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# 2019/2020 Crime Report Use of Force Report

Berkeley Police Department  
Oct. 13, 2020

Chief Andrew Greenwood  
Fiscal Manager Chuck Gunter

BERKELEY POLICE



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## Uniform Crime Reporting Categories

### Property Crimes

- Burglary
- Larceny
  - Petty Theft
  - Grand Theft
  - Auto Burglary
- Auto Theft
- Arson

### Violent Crimes

- Murder
- Rape
- Robbery
- Aggravated Assault

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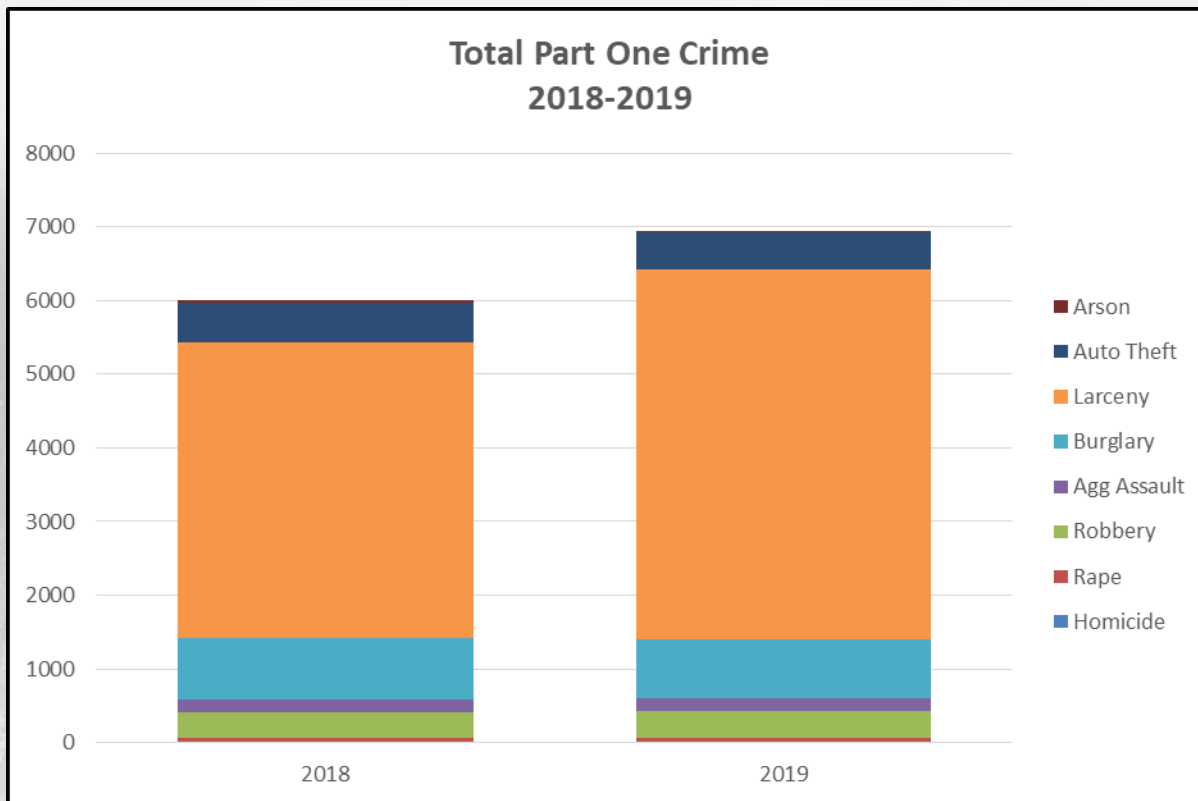
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Total Part One Crime  
2018-2019



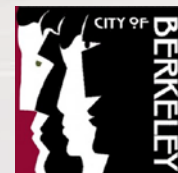
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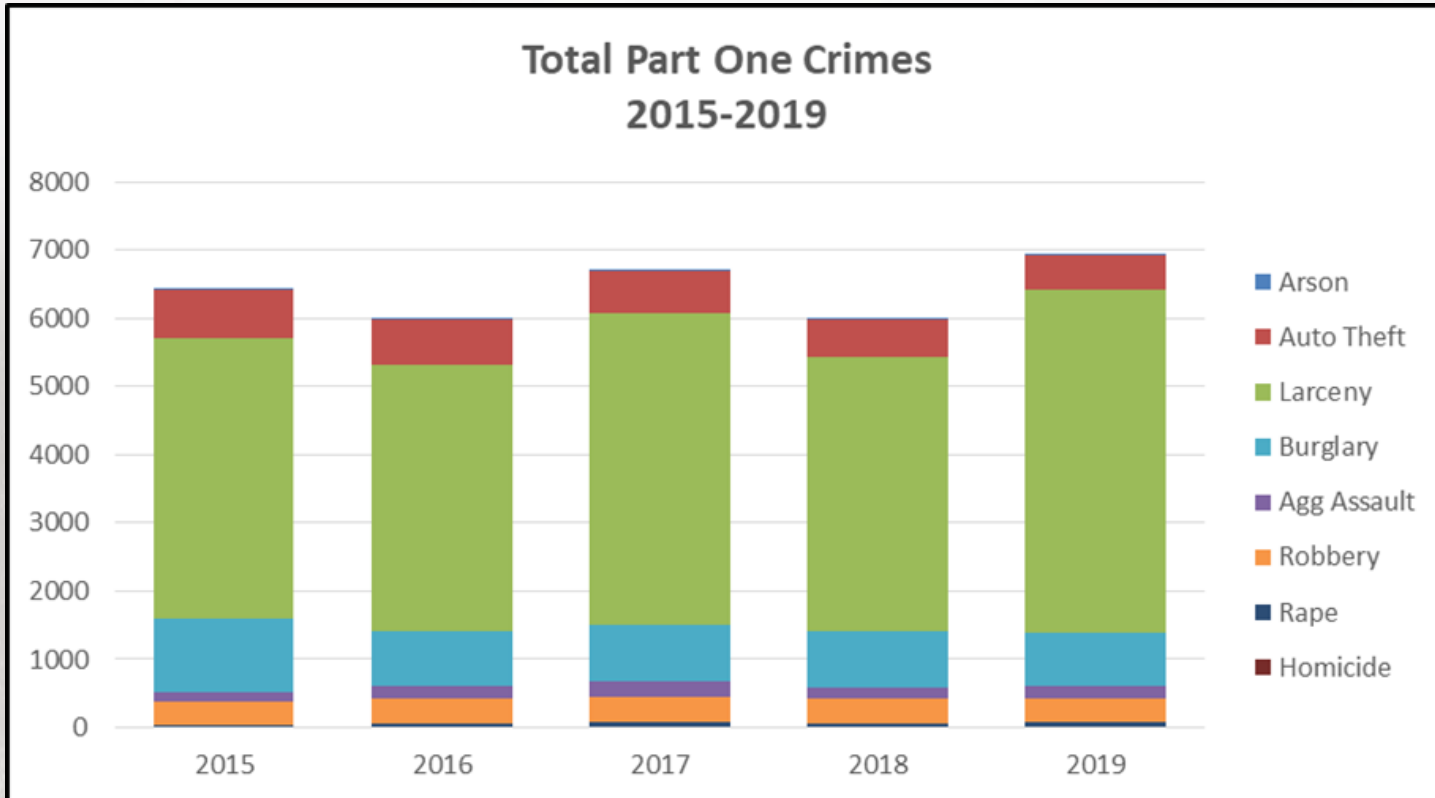


	Homicide	Rape	Robbery	Agg Assault	Burglary	Larceny	Auto Theft	Arson
2018	0	65	355	170	831	4007	548	33
2019	0	70	364	175	788	5029	497	26



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## Total Part One Crimes 2015-2019

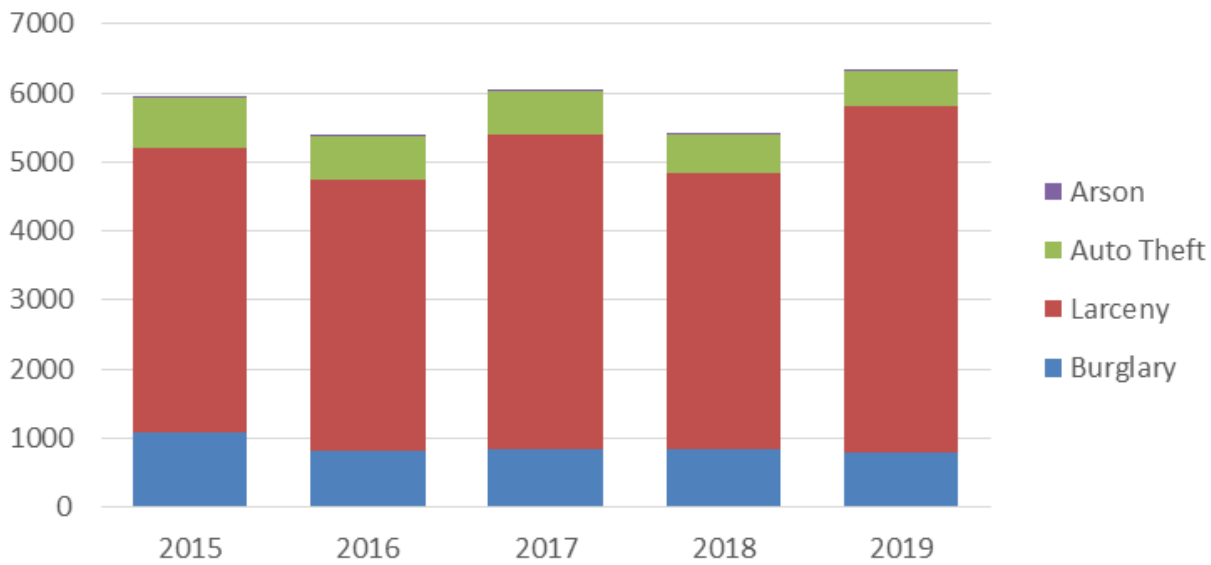


	Homicide	Rape	Robbery	Agg Assault	Burglary	Larceny	Auto Theft	Arson
2015	1	41	331	135	1089	4118	713	20
2016	2	53	362	182	803	3927	647	20
2017	1	87	364	218	841	4556	619	33
2018	0	65	355	170	831	4007	548	33
2019	0	70	364	175	788	5029	497	26



# BERKELEY POLICE

## Total Part One Property Crimes 2015-2019

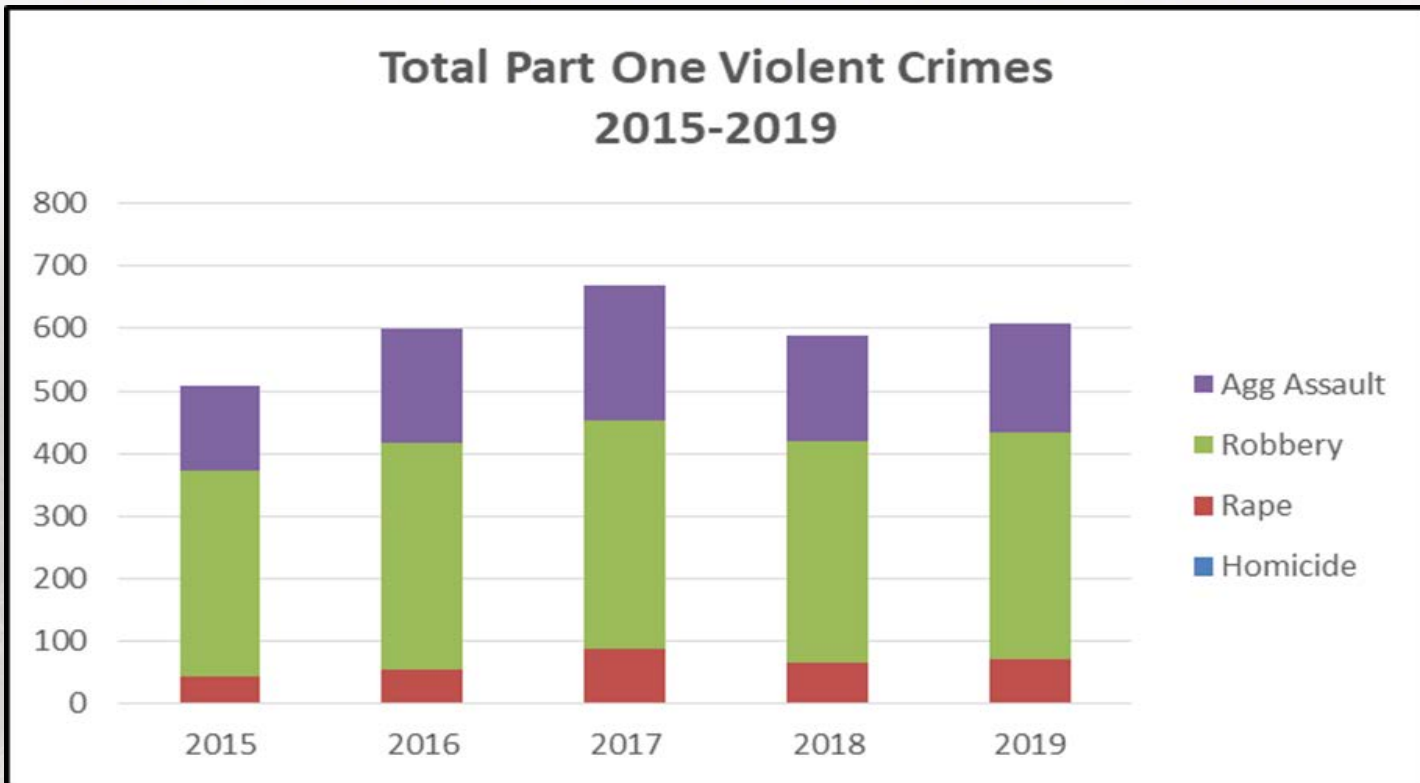


	Burglary	Larceny	Auto Theft	Arson
2015	1089	4118	713	20
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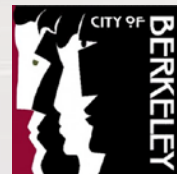
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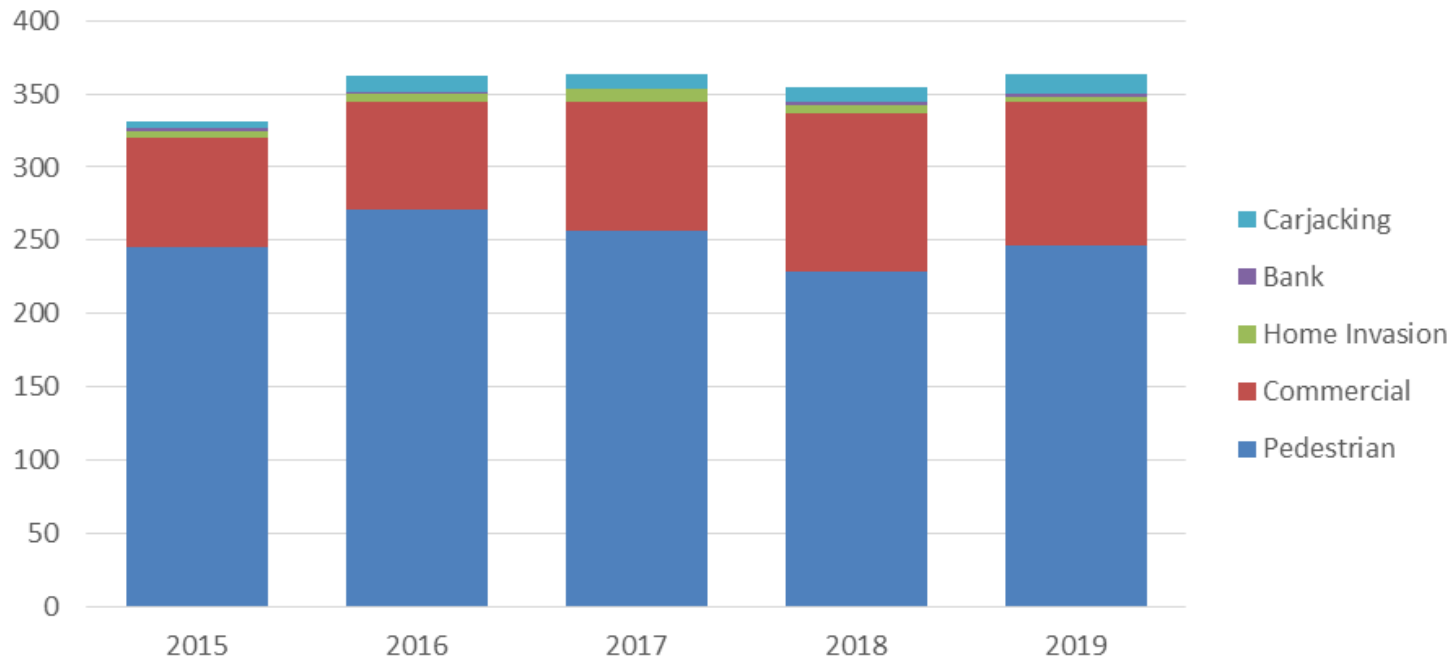


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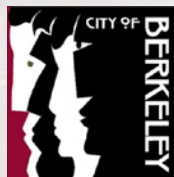
## Robbery Five Year Comparison



	Pedestrian	Commercial	Home Invasion	Bank	Carjacking
2015	245	75	4	3	4
2016	271	73	6	1	11
2017	257	87	9	1	10
2018	229	108	5	3	10
2019	247	97	4	2	14

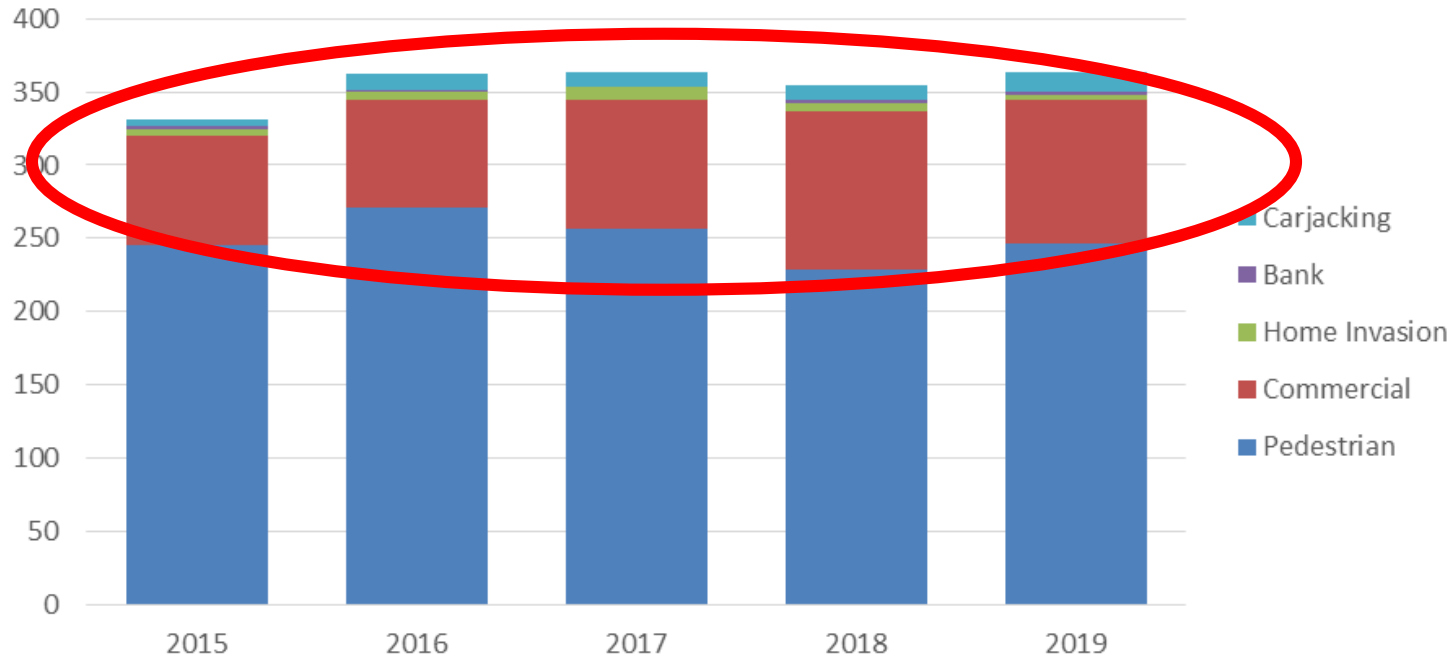
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## Robbery Five Year Comparison



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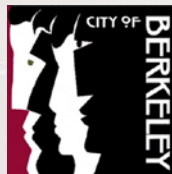
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## 2020 Year-to-Date

## Crime during COVID

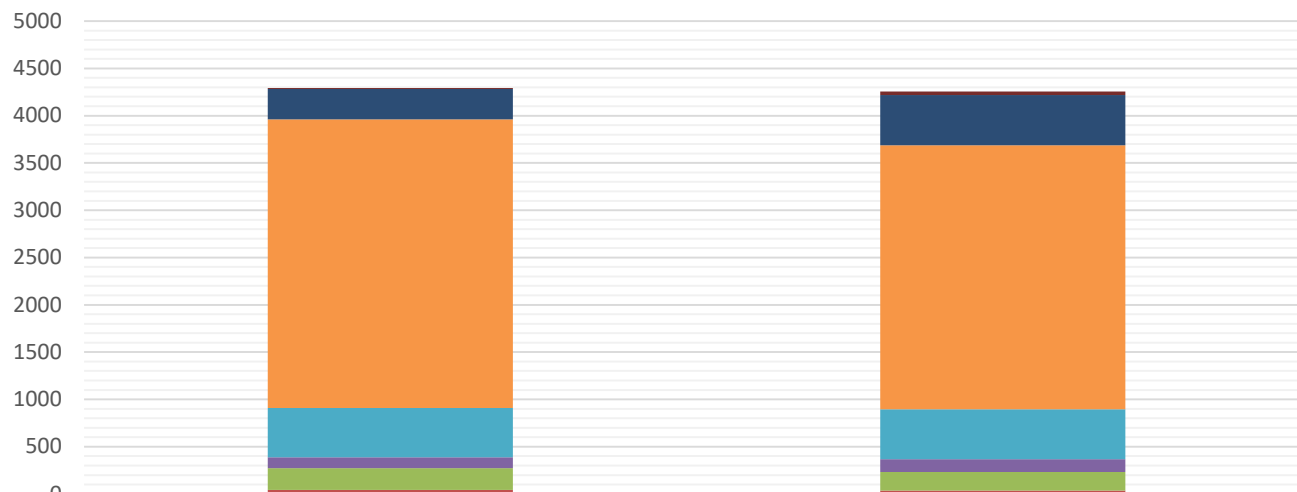
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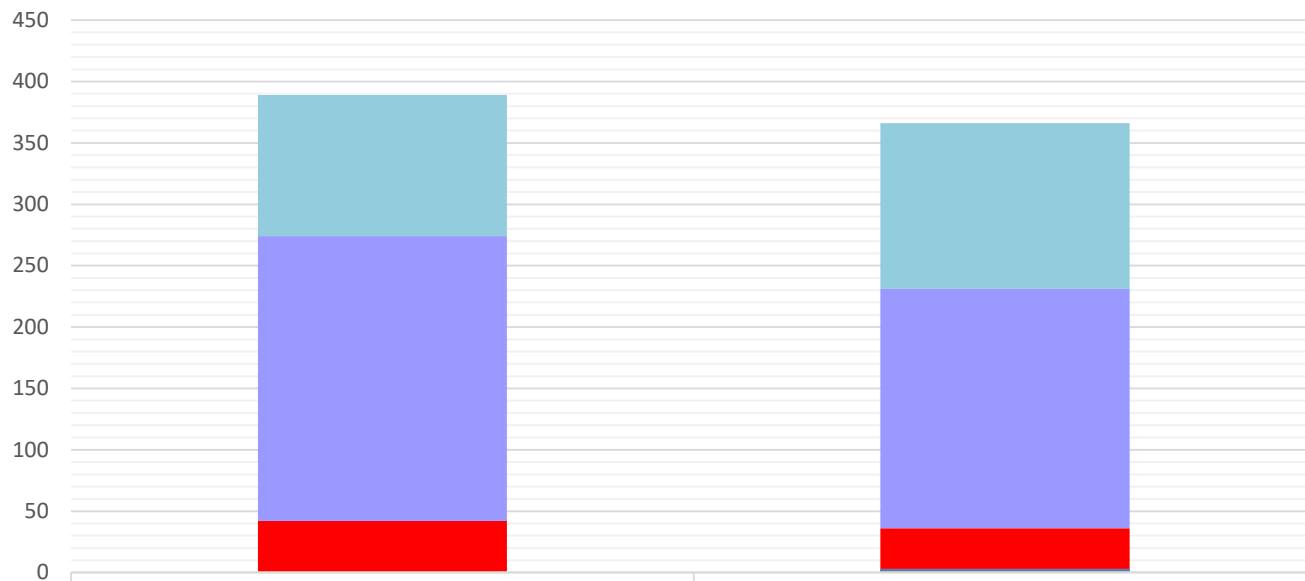
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## Total Part One Crime January - August 2019 & 2020



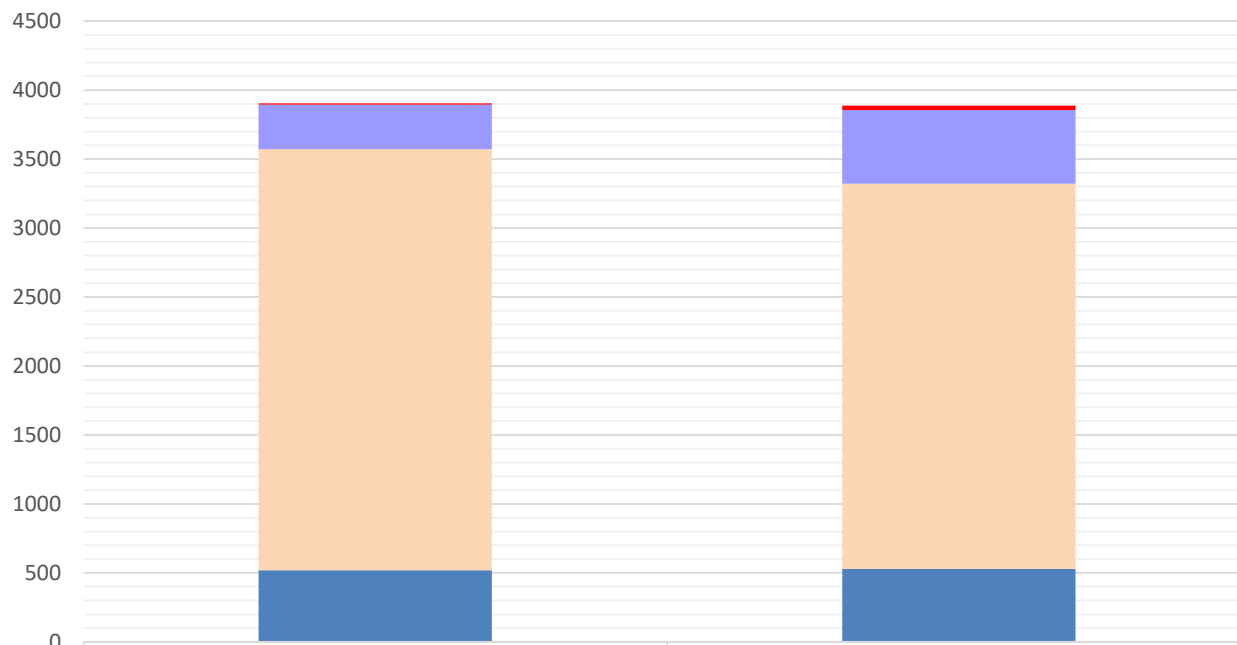
	2019	2020
Arson	11	34
Auto Theft	322	533
Larceny	3053	2793
Burglary	519	528
Agg Assault	115	135
Robbery	232	195
Rape	42	33
Homicide	0	3

## Total Part One Violent Crimes January - August 2019 & 2020



	2019	2020
Agg Assault	115	135
Robbery	232	195
Rape	42	33
Homicide	0	3

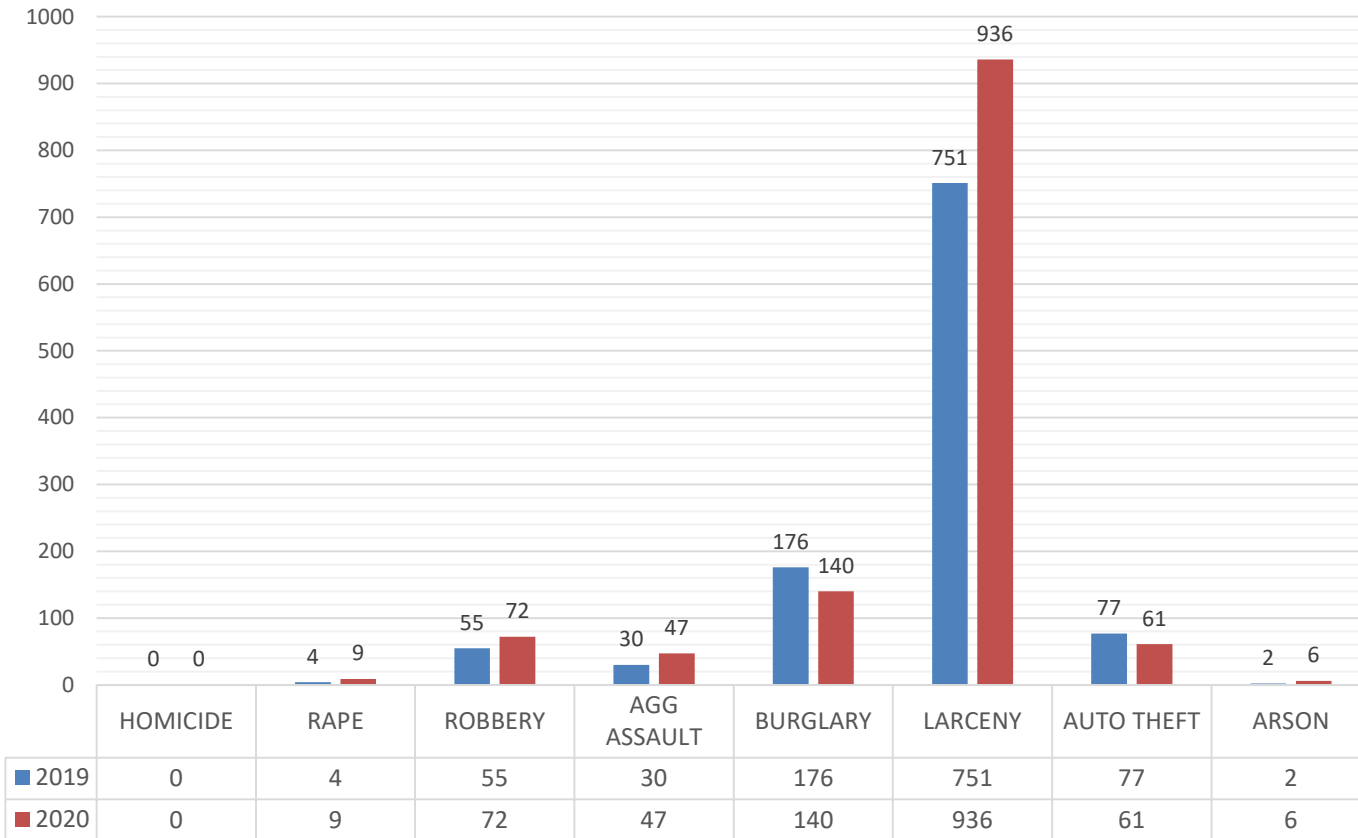
## Total Part One Property Crimes January - August 2019 & 2020



	2019	2020
■ Arson	11	34
■ Auto Theft	322	533
■ Larceny	3053	2793
■ Burglary	519	528

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Pre-Covid 2019-2020; Jan-Feb

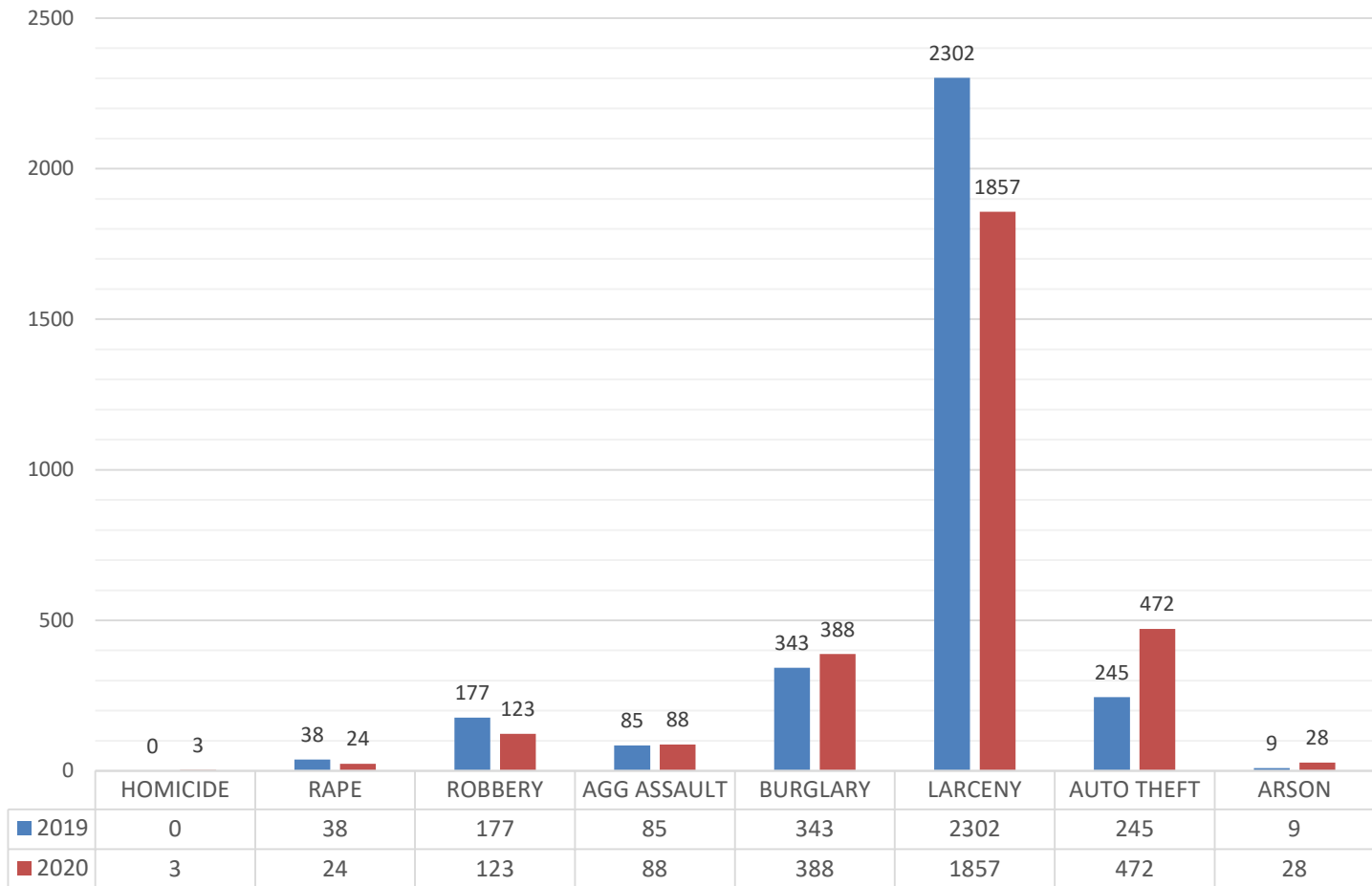


■ 2019 ■ 2020



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2019-2020; COVID Period: Mar-Aug



■ 2019 ■ 2020

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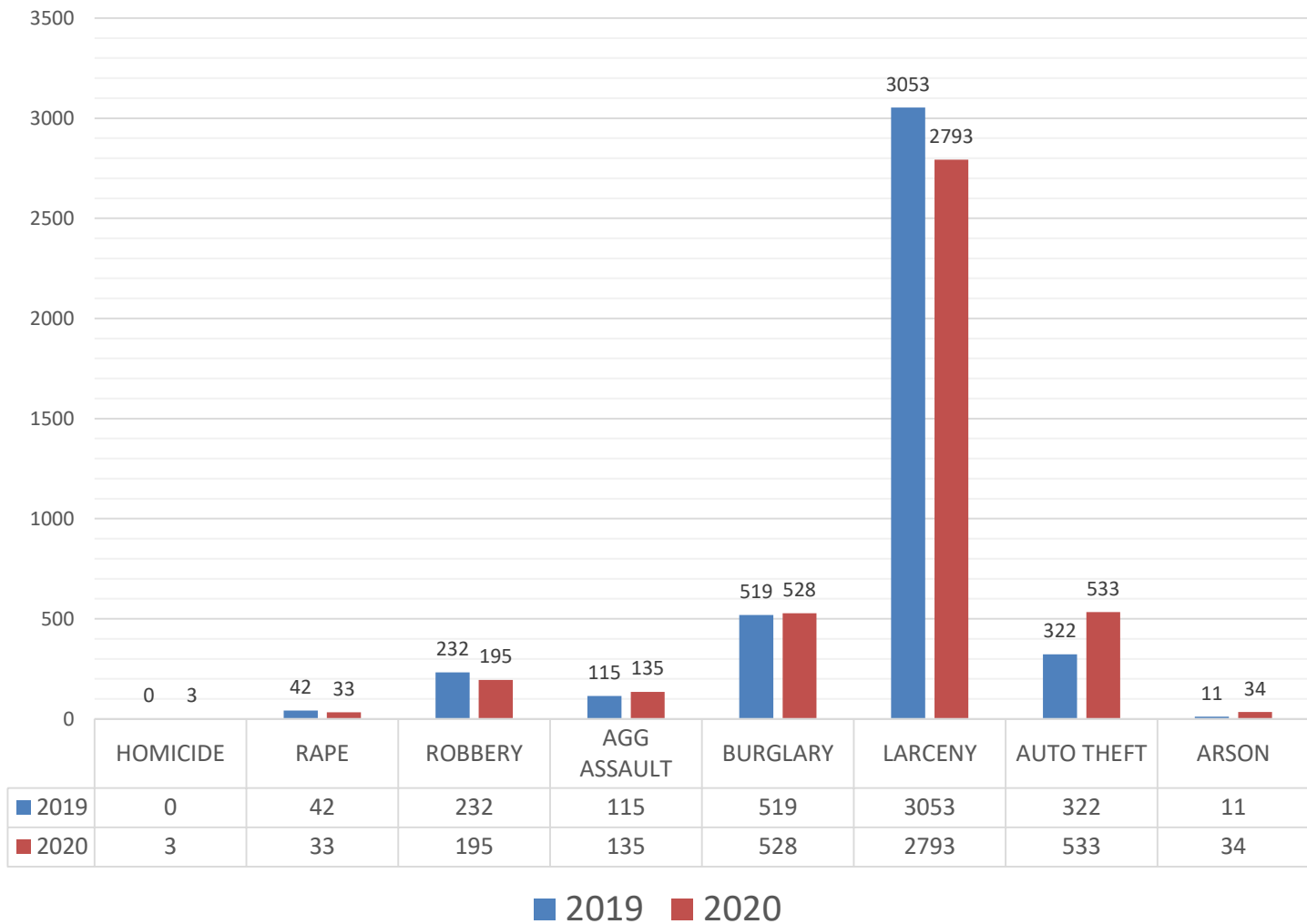


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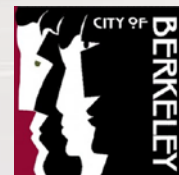
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Total 2019-2020 YTD; Jan-Aug



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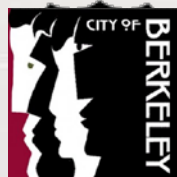
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# Implementing Survey123 Racial Identify and Profiling Act (RIPA) Data Collection Tool

- In-house developed
- Deployed on iPhones
- We'll be submitting data one year early
- Gathering 20+ fields of data per stop



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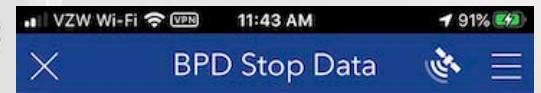
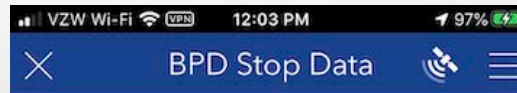
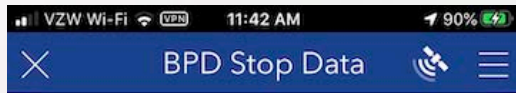
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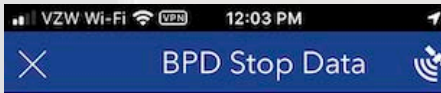
## 4. Reason for Stop

### Primary Reason for Stop \*

- Traffic violation
- Reasonable suspicion that the person was engaged in criminal activity
- Known to be on parole/probation/PRCS/mandatory supervision
- Knowledge of outstanding arrest warrant/wanted person
- Investigation to determine if person was truant
- Consensual encounter and search
- Possible conduct warranting citation under Education Code (for student at K-12 school only)
- Determine if student violated school policy (for student at K-12 school only)

### Reason for Stop - Brief Description

Provide a brief explanation that includes details of the general data values selected above. Do not include any personally identifying information (PII) of the person stopped or unique identifying information of any officer in this description.



## 5. Actions Taken During Stop

### Actions Taken \*

Select all that apply. ('None' cannot be used in combination with any other value.)

- Person removed from vehicle by order
- Person removed from vehicle by physical contact
- Field sobriety test conducted
- Curbside detention
- Handcuffed or flex cuffed
- Patrol car detention
- Canine removed from vehicle or used to search
- Firearm pointed at person
- Firearm discharged or used
- Electronic control device used
- Impact projectile discharged or used (e.g., blunt impact projectile, rubber bullets or bean bags)
- Canine bit or held person

## Basis for Search \*

Select all that apply. Only applicable when the Actions Taken include "Search of person was conducted" and/or "Search of property was conducted."

- Consent given
- Officer safety/safety of others
- Search warrant
- Condition of parole/probation/PRCS/mandatory supervision
- Suspected weapons
- Visible contraband
- Odor of contraband
- Canine detection
- Evidence of crime
- Incident to arrest
- Exigent circumstances/emergency
- Vehicle inventory
- Suspected violation of school policy (for student at K-12 school only)

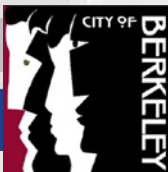
### Basis for Search - Brief Description \*

## 7. Result of Stop

### Result of Stop \*

Select all that apply. ('No action' cannot be used in combination with any other value.)

- No action
- Warning (verbal or written)
- Citation for infraction
- In-field cite and release
- Custodial arrest pursuant to outstanding warrant
- Custodial arrest without warrant
- Field interview card completed
- Noncriminal transport or caretaking transport (including transport by officer, ambulance or other agency)
- Contacted parent/legal guardian or other person responsible for the minor
- Psychiatric hold (W&I Code 5150 or 5585.20)





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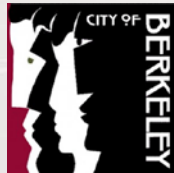
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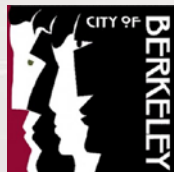


## Downtown-Telegraph Task Force

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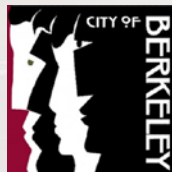
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**Bike Patrol**

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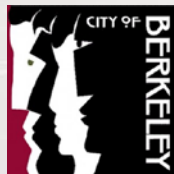
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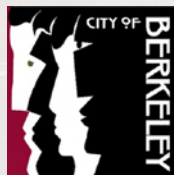
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## Serving Locally

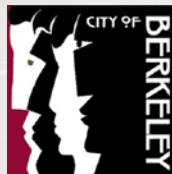


## Leading the Profession



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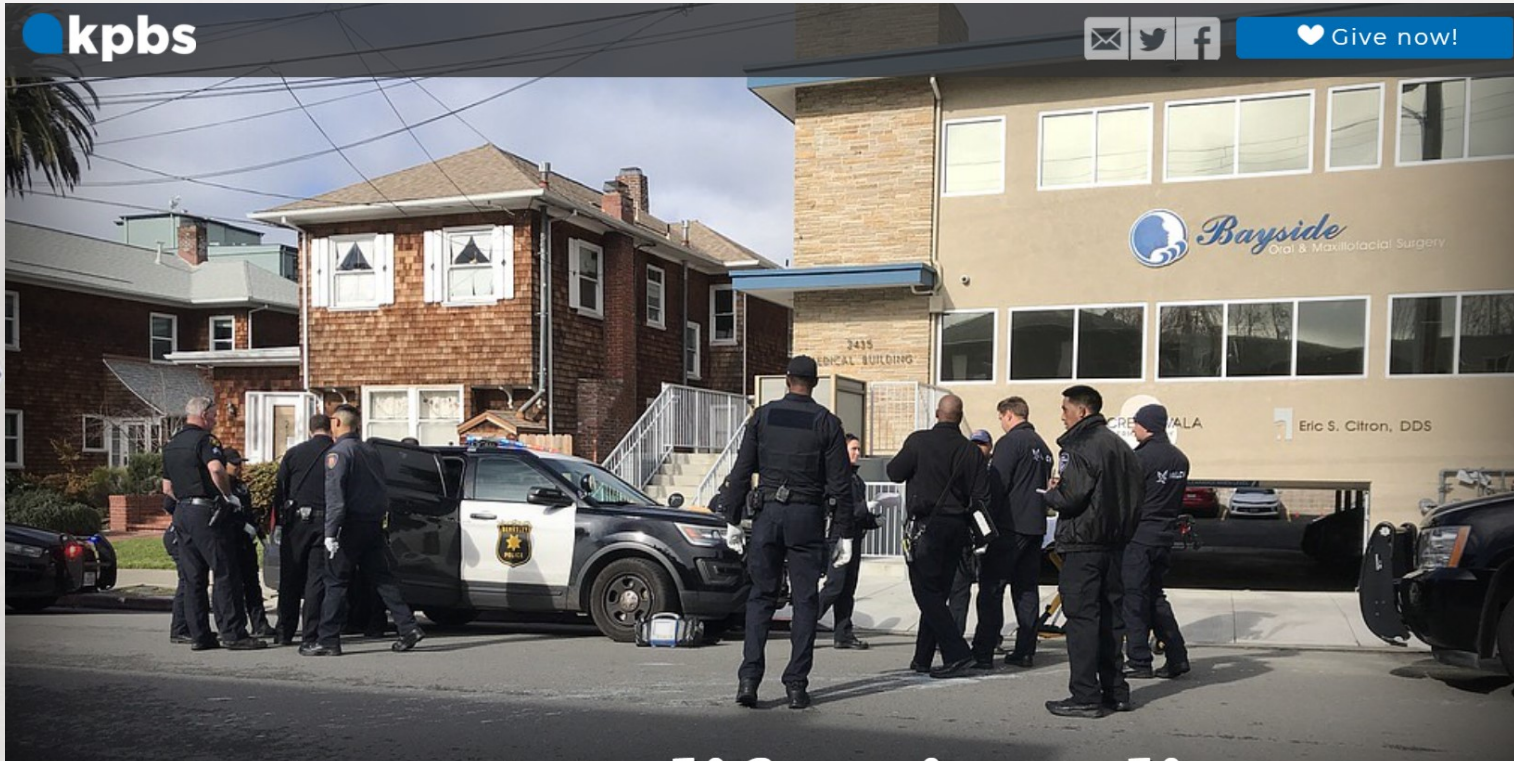
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 **kpbs**



 Give now!



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## How A California Police Department Changed Its Mindset On Use Of Force



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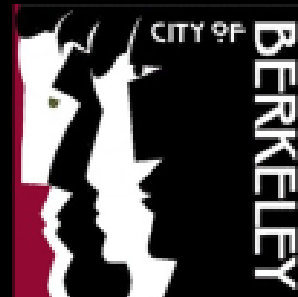
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## DEVELOPMENT OF NON-LAW ENFORCEMENT PROGRAMS IN RESPONSE TO INDIVIDUALS IN MENTAL HEALTH CRISIS



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## HISTORY AND DEVELOPMENT OF BERKELEY'S MENTAL HEALTH PROGRAM

- 1950s: Anti-psychotic drug, Chlorpromazine, marketed as Thorazine was introduced.
- 1972: California enacts the Lanterman-Petris-Short (LPS) Act.
- 1979: City of Berkeley launches the "Berkeley Mental Health Police Project."
  - Goal: divert people with mental health disorders away from the criminal justice system.



## BERKELEY MENTAL HEALTH TREATMENT TEAMS

- Crisis, Assessment and Triage Team
  - Mobile Crisis Team, Transitional Outreach Team, Crisis Triage Line, Drop-in assessment and linkage
- Case Management Team
- Homeless Outreach and Treatment Team
- Wellness and Recovery Team
- Broader Crisis Continuum
  - Amber House
  - Berkeley Wellness Center

**WE ARE HERE AND WE CARE**

**TRANSITIONAL OUTREACH TEAM (TOT)**  
 Our Transitional Outreach Team will be on hand to help you through the transition from jail to the community. We'll help you with things like:  
 • Making appointments  
 • Referrals to services and community resources  
 • Other needs you may have  
 You may also contact TOT directly at  
 (415) 875-3333  
 Monday-Friday 8am-4pm

**ALAMEDA COUNTY CRISIS SUPPORT SERVICES**  
 Open 24 Hours/7 Days A Week  
 (415) 775-8230

**CITY OF BERKELEY MOBILE CRISIS TEAM (MCT)**  
 Hours Vary  
 (415) 863-3900 / (415) 863-3904 (emergency) / 34  
 hrs. or  
 (415) 548-5254 (voice message)

**CITY OF BERKELEY MENTAL HEALTH DROP-IN SCREENINGS AND SUPPORT**  
 Monday-Thursday 8am-12pm  
 1541 University Avenue (at Sacramento)  
 Berkeley

**CITY OF BERKELEY DAYTIME CRISIS LINE**  
 Monday-Friday, 8:30am-4pm  
 (415) 868-6244



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Lieutenant Dan Montgomery – Berkeley PD



*Serving as the voice of, and resource of, choice for California's municipal Police Chiefs*

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## Curriculum

- Leadership concepts are presented through adult learning techniques, facilitated discussion and guest presentations.
- Challenging issues are addressed through several critical incident and leadership debriefs.
- Considerable work is done to build and reinforce personal resilience as well as maintaining the resilience of those we lead.
- Ethical leadership is developed by exploring our values and ethical failures.
- We examine in depth how race and gender impact officer's careers, relationships and police legitimacy.



*Serving as the voice of, and resource of, choice for California's municipal Police Chiefs*

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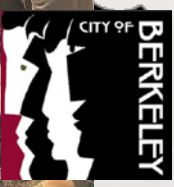
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## Looking Forward to Post-COVID





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# Virtual Coffee with a Cop

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## Questions

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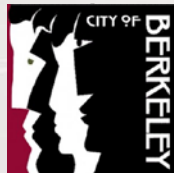
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## Use of Force 1<sup>st</sup> Annual Report 2015 - 2019

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## Use of Force

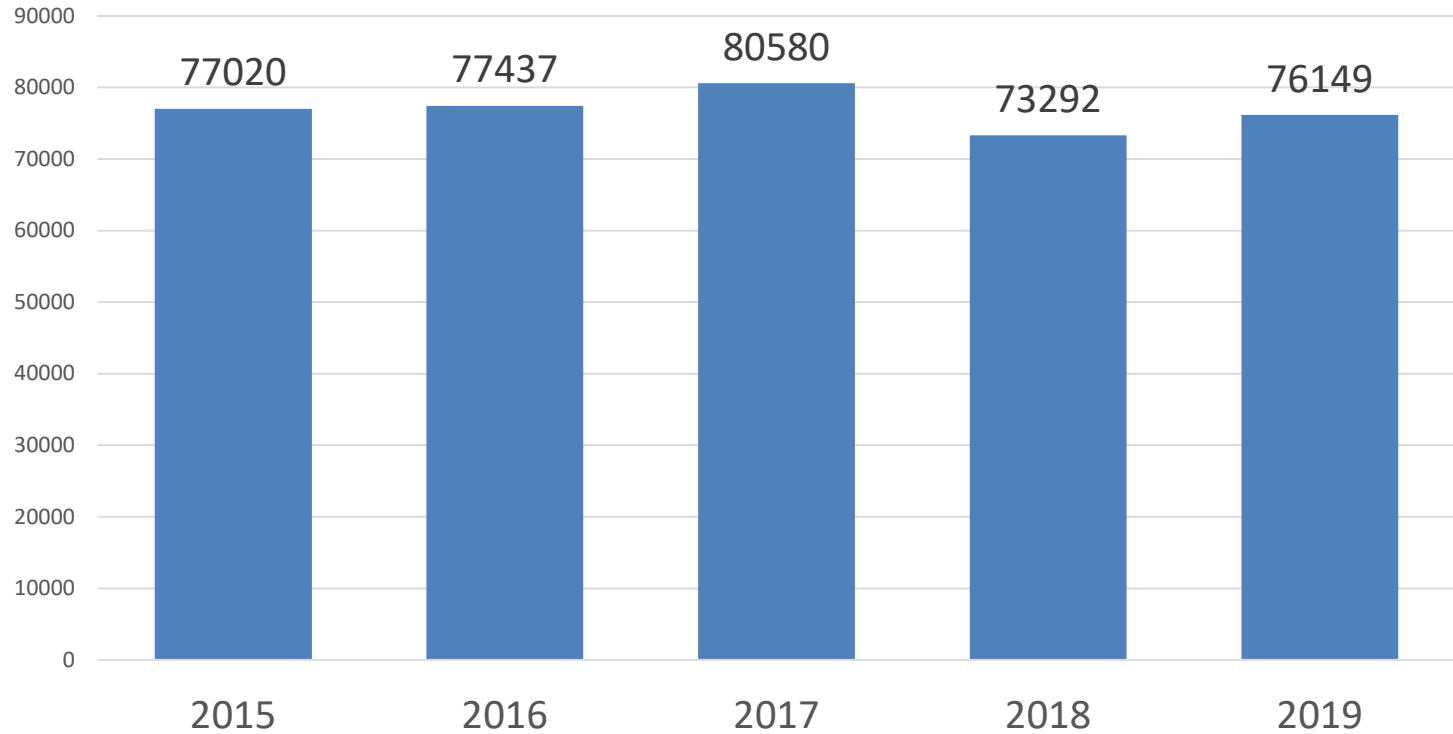
- Used to effect arrest
- Force is reactive, and based on suspect's actions & resistance
- Preceded by de-escalation
- Most are responding to calls, not on ofc. initiated activity



## Types of Force Reported

- Complaint of pain by suspect
- Visible injury to suspect
- Use of any weapon by an officer

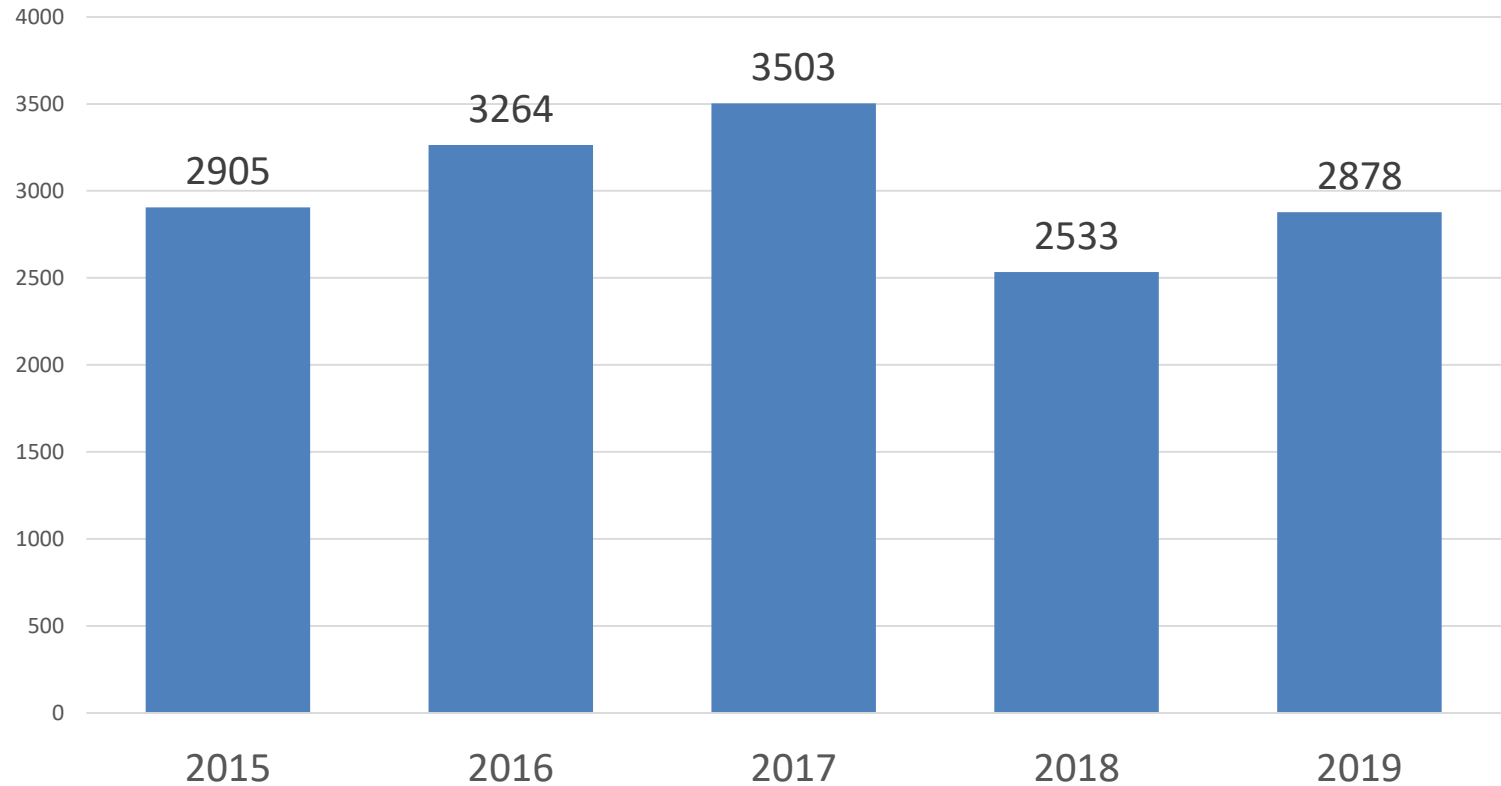
Incidents handled by BPD (2015-2019)



**Five-year Average: 76,896 Incidents per year**



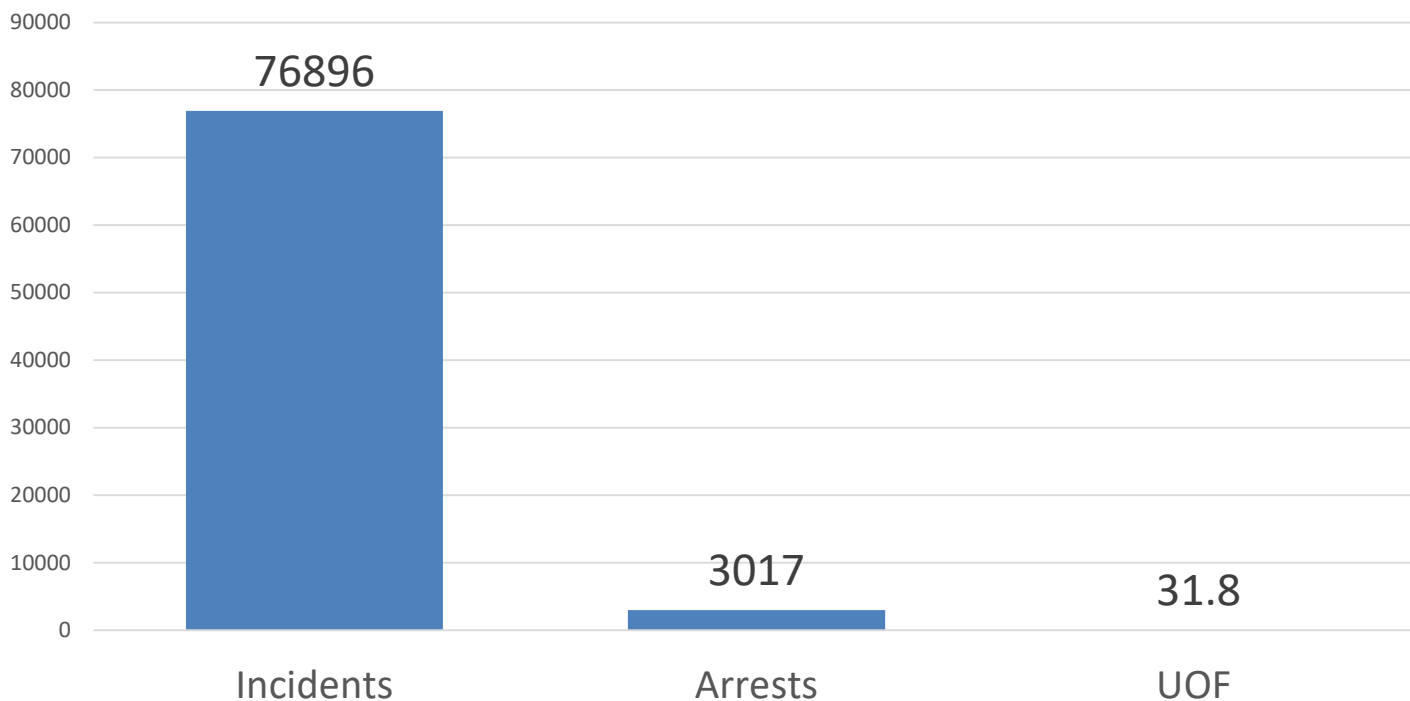
Arrests (2015-2019)



**Five-year Average: 3,017 Arrests per year**

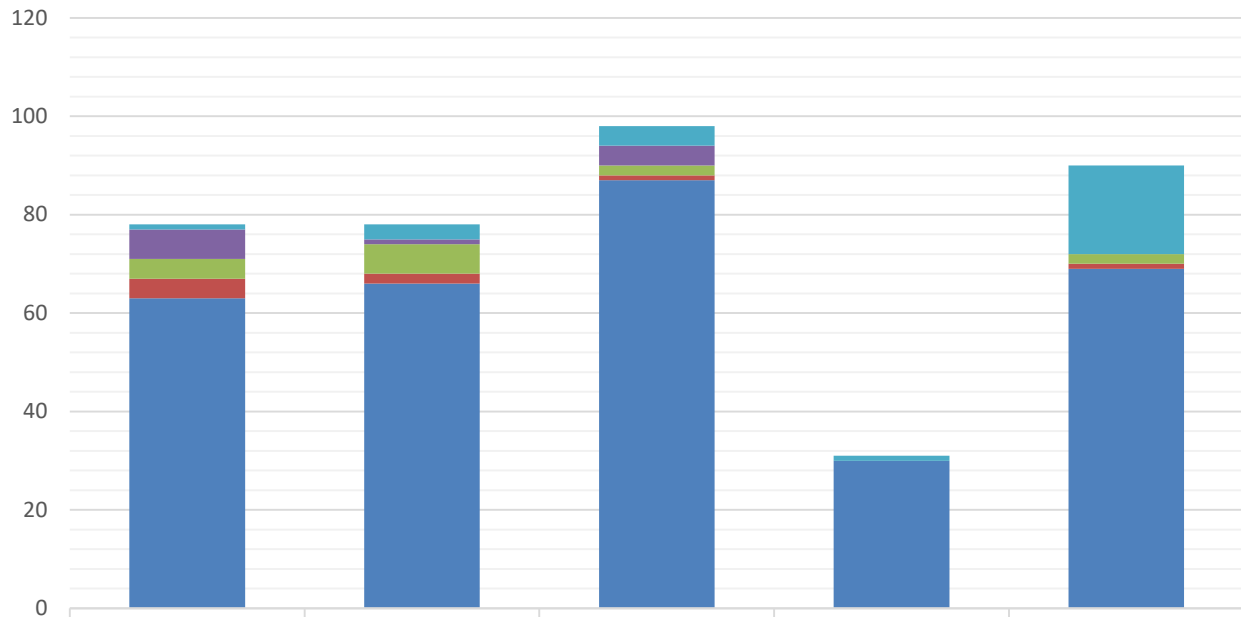
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## Incidents, Arrests and Use of Force Five Year Average



**Force used once ever 2,418 Incidents**  
**Force used once every 95 Arrests**

## Types of Force Used 2015-2019



	2015	2016	2017	2018	2019
Firearms	0	0	0	0	0
Less Lethal	1	3	4	1	18
Straight Baton	6	1	4	0	0
Expanded Baton	4	6	2	0	2
OC	4	2	1	0	1
Physical	63	66	87	30	69

## Suspect Actions Leading to Uses of Force in 2019

Suicidal suspect chased person with a knife, refused to drop knife

Suspect barricaded self and tried to set self on fire

Knife brandishing suspect refused to comply

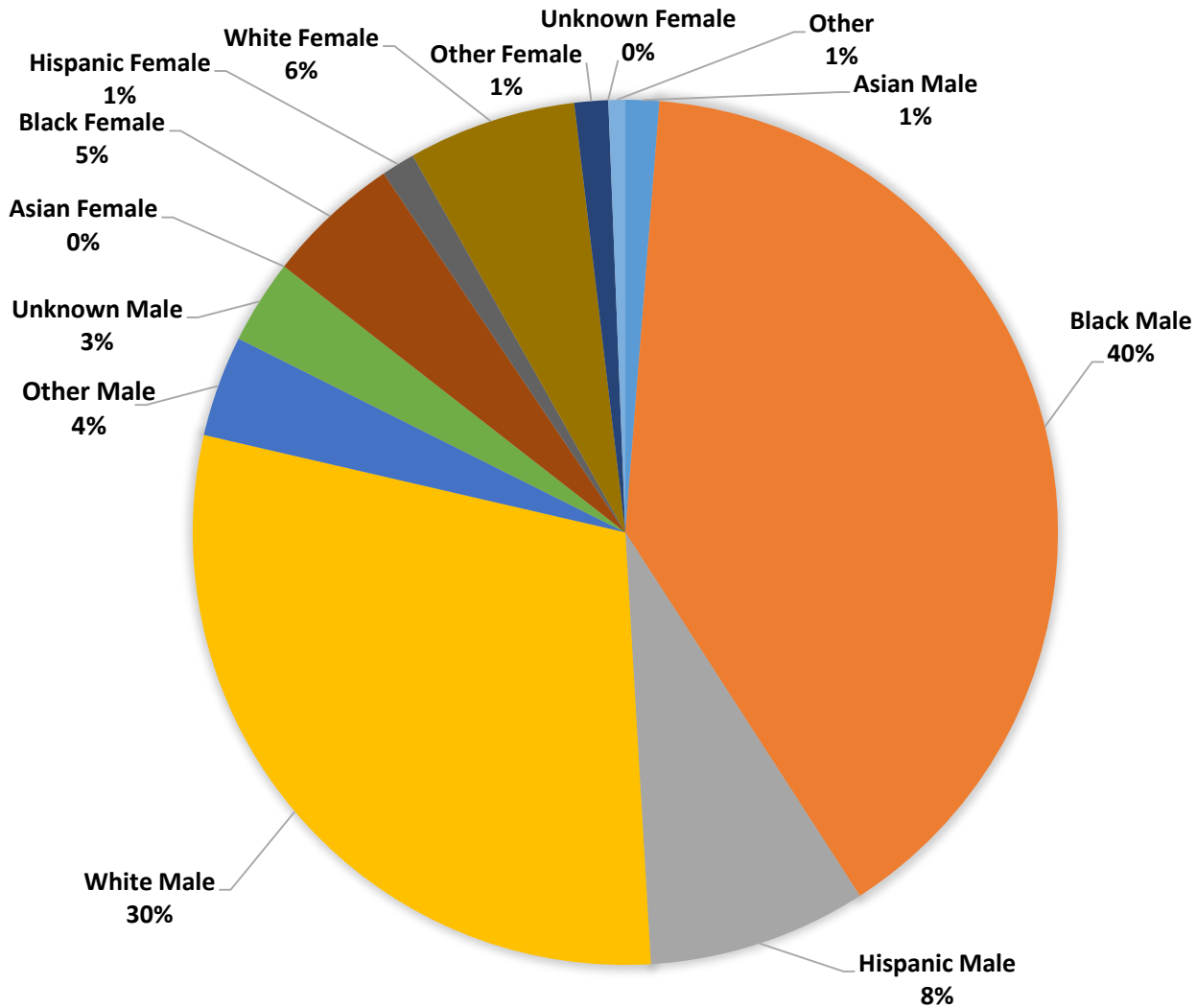
Suspect in assault via machete refused to comply

Suspect broke into house, held knife to throat of victim

Robbery suspect, armed with sword, refused to drop weapon and moved towards officers

Suspect tried to take officer's holstered gun

## RACE & GENDER; FORCE DATA





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## Questions

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# **FY20 BPD OT BUDGET/ACTUALS (General Fund)**

**Berkeley Police Department  
October 13, 2020**

**Chief Andrew Greenwood  
Chuck Gunter, Fiscal Manager**

# FY 20 Overtime Expenditures

## Overview of Important Factors:

- The baseline BPD OT Budget has been fixed at under \$2.5 million for over 10 years and has not been sufficient to cover expenses.



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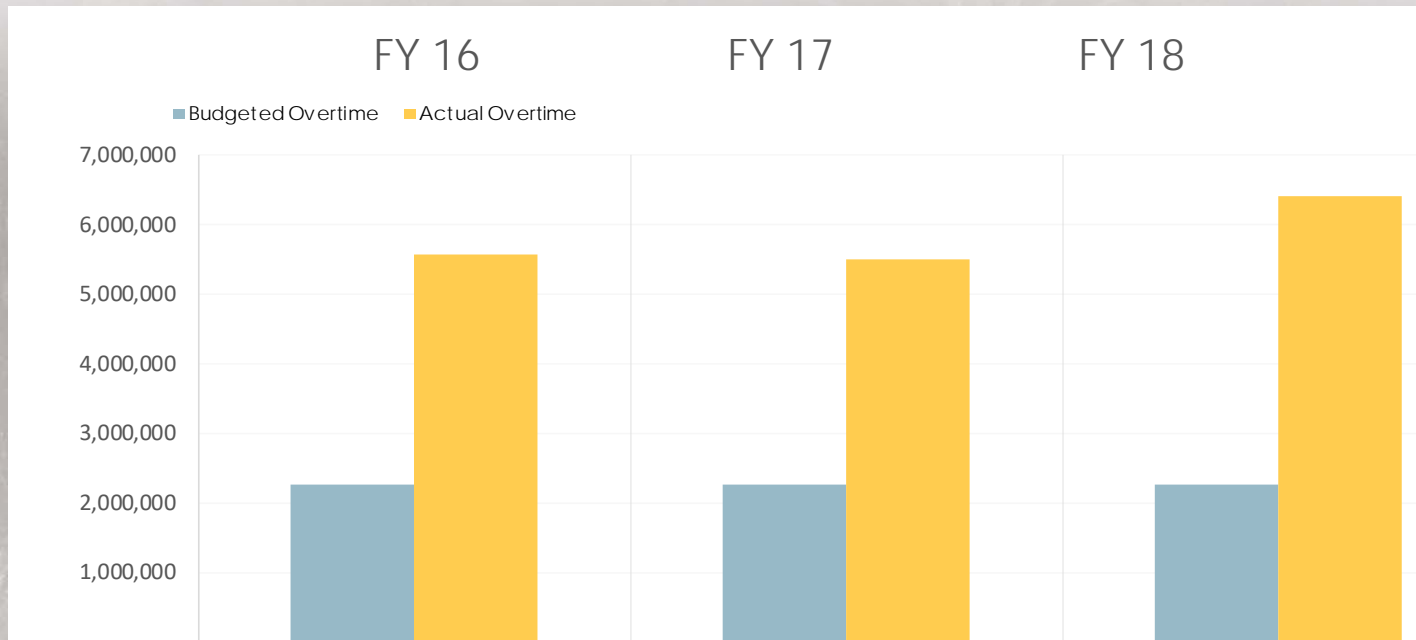
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## As Presented to Budget Committee - 2019

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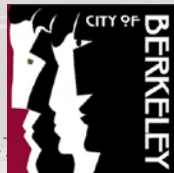


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Expenses	FY 16	FY 17	FY 18	Trend	FY 16	FY 17	FY 18
Budgeted Overtime	\$ 2,252,065	\$ 2,252,065	\$ 2,252,065				
Actual Overtime	\$ 5,567,530	\$ 5,496,974	\$ 6,410,266		247%	244%	285%

The Police Department General Fund Overtime budget has remained \$2,252,065 over the past 10 years.



# Factors Impacting Overtime

## Overview of Important Factors:

- Various situations mandate or require OT be utilized to stabilize a situation, complete an investigation, maintain minimum staffing, and attend court.
- Pre-scheduled events, unscheduled events, emergency incidents, Public Safety Power Shutoffs, other activities which merit BPD local involvement, and mutual aid for other communities safety, directly impact OT usage and vary significantly annually.

## Factors Impacting Overtime

- Large scale events involve the entire department, both sworn and professional staff.
- Increased requests for reimbursable OT increases expenditures but has a net zero budget impact because the costs are recovered.
- All overtime work is required to be approved by a supervisor.
- Lieutenants are paid overtime due to a settlement resulting from Fair Labor Standards Act litigation in the early 2000s.



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**BERKELEY POLICE DEPARTMENT  
EXTRAORDINARY DUTY REPORT**

**Name** \_\_\_\_\_ To \_\_\_\_\_  
(Last) (First) (Middle) (Rank) (Division) (Regular duty hours)

**Overtime worked** \_\_\_\_\_  
(Date) (Day of Week) (Beginning) (Ending) (Hours) (Minutes) (This City)

**Reason:**

Shift Extended (Case #) Pre-approved by: \_\_\_\_\_ (Signature Mandatory) (Badge #)  
 Special Detail (Case #) (Explanation Mandatory)  
 Backfill/Shortage (For Badge #) (Explanation Mandatory)  
 Court (When Subpoena) (Case #) Did you testify?  No  Yes (Hours) (Minutes)

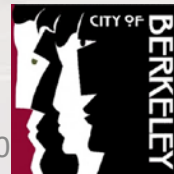
**Premium Pay:**  SRT  FTO  EOD  Phone Standby  
**On-duty** (Hours) (Minutes) **Off-duty** (Hours) (Minutes) **Comp time / Vacation time taken this week?**  Yes  No

**Signed:** \_\_\_\_\_ **Prefer:** \_\_\_\_\_ **Time / \$\$\$** \_\_\_\_\_  
(Signature) (Date) (Time) (Circle One)

**Approval**

<p><b>Budget Code:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1001 Regular OT</li> <li><input type="checkbox"/> 1003 Hourly OT</li> <li><input type="checkbox"/> 1311 Special Events</li> <li><input type="checkbox"/> 1312 Training</li> <li><input type="checkbox"/> 1313 Vacation Relief</li> <li><input type="checkbox"/> 1315 Misc.</li> <li><input type="checkbox"/> 1316 Sick Time Relief</li> <li><input type="checkbox"/> 1317 Court / PNC</li> <li><input type="checkbox"/> 1338 Work Private Parties</li> </ul> <p><b>Time / \$\$\$*</b>  <small>(Circle One) *Items \$\$\$ only</small></p> <p><b>Total Hours</b> _____  <small>(Hour) (Minutes)</small></p>	<p><b>Activity Code:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 8901 Admin</li> <li><input type="checkbox"/> 8902 Media</li> <li><input type="checkbox"/> 8903 MB</li> <li><input type="checkbox"/> 7002 Ppl. Stun/Gun</li> <li><input type="checkbox"/> 7003 RB / Court / FRC</li> <li><input type="checkbox"/> 7101 SS Admin</li> <li><input type="checkbox"/> 7004 JPL</li> <li><input type="checkbox"/> 7209 Comm. Director</li> <li><input type="checkbox"/> 7104 Retention/Lev/Adv</li> <li><input type="checkbox"/> 7202 Operations</li> <li><input type="checkbox"/> 7301 Investigations</li> <li><input type="checkbox"/> 7302 Traffic</li> <li><input type="checkbox"/> 7303 Fighting</li> <li><input type="checkbox"/> 7304 SBU</li> <li><input type="checkbox"/> 7305 CAU</li> <li><input type="checkbox"/> 7306 ABC</li> <li><input type="checkbox"/> 7307 Crime Susps</li> </ul>	<p><b>Project Code:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> XX0068 BRT</li> <li><input type="checkbox"/> XX0070 Court (present)</li> <li><input type="checkbox"/> XX0071 Court (NOT present)</li> <li><input type="checkbox"/> XX0072 PNC Appearance</li> <li><input type="checkbox"/> XX0A01 Welfare Camp</li> <li><input type="checkbox"/> XX0A02 Parental Leave</li> <li><input type="checkbox"/> XX0A06 Military Leave</li> <li><input type="checkbox"/> XX0A04 Replace LD (on duty)</li> <li><input type="checkbox"/> XX0A05 Replace LD (off duty)</li> <li><input type="checkbox"/> XX0A08 Suspension</li> <li><input type="checkbox"/> XX0A07 Administrative Leave</li> <li><input type="checkbox"/> XX0A09 Leave with pay</li> <li><input type="checkbox"/> XX0A09 Under Strength</li> <li><input type="checkbox"/> XX0A10 Sick Extended</li> <li><input type="checkbox"/> XX0A11 Crime Prevention</li> <li><input type="checkbox"/> XX0A12 Community Events</li> <li><input type="checkbox"/> XX0A13 Auto Theft</li> <li><input type="checkbox"/> XX0A14 Fraud</li> <li><input type="checkbox"/> XX0A15 Harassment</li> <li><input type="checkbox"/> XX0A16 Property Calms</li> <li><input type="checkbox"/> XX0A17 Robbery</li> </ul>	<p><b>Project Code:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> XX0A18 SVU / Sex Crimes</li> <li><input type="checkbox"/> 15P002 SVU / VIO</li> <li><input type="checkbox"/> 15P010 SVU / UV</li> <li><input type="checkbox"/> 15P001 Traffic / FURT</li> <li><input type="checkbox"/> XX0A19 SBU / Harassment</li> <li><input type="checkbox"/> XX0A00 SBU / Probation</li> <li><input type="checkbox"/> XX0A21 Rize Rize Transportation</li> <li><input type="checkbox"/> XX0A22 Hospital Transportation</li> <li><input type="checkbox"/> XX0A23 Other Transportation</li> <li><input type="checkbox"/> XX0A24 Telegraph / F / SBU</li> <li><input type="checkbox"/> XX0A25 City Court</li> <li><input type="checkbox"/> XX0A26 Private Property (Car and)</li> <li><input type="checkbox"/> XX0A72 DUI Checkpoint</li> <li><input type="checkbox"/> XX0B74 Private Property (LUB)</li> <li><input type="checkbox"/> XX0B75 Private Party (BUCB)</li> <li><input type="checkbox"/> XXBP14 EOC</li> <li><input type="checkbox"/> XXBP15 Range Training (FTU TTT)</li> <li><input type="checkbox"/> XX0P18 OT Training / FTU TTT</li> <li><input type="checkbox"/> XX0P17 Demonstrations</li> <li><input type="checkbox"/> XX0P19 Special Training</li> <li><input type="checkbox"/> Other: _____</li> </ul>
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**(Supervisor)** \_\_\_\_\_ **(Date)** \_\_\_\_\_ **(Time)** \_\_\_\_\_ **(Signature)** \_\_\_\_\_ **(Date)** \_\_\_\_\_  
(Signature) (Date) (Time) (Signature) (Date)



# BERKELEY POLICE

INTEGRITY

SAFETY

RESPECT

DIVERSITY

PROFESSIONALISM

## General Fund Overtime

FY 20

General Fund OT Budget      \$2,364,641

Actual OT expense              \$7,618,930

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BERKELEY  POLICE

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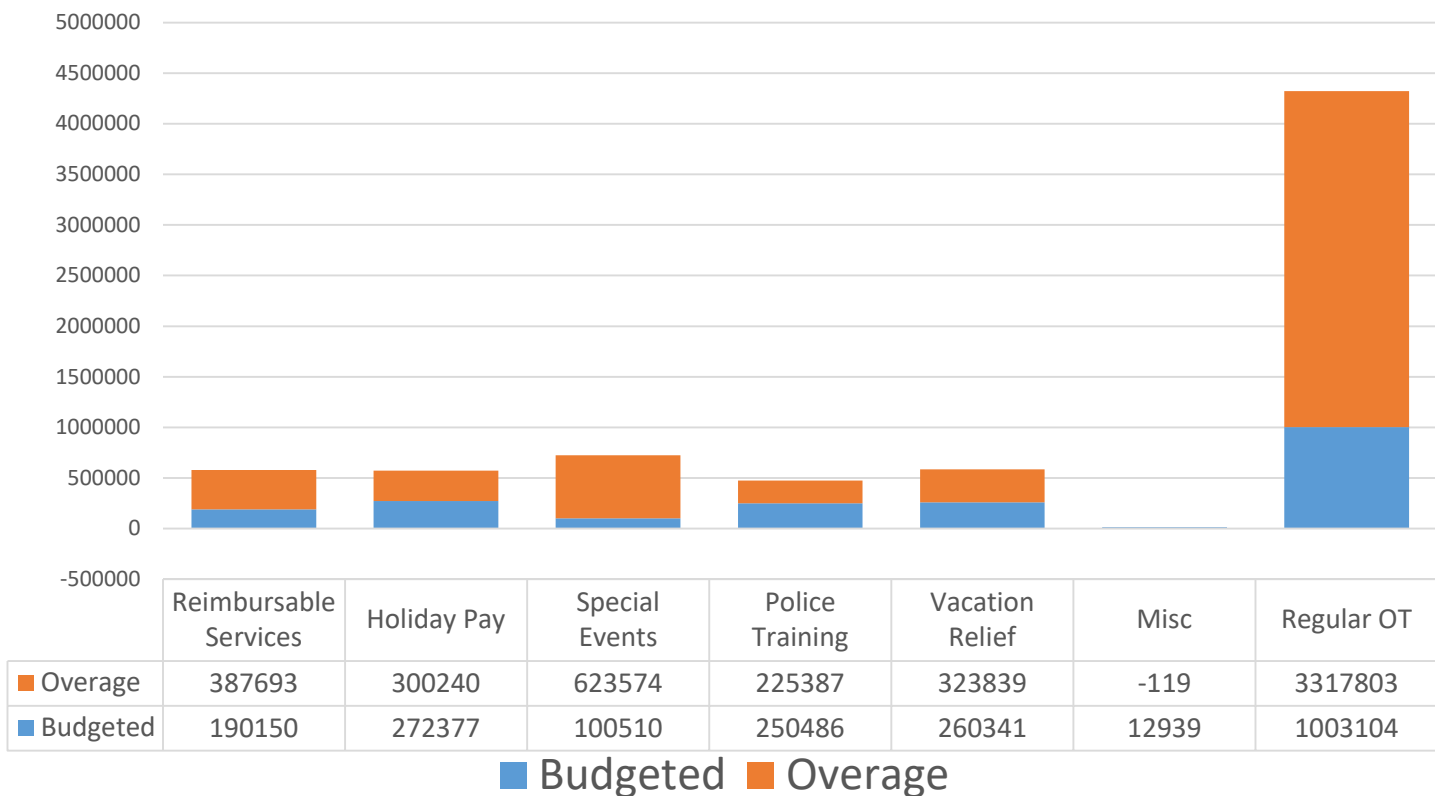
SAFETY

RESPECT

DIVERSITY

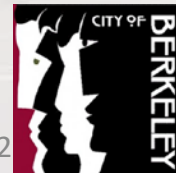
PROFESSIONALISM

## Overtime Expenditure Categories



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## Factors Impacting the Overtime Budget

There were 39 scheduled Citywide events (many were cancelled due to Covid-19).

9 City Events totaled \$214,413 in Police Department OT.

11 Emergency Management Events:

- 2 Public Safety Power Shutoffs \$184,874 of OT.
- George Floyd Demonstrations \$779,095 of OT.

## Factors Impacting the Overtime Budget

### Police Mutual Aid Events:

- Gilroy Garlic Festival [Law Enforcement Mutual Aid (LEMA)] \$14,392 not reimbursable
- Kincade Fire (LEMA) \$48,913 (reimbursable but typically not received in the same FY)

## Factors Impacting the Overtime Budget

- The OT budget has not been adjusted above \$2.5 million for over 10 years.
- Bargaining unit agreements contained cost increases which were not adjusted in the OT budget.
- Lieutenant paid overtime was result of a Fair Labor Standards Act lawsuit in the 2000's.
- Unscheduled events have occurred more frequently and have a longer duration.



## Factors Impacting the Overtime Budget

- Public Safety Power Shutoffs require additional PD resources to ensure community safety
- Staffing levels impact OT consumption. Reduced staffing tends to increase usage to maintain minimum staffing levels for both sworn and Professional Staff positions, from Patrol Teams, to the Communications Center, the Property Room, the Crime Scene Unit and the Jail.

# FY 21 Overtime Expenditures

GF OT Budget	Council Actions	Authorized GF OT Budget	Year To Date Actuals	% of FY21 Budget Expended
\$2,364,641	-\$600,000	\$1,764,641	\$984,248	56%

Notes: YTD Actuals include 1) only 4 pay periods of OT; 2) \$304,724 of OT expenditures from BPD response to the Napa County Fires and qualifies as reimbursable under FEMA.

## Reporting Challenges

- 2 Financial Systems (FUNDS and ERMA)
- Manual Process
- 70 reports to run, compile, & prepare
- Exploring adjustments in ERMA for future reporting but still under development



## Next Steps

Since this was the first time providing this level of detail:

- Is there additional information/data the Council would find helpful?
- Was the format/data easily digestible?

# BERKELEY POLICE

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## Questions

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