy reviews, while actively engaging in training and collaborative efforts to ensure fair and impartial policing.

In 2023 we completed a number of reports and audits including:

- The 2022 Annual Complaint Statistics from the Internal Affairs Bureau
- The 2022 Police Equipment and Community Safety Ordinance Annual Report
- The 2022 Police Department Annual Report
- Biannual Automated License Plate Reader audits
- Quarterly Early warning system audits
- Quarterly Fair and Impartial Policing updates
- City Auditor open audit updates
- Contracted for a department-wide staffing and resources assessment with Citygate consulting

The department also actively participated in a number of subcommittees and collaborative conversations with the PAB including reviews of the policies for Body Worn Cameras, Off Duty Officer Conduct, Early Intervention System, and Departmental budget development.

Our personnel also completed annual refresher training to satisfy our policies and state requirements for continuing education.

The work mentioned here is just a portion of the 2023 efforts within the department, which also included contributions to the city's Gun Violence Intervention & Prevention program and the assessment of 911 dispatch services, alongside collaborations with Health, Housing, and Community Services on reimagining public safety projects. Much of this administrative work falls to sergeants and lieutenants, who are also responsible for the supervision and leadership of their teams.

MOMENTS OF IMPACT

One of the duties of the Police Accountability Board (PAB) is to recognize officers who demonstrate exceptional service. An illustrative example of this is the commendation awarded to Officers Gasper and Ludovico for their skilled and empathetic handling of a critical incident on April 6th.

Facing a situation where a person in crisis threatened to jump from a third-story window, the commendation highlights,

"Both [Ofc. Gasper] and Ofc. Ludovico know many of the people encountered in the west area of Berkeley and have established working relationships with many of those people which has allowed them to gain both trust and compliance in critical incidents. April 6th was one of those days where that trust mattered the most."

Their ability to deescalate the situation and secure medical and mental health support for the individual underscores the importance of community trust and engagement in policing.

This act of recognition by the PAB not only celebrates the officers' dedication but also emphasizes the board's commitment to acknowledging the positive impact of law enforcement personnel who vividly illustrate BPD's commitment to service.

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Below are updates on our progress towards completing the recent City Auditor report recommendations and our quarterly update on our implementation of the Fair and Impartial Policing Working Group recommendations.

City Auditor Reports

There were three open audits in 2023. Working with Auditor Wong and her staff, two have been fully completed. The remaining open audit contains 12 recommendations. Of these, 10 are complete leaving only 2 open recommendations. Both of these items are related to staffing and involve our in-progress work with an outside consultant (Citygate). Both are actively being worked on;

- 911 Dispatchers: Understaffing Leads to Excessive Overtime and Low Morale (Complete)
- Data Analysis of Berkeley's Police Response (Complete)
- Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities (Open/In Progress)

The Department will be submitting our next audit update to City Council in May 2024 regarding the two remaining open audit items. We look forward to continuing to work with Auditor Wong's office to accomplish all of the recommendations in this budget related audit.

Fair and Impartial Policing Recommendations

BPD has worked hard to fully implement the Fair and Impartial Policing (FIP) Working Group recommendations, and efforts in this area are ongoing and live well beyond the specific recommendations of Council. A prime example of this is the analysis presented in the "Accountability" section above, where we track key measures of fair and impartial policing outcome. The FIP Working Group recommendations have provided invaluable guidelines as we enhance our policies and protocols to ensure the highest standards of policing and are deeply aligned with our departmental values. The department will continue ensuring our personnel, policies and actions support fair, impartial and equitable treatment of all those we serve. The department is also committed to maintaining transparency and accountability in our reporting on these efforts to the community and Council. To ensure this, we will continue providing information both via our Transparency Hub as well as our annual department report.

FIP Working Group Recommendations Progress Report: March 2024

We have made significant progress in implementing the recommendations set forth for the department, with actions taken in nearly all areas specified. The final piece, an extensive staffing assessment conducted by Citygate Associates, is underway and its completion will mark the fulfillment of the last recommendation.

To date, implementation of the recommendations has led to the amendment of departmental policies and the establishment of new protocols. Some major accomplishments included a departmental policy focusing traffic stops on safety and preventing collisions, using evidence-

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based models and strong data analysis to guide enforcement actions, and our current work to strengthen and expand our Early Intervention System

The additional FIP training funds allocated as part of the reimagining process have allowed us to continue to move this important work forward. We have created a training focus on courses strengthening responses that are Constitutional, Humane, Impartial, Neighborhood and Community Oriented and DEI-Centered. We refer to this as "KIND" training.

We are also bringing Active Bystander for Law Enforcement (ABLE) training to our agency. ABLE is a nationally recognized program with the aim of creating a police culture in which officers routinely intervene and accept interventions from their peers as necessary to: prevent misconduct, avoid police mistakes, and promote officer health and wellness. ABLE guides agencies and communities on the concrete measures that must be in place to create and sustain a culture of peer intervention leading to the benefit of the community and department. The department was honored to receive letters of support and partnership for this program from community-based organizations in our city such as Dorothy Day House and the Center for Food, Faith and Justice

With this progress, we're turning our attention to further enhancing our practices. Central to this is the development of our Early Intervention System (EIS). We recognize the power of an EIS to promote transparency, proactive intervention, and a supportive environment for officer development. We have taken pride in having an EIS protocol since 2004, reflecting our long-held commitment to accountability. In 2023, guided by the recommendations of the FIP Working Group, we updated our policy, significantly broadening the scope and depth of our audits to include the incorporation of RIPA-mandated stop data. Also in 2023, after collaboration with the Police Accountability Board, the department added audits of body-worn camera footage to our quarterly audit procedure.

To accelerate the expansion of our EIS, we've recently released an RFP for design support in building a cutting-edge, real-time system. This system will give us a comprehensive overview of officer and team performance, helping us identify potential areas where proactive support would be beneficial.

Our EIS work has benefited from ongoing collaboration with the Police Accountability Board (PAB), and we understand they are preparing a comprehensive report on the subject. We look forward to continuing our engagement with the PAB on EIS implementation and improvement.

The Berkeley Police Department remains committed to equitable and unbiased policing and we are proud to have implemented almost all of the FIP recommendations. A Special Order (policy) has been released to ensure that current and future members of the Berkeley Police Department carry forward and build upon this important foundational work initiated by the FIP Working Group. Once the final recommendation of the referral is completed, the department will continue efforts related to fair and impartial policing and provide annual updates and progress in this report.

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