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To: Honorable Mayor and Members of the City Council
From: Councilmember Sophie Hahn (Author)
Subject: Community Safety Plans for a Safe and Resilient Berkeley

RECOMMENDATION

Refer to the City Manager to create four strategic, single-subject Community Safety Plans to effectively reduce Gun Violence, Sexual Assault, Retail Theft, and Traffic Violence.

Return Plans to the City Council for review and approval.

SUMMARY STATEMENT

While crime rates in Berkeley remain far below the historic peaks of the 1990s, crime has been trending upward here and nationwide, and use of firearms has increased significantly since 2017 – reflective of a surge in gun purchases/availability that began with the Trump years and spiked during the pandemic. In fact, between 2020 and 2022, U.S. households purchased nearly 60 million guns and in 2021, more Americans died of gun-related injuries than any year on record.¹²

Having some of the strictest gun control laws in the nation, California also has among the lowest gun death rates. Still, the United States remains an outlier as it relates to firearm possession and gun violence.

Another area where the United States far surpasses other comparable nations is traffic violence, which has reached its highest levels in two decades, killing 46,000 Americans in 2022.³ Two additional alarming trends that emerged during the pandemic were the global rise in reported sexual assault – across all age groups – and the rise of “organized” retail theft – with the San Francisco Bay Area experiencing steady increases.

To proactively address these trends, many cities across the United States are adopting formal crime/harm reduction plans, setting clear goals and identifying actionable strategies to successfully reduce community violence and harms.

¹ de Visé, D. (2023, April 25). *Americans bought almost 60 million guns during the pandemic*. The Hill. <https://thehill.com/policy/national-security/3960527-americans-bought-almost-60-million-guns-during-the-pandemic/>

² Gramlich, J. (2023, April 26). What the data says about gun deaths in the U.S. Pew Research Center. <https://www.pewresearch.org/short-reads/2023/04/26/what-the-data-says-about-gun-deaths-in-the-u-s/>

³ Morris, F. (2022, September 5). *Traffic fatalities in the U.S. are at their highest levels in two decades*. NPR. <https://www.npr.org/2022/09/05/1121144984/traffic-fatalities-in-the-u-s-are-at-their-highest-levels-in-two-decades>

This item refers to the City Manager, working with the Department of Health, Housing and Human Services, the Berkeley Police Department, other City Departments, and community stakeholders, to produce single-subject Community Safety Plans – aligned with the City’s Reimagining Public Safety and Fair and Impartial Policing Goals, Vision Zero, and the City’s Health Status Report – among other plans and policies – to address key challenges, increase safety, and significantly reduce crime and harm across four categories: sexual assault, retail theft, traffic collisions, and gun violence.

In the future, the City Manager is encouraged to proactively initiate creation of similar plans to address persistent and/or emerging community safety challenges, and bring them to the City Council for review and approval.

BACKGROUND

Despite decades of decline, crime – and especially violent crime – trended upward with the COVID-19 pandemic. Across communities of all types, crime rates changed dramatically in 2020 with murder, assault, and gun violence reaching alarming highs. According to the Brennan Center for Justice and the FBI Uniform Crime Reporting Program, in 2020, murder rose nationwide by almost 30%, aggravated assault by nearly 12%, and violent crime increased by 5% overall.⁴ While Berkeley has fared better than many cities, Berkeley did experience an upswing in crime over the same period, as reflected in the Berkeley Police Department’s annual crime reports.⁵

At its very worst, crime and violence cut lives short and robs families and communities of loved ones. Less serious incidents cause individual harm and negatively impact the community’s sense of safety, wellbeing, and health, and erode public trust in government and law enforcement. Crime also impacts opportunities for economic growth, and the ability of cities and neighborhoods to attract new businesses and investments.

According to the Council on Criminal Justice, setting a clear goal is a crucial first step to reducing crime and preventing violence, and many cities have worked together to develop crime reduction plans.⁶ Cities and Police Departments across the United States including Boston, Phoenix, Kansas City, and Tacoma, have developed such plans. More than detailing crime response and criminal justice strategies, these plans often include holistic, educational, community, and social-services-type strategies to reduce crime as well as improvements to reporting, investigating, and otherwise responding to crime.

As Berkeley works to confront root causes of crime and implement its Reimagining Public Safety Framework – a big shift from the traditional police-centered model – it’s important to

⁴ Grawert, A., & Kim, N. (2022, July 12). Myths and realities: Understanding recent trends in violent crime. Brennan Center for Justice. <https://www.brennancenter.org/our-work/research-reports/myths-and-realities-understanding-recent-trends-violent-crime>

⁵ Berkeley Police Department . (n.d.). Crime data. Berkeley Police Transparency Hub. <https://bpd-transparency-initiative-berkeleypd.hub.arcgis.com/pages/crimes>

⁶ Council on Criminal justice. (2022, January). *Saving lives: Ten essential actions cities can take to reduce violence now*. Council on Criminal justice. <https://counciloncj.org/10-essential-actions/>

simultaneously make tangible progress on key community safety challenges. While there are some existing frameworks for issues like gun violence – namely Berkeley’s Gun Violence Intervention and Prevention Plan – and traffic violence – Berkeley’s Vision Zero – there are currently no publicly available plans for reducing sexual assault or retail theft.

Both the Gun Violence and Vision Zero plans should be updated and, as necessary, expanded to ensure they cover prevention and deterrence, so crimes and injuries don’t happen in the first place; incorporate improved reporting mechanisms, to ensure the City has a trauma-informed and welcoming approach to victims seeking to report crimes; and include best practices relating to effective investigations and the resolutions of violent incidents.

Gun Violence

Berkeley exists in the context of skyrocketing gun violence rates both regionally and nationally. Although concentrated in South and West Berkeley, gun violence is a city-wide public health problem. Notwithstanding the recent decline between 2022 and 2023, shootings have gradually increased every year since 2017.

In response, the City has employed various community-based violence prevention strategies such as Operation Ceasefire, and most recently the Gun Violence Intervention and Prevention Program (GVIPP), which relies heavily on collaboration between the community and law enforcement. The GVIPP is set to launch in October 2024 and will create opportunities for people to turn away from committing acts of violence through a four-pronged approach to intervention: place based interventions, custom notifications, street outreach and social services. As Berkeley works to confront gun violence, it would benefit from an overarching framework that details all existing programs, policies, and approaches, and how they fit together.

Sexual Assault

Evidence shows that rates of sexual violence increased during states of emergency.⁷ While in Berkeley, rates of sexual assault dropped in 2020 and 2021, they increased in 2022 and again 2023.⁸

The Berkeley Police Department has identified the UC Berkeley as well as Berkeley High campuses as particularly troublesome. In fact, according to UC Berkeley’s 2022 Annual Report on Sexual Violence and Sexual Harassment, between 2021 and 2022, reports of sexual assault reaches the highest levels since the annual report began in 2018, with 35.7% of cases reported

⁷ Walker, T. (2020, May 1). *A second, silent pandemic: Sexual violence in the time of covid-19*. Center for Primary Care Harvard Medical School . <https://info.primarycare.hms.harvard.edu/perspectives/articles/sexual-violence-and-covid>

⁸ Berkeley Police Department. (2024, March 12). 2023 Berkeley Police Department Annual Report. City of Berkeley. <https://berkeleyca.gov/sites/default/files/documents/2024-03-12%20Item%201%20WORKSESSION%20%202023%20Berkeley%20Police%20Department%20Annual%20Report.pdf>

to the Office for the Prevention of Harassment and Discriminations being sexual assault.⁹ Berkeley High has also struggled to address sexual assault on campus, with various student protests and lawsuits occurring over the administration's handling of sexual assault. As UC Berkeley, Berkeley High, and BPD work to confront sexual assault, a holistic approach that includes an increased partnership, an evaluation of reporting options, additional outreach and programming could prove beneficial to addressing the epidemic of assault on campus, and in our community.

Retail Theft

In the last several years, article heading such as “Man steals over \$4K worth of jackets from Berkeley REI,”¹⁰ “Brazen thieves take \$52k in tech from Berkeley Apple Store,”¹¹ and “Group of 7 makes off with \$19,000 in North Face Goods”¹² have become commonplace, as has the use of weapons and stolen vehicles in these crimes. In this regard, statistics confirm what the media reports and what residents and workers are experiencing. Between 2022 and 2023, retail theft rose by 19%, with 574 reported commercial burglaries as compared to 435 in 2022.^{13,14}

While Apple, REI, and the North Face are large retail chains, small businesses have also suffered under this new normal. Forbes reports that 90% of small business retailers nationwide have experienced theft at their store and some 83% said they believed retail theft is at least a somewhat major issue.¹⁵ In addition to suffering financial losses, retail theft puts workers in harm's way. As Berkeley works to revitalize its downtown and commercial areas, it must offer local and small businesses, consumers, and residents a plan to ensure the safety and vitality of its commercial districts.

Traffic Violence

The United States lags far behind other comparable countries as it relates to traffic violence and fatalities, and unlike most developed nations U.S. roadways have become more deadly – especially for pedestrians and cyclists. The traffic fatality rate in the United States is around 12.8

⁹ University of California, Berkeley. (2023). 2022 Annual Report on Sexual Violence and Sexual Harassment (SVSH): Data Update. University of California, Berkeley.

https://svsh.berkeley.edu/sites/default/files/2022_svsh_annual_report_full_static_version_1.pdf

¹⁰ Fahmy, H. (2024, June 6). Video: Man steals over \$4K worth of jackets from Berkeley Rei. KRON4.

<https://www.kron4.com/news/bay-area/video-man-steals-over-4k-worth-of-jackets-from-berkeley-rei/>

¹¹ Raguso, E. (2024, January 26). Brazen thieves take \$52K in Tech from Berkeley Apple Store. The Berkeley Scanner. <https://www.berkeleyscanner.com/2023/05/29/crime/berkeley-apple-store-50000-retail-theft/>

¹² Raguso, E. (2024b, February 27). Group of 7 makes off with \$19,000 in North Face Goods. The Berkeley Scanner. <https://www.berkeleyscanner.com/2024/02/27/crime/berkeley-north-face-19000-theft/>

¹³ Berkeley Police Department. (2024, March 12). 2023 Berkeley Police Department Annual Report. City of Berkeley. [https://berkeleyca.gov/sites/default/files/documents/2024-03-](https://berkeleyca.gov/sites/default/files/documents/2024-03-12%20Item%2001%20WORKSESSION%20%202023%20Berkeley%20Police%20Department%20Annual%20Report.pdf)

[https://berkeleyca.gov/sites/default/files/documents/2024-03-](https://berkeleyca.gov/sites/default/files/documents/2024-03-12%20Item%2001%20WORKSESSION%20%202023%20Berkeley%20Police%20Department%20Annual%20Report.pdf)

¹⁴ Gecan, A. N. (2024, March 25). Serious crimes spiked in Berkeley in 2023, according to Police Data. Berkeleyside. <https://www.berkeleyside.org/2024/03/13/2023-crime-report-berkeley-police-department>

¹⁵ Metz, J. (2024, July 10). The impact of retail theft on small businesses and states. Forbes.

<https://www.forbes.com/advisor/business-insurance/impact-retail-theft-on-small-businesses/>

per 100,000, compared to 6.3 in New Zealand, 3.3 in Spain, and 2.0 in Norway.¹⁶¹⁷ With the adoption of seatbelts, airbags, and improved vehicle design, the U.S. has managed to create safer cars. However, the dominance of SUVs and trucks – and their increased weight and height – as well as the increased weight of electric vehicles, has come at a cost to pedestrians and cyclists. Paired with a lack of safe bike and pedestrian infrastructure, the Country continues to lag far behind other nations.

In 2019, Berkeley adopted the Vision Zero Action Plan and committed to eliminating traffic deaths and severe injuries by 2028. While the City has made progress on its Vision Zero priorities, it has a long way to go to reach goals in a timely manner. On average, three people die and at least 32 sustain severe injuries on Berkeley streets every year.¹⁸ Drivers routinely travel at unsafe speeds, fail to yield at crosswalks and stop signs, make illegal turns, and injure pedestrians and cyclists. As Berkeley works to meet its Vision Zero goals, it should consider what other policies, campaigns, and partnerships it can develop to increase safety for cyclists and pedestrians, as well as those traveling in vehicles.

This item gives the City Manager an opportunity to actively engage with the community and various City departments to create holistic, actionable plans to reduce crime in Berkeley and drive down the harm the community is experiencing. By setting clear expectations related to prevention, intervention, and crime solving, the City will have a better understanding of what approaches work and which ones are less effective. While the Berkeley Police Department already has internal work-plans for crime prevention, this item asks for the development of publicly available plans to drive progress, and provide accountability

Due to the complexity of crime, a city-wide approach is necessary to achieve the desired results. The City Manager's key partner developing this series of holistic plans should be local stakeholders including various City agencies and departments, Berkeley High/BUSD, Berkeley City College and UC Berkeley, businesses, and other community partners.

The collaborative effort should include already existing frameworks to address public safety challenges as well as new recommendations which may include some or all of the following, and any other elements that arise from community and expert consultation:

1. Crime Prevention Strategies - build trust and relationships through neighborhood outreach, expand community policing and consider new gun violence prevention strategies, improve environmental design, and more
2. Reporting - assess what strategies have been successful, study and implement best practices for reporting sexual assault, including a victim-centered and trauma-informed

¹⁶ Insurance Institute for Highway Safety. (2024, June). Fatality facts 2022: State by State. IIHS. <https://www.iihs.org/topics/fatality-statistics/detail/state-by-state>

¹⁷ International Transport Forum - OECD. (n.d.) Organization for Economic Co-Operation and Development. <https://www.itf-oecd.org/sites/default/files/norway-road-safety.pdf>

¹⁸ City of Berkeley. (2021, March). Vision Zero Annual Report 2020-2021. <https://berkeleyca.gov/sites/default/files/2022-02/Vision-Zero-Annual-Report-2020-2021.pdf>

approach, examine how to protect victim privacy, best provide resources and offer support

3. Resource Allocation - consider which communities in Berkeley are under resourced and could benefit from increased funding for youth programming, restorative justice, public health, employment and education initiatives, as well as mental health and substance use disorder treatment programs
4. Improve Clearance Rates - consider additional trainings BPD could benefit from, enhance recruitment strategies, increase oversight, judge the benefit of acquiring evidence-based processing technology or equipment
5. Partnerships - explore untapped partnerships to increase public safety, consider what stakeholders in Berkeley and across the Bay Area may be currently missing in the process

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

While the Berkeley Police Department employs innovative strategies to address issues related to public safety, the City does not currently have comprehensive plans for each crime category with stated, short and long-term goals, and specific metrics to act as roadmaps toward progress.

Beginning in 2020, the Berkeley City Council voted to reimagine or redesign its public safety system from a traditional Police-Centered Model to one that is more focused on the diverse needs of the community, committing to a transformative, equitable approach to community-centered safety. The effort, now underway, included recommendations for a non-police response team for low-level emergencies, a non-police traffic enforcement agency, the creation of a Specialized Care Unit, and more.

As the City continues to expand and improve upon the comprehensive work already underway, it can utilize the principles articulated in its Reimagining Public Safety platform to create actionable, single-subject plans to address some of the most serious and complex public safety challenges our City faces. While the plans for sexual assault and retail theft will be novel, the plans developed for gun and traffic violence will fit into Berkeley's existing patchwork of policies and further expand on these ideas in the form of holistic, community safety plans.

ACTIONS/ALTERNATIVES CONSIDERED

While the City of Berkeley can continue without formal plans for each of these complex crimes and harms, it will lack strategic plans that articulate the path forward, and allow the City to measure whether the strategies employed actually work. With no plans or metrics, the City lacks the clarity needed to successfully address and reduce specific violence, crime, and other harms.

Crime reduction plans adopted by other jurisdictions rely heavily on law enforcement as the primary actors in public safety and will not be a good fit for Berkeley. The Community Safety Plans described in this item should be holistic, with a key focus on prevention and building a safe and resilient community.

CONSULTATION/OUTREACH OVERVIEW AND RESULTS

Our office met with and consulted both the City Manager and Police Chief who expressed support for this recommendation, and for the clarity these plans can provide to both the public and the City, driving towards real progress in these key areas of public safety challenge.

RATIONALE FOR RECOMMENDATION

The City of Berkeley has a Strategic Plan that identifies the long-term and short-term priorities the City Government will focus on to benefit the Berkeley community. In addition to this plan, the City of Berkeley has also adopted a Zero Waste Strategic Plan as well as a Climate Action Plan, Local Hazard Mitigation Plan, and more.

Successful implementation of Community Safety Plans could result in decreased crime and increased public safety.

IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT

The City Manager should conduct community outreach and solicit feedback from a broad set of internal and external stakeholders. Each Community Safety Plan should include a thorough analysis of the crime, tailored recommendations, and short- and long-term goals for measuring success. Plans should be evaluated for success and adjusted accordingly.

Berkeley can reduce crime and eliminate key drivers of harm in the community. Through thoughtful planning and community participation, we can ensure the safety, security, and wellbeing of all people in Berkeley.

OUTCOMES AND EVALUATION

The City Manager should work with the Berkeley Police Department and various community stakeholders to determine what success looks like for each individual Community Safety Plan, setting realistic, attainable goals and timelines.

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