

Law Enforcement and Youth in Oakland

Youth Perspective: Reforms, Solutions, and Recommendations for Accountable and Effective Policing
in Oakland to Improve Relations between Law Enforcement, the Community and Youth

Meeting February 11, 2015



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Oakland Youth Commission

A city's youth is its chief economic asset, a great source of human capital, and is its most valuable resource. They can serve as integral agents for social change and economic and technological development and innovation. Progress in Oakland will depend on how well we as a city can incorporate the contribution of youth in the designing of our city's future and into the decision making process to whatever extent possible. Their critical perspective and analysis can lead to a sustainable, strong and vibrant Oakland moving forward.

~ Oakland Youth Commission ~

Participating Youth Groups

1. African American Male Achievement (OUSD)
2. All City Council (OUSD)
3. BAY Peace (Peace in Action)
4. Black Organizing Project
5. Californians for Justice
6. Centerforce Youth Court
7. Da Town Researchers
8. East Bay Asian Youth Center
9. Life Academy High Center
10. Project WHAT
11. PUEBLO
12. Youth Alive (Teens on Target)
13. Youth Organizing Leadership Opportunity (YOLO)
14. Youth Commission
15. Youth Uprising



Dear Oakland Resident,

There has been a lot of momentum recently galvanized by events happening around law enforcement and the community at large in Oakland and throughout the nation. As a result, in the past few months, many Oakland leaders and community members have held hearings, town halls/forums and community meetings around the issue of police and community relations, but there has been one thing noticeably missing from these conversations and that has been the voice of the youth. This is an attempt by the Oakland Youth Commission and Youth Leadership Advocate, Brooklyn Williams, to include that voice and to document what we believe is the most important voice and element in all of this. Young people in Oakland come in overwhelming contact with law enforcement; therefore, they should be heard by the policy and decisions makers in this city. On February 11, 2015, 15 diverse youth agencies came together at City Hall to come up with solutions and recommendations for accountable policing in an effort to improve relations between law enforcement, the community and young people in Oakland. While we know and acknowledge that there have been significant reforms already happening within the Oakland Police Department (OPD), we would like to offer the following recommendations as our contribution to this process and to the building of a better city.



Background and History

The rise of social and economic activism and progressive politics paint Oakland's landscape and have been the essence of the Bay Area for much of the latter part of the 20th century. Oakland, like many urban centers, saw many southerners migrate to northern cities in search of jobs, freedom, and to escape the violence and poverty of the south.

In the last quarter of the 20th century, we saw the city succumb to the influx of drugs, poverty, high unemployment rates, social and economic inequality, health and housing disparities, a lack of access to fresh, healthy and affordable food, and a lack of a quality and decent education for many of the residents in the flatlands. As a result, crime soared and violence plagued the city's poorest neighborhoods. The war on drugs and the "get tough on crime" mentality contributed to tensions between the Oakland Police Department (OPD) and communities of color in East and West Oakland.

More recently, however, there has been a strategic investment in revitalizing Oakland. Over the past few years, Oakland, like many decaying urban centers, has attracted a new wave of migrants. Oakland is now home to

hip and trendy bars and restaurants and home prices and rents have soared. This has in turn, pushed its more impoverished residents out of Oakland to more affordable places across the Carquinez Bridge and into other cities in East Contra Costa County like Antioch and Pittsburg. Though Oakland is in transition, and looking to change its image, Oakland's reputation still precedes itself. Oakland is still portrayed as a violent city and as a place of progressive hot bed politics and activism and historically as having a police department that can match that with force. Many of the social ills of the past still plague many of the flatland residents and tensions remain high between residents and OPD.

Within the national context and in the latter half of 2014, tensions had come to a head between police and communities of color. Police and vigilantes across the nation have caught the attention of the media and Americans from all walks of life have

begun to say "enough is enough," and began taking to the streets demonstrating and marching. As demonstrations have and continue to play out across television screens and capture news headlines



RECOMMENDATION

This report includes the top five recommendations voted on by 14 diverse youth groups in the city. There are an additional 17 recommendations included. Its is recommend that City leaders meet with the various youth groups from their districts that attended this meeting to further discuss these and other recommendations in the near future. We hope that this report will help to inform or support any current or future discussion, policy decisions, action items, resolutions or ordinances relating to the interactions between law enforcement, the community and/or youth. Taking into account these youth generated solutions and recommendations for affective and accountable policing, leaders and officials can build on the city's recent efforts to improve policing and building better community relations.

EXPECTED OUTCOME

Ultimately, youth want to be respected by law enforcement, want to feel safe in their city free from harassment and bullying and want equal justice and equal dispensation of the law and protection under the law for all citizens and residents in the city.



Background and History

nationally, there have been renewed conversations and movements around, race, social and economic justice, police misconduct and the mass incarceration of black and brown males. Oakland activists do not shy away from such progressive politics and in that past have not shied away from calls for social, economic and criminal justice.

One thing is clear; many Americans are beginning to question what some might describe as the “shoot to kill, ask questions later” mentality held by some in law enforcement. They want the quick “escalation to lethal force” policies to be re-examined, re-defined and they want police departments to find alternative and less-lethal ways to apprehend. De-escalation and non-lethal use of force are quickly becoming one of the focal points of the new movement.

Seemingly aligned with this new movement, in November of 2014, Oakland police showed

greater restraint during the protests around the “Black Lives Matter” movement which stemmed from the Missouri Grand Jury’s decision not to indict a Ferguson police officer in the shooting death of unarmed teenager Michael Brown and the choke hold death of Eric Garner by police in New York. OPD is in the midst of a transformative reorganization process and has undergone several changes in the past few years.

These changes are aimed at implementing reforms. These strategies seem to be affective as officer involved shootings have decreased sharply marking significant reduction in officer involved shootings in the last two years. Until February 7, 2015, there had not been any officer involved shootings for 20 months Oakland. The NAACP reported that there were 45 officer involved shootings in the city between 2004 and 2008. ¹ That is just about 11 a year on average.

Footnotes

1. Exactly How Often Do Police Shoot Unarmed Black Men? , <http://www.motherjones.com/politics/2014/08/police-shootings-michael-brown-ferguson-black-men>, (August 14, 2014)



Background and History

Though the Oakland Police Department appears to be turning a new leaf, many of the communities of color who feel they have historically been the targets of police aggression may still feel the wounds are too fresh to forget the past. In addition, many citizens may not be aware of the reforms because their still remains heavier police presence in high crime areas.

In Oakland, although there have been many conversations, town halls, forums, and hearings around police and community relations, there has been one thing noticeably missing: youth. Young people have not been a part of the conversations. Often marginalized, they have not shown up to these hearings and meetings in large numbers, and many decision makers have not heard solely from young people and they need to. In an attempt to bring forward the valuable experiences and voices of young people, the Youth Commission and local Youth Leadership Advocate, Brooklyn Williams called upon the city's

youth groups to meet at Oakland's City Hall to participate in a brainstorming session that would lead to policy solutions and recommendations for local, state and possibly federal reforms that could be presented to decision makers, stakeholders and elected officials in the city. As a result, on February 11, 2015, about 75 young people or more and their youth leaders gathered together at City Hall to have their voices heard. The various youth groups were asked to come with ideas already flushed out and ready to present through their respective programs or groups. Instead of calling a hearing at this particular time, it was decided it would be more prudent to use our limited time together to ask youth to come to the session with their solutions and recommendations ready to share with the group because we know that many policy makers already know the history, have heard the stories and have already been presented with the data and statistics; they essentially know what the problems are and have heard the

testimonies from the community already. This piece is intended to inspire decision makers to not only look at the relationship between young people and law enforcement in the city, but to acknowledge the specific and valuable perspectives youth bring to the problem solving and decision-making process.



Reforms, Solutions and Recommendations

City, state, and federal law enforcement agencies are also actively seeking solutions to the long-standing issues between the police and the community. In fact, on March 2, 2015, 19 days after our recommendations were drafted; the Interim Report of the President's Task Force on 21st Century Policing was released. The report identified best practices about how to, "...strengthen community policing and trust among law enforcement officers and the communities they serve, especially in light of recent events around the country that have underscored the need for and importance of lasting collaborative relationships between local police and the public."

What Oakland Youth have laid out in their session is on target and aligned with much of what was included and recommended in the Task Force's interim report. This is telling and lends credence to Oakland Youth's

foresight and capacity for valued well thought out input.

It is important to keep in mind these recommendations are from young people presented during this initial meeting and need more research. These are varying recommendations from different youth and some may even contradict. While, we recognize that some of the policies or recommendations may already exist and may be implemented in some form or capacity or may be in the process of being implemented, it is still our intentions for you to hear what young people in Oakland are thinking. Additionally, there may be some recommendations that are outside of the City of Oakland's purview or capacity to implement. However, we thought it important to include these recommendations in order to inspire healthy partnership and collaboration across our city, school district, and county, state, and federal agencies.

PARTICIPATING YOUTH AGENCIES

1. African American Male Achievement (OUSD)
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6. Centerforce Youth Court
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Top Five Youth Recommendations

1. Trainings

- a. There should be a committee formed to update officer training curriculum and re-establish the purpose of policing in communities of color.
- b. Retrain officers to use non-lethal force to subdue. Do not shoot to kill. If it is necessary to shoot, shoot to injure for detainment.
- c. Youth Lead Trainings-Youth will produce training materials and co-facilitate police trainings
 - i. Teach officers about the culture and lived experience of Oaklanders. Youth want officers to receive real targeted legitimate training so that officers have a real understanding of the communities they police. Training video produced by youth will include their thoughts and perspectives and the history of that community. The video will be an ongoing effort to present their “humanity so that officers can see them as humans”. Officers need real sustained cultural sensitivity training.
 - ii. Additional videos, workshops, presentations, pamphlets and other materials will be produced for officers that will include information about how officers can engage and communicate respectfully with young people to mitigate confrontation. Young people are community members and deserve respect as well. Although youth are not the authority figure, the relationships between officers and youth should not feel adversarial or necessarily authoritative in nature. In theory it is, but, it should feel like a relationship of mutual respect for one another. The materials will address language and other triggers that might agitate young people.

2. Demilitarize the Oakland Police Department (OPD) – OPD should not use weapons used in war (e.g. tanks, military trucks, other military weaponry, etc.) against the residents and citizens of Oakland. Take the money spent on military weapons and put it into Restorative Justice Initiatives.



Top Five Youth Recommendations

3. A youth should serve on the police hiring panels / committees (e.g. oral board panels, etc).
4. The City of Oakland should hold “Know your Rights” community forums and trainings throughout the city for residents and distribute resources like the book “Encounters with Police: A Black Man’s Survival Guide” or other materials that instruct citizens on the proper ways to safely navigate encounters with law enforcement officers (e.g. words and movements that trigger officers, what directions you must follow when instructed by officers, etc...). Awareness, education, and prevention pamphlets and materials should be distributed at community events, City of Oakland sites, buildings and offices, schools, community centers, etc. throughout the city.
5. Police should be required to live in the community “x” number of days a week (e.g. firefighters live at fire stations). Additionally, there should be a more diverse police force. The police force does not reflect the population of people it comes in contact with. Most of the high crime areas in Oakland are in communities of color. Many believe this is a contributing factor to the built up to tensions between the community and OPD. Many of the officers are not from Oakland and come into Oakland to police residents and then go home. This does not lead to vested interests in a community or sustained relationships with residents. Therefore, the City of Oakland and OPD need to actively recruit and train homegrown Oakland Natives to become police officers who are from the community and are willing to live in the community so they remain an integral part of the community (economically and socially). Use Teach Tomorrow in Oakland’s model (TTO). This program recruits, trains, and provides assistance and support to homegrown teachers from Oakland to teach in Oakland schools.



Additional Youth Recommendations

1. Explore and understand the history of policing in the US as it relates to communities of color and explore the ways police have interacted historically with certain communities in the past.
2. Create a Youth Citizens' Police Review Board (YCPRB) and create youth advisory councils for all law enforcement agencies (i.e. OPD, BART, Probation, OUSD Police, etc.).
3. Eliminate paid leave when an officer is suspended during an investigation for misconduct, brutality, and officer involved shootings after "x" number of complaints and misconduct charges. If the officer is cleared of any wrong doing and has followed proper policy, procedures and protocols, then he or she should receive retroactive pay. If there is a problem with the policy itself, that policy should be rewritten, reviewed and approved by OPD and the City Administrator and Mayor's offices.
4. Restorative Justice Sessions should take place between surviving victims, family members, friends and officer (s) if there has been an incident in the community.
5. Mandatory body cameras (must be turned on).
6. Take the money spent on body cameras and spend it on Restorative Justice Initiatives instead.



Additional Youth Recommendations

7. Create citywide databases:

- a. Document victims of officer involved homicides and brutality (Provide data break down by race, religion, neighborhood, socio-economic status, etc.).
- b. Officer with histories of brutality and misconduct (Provide statistics of misconduct).

8. Remove/reduce OUSD school police from schools (OUSD issue). While on OUSD campuses, unless there is an imminent threat of violence, officers should keep their weapons in the car.

9. There should be real and sustained youth input in budgeting decisions as it relates to policing. Make sure youth have real and meaningful youth input on budget decisions and the process around policing should be transparent.

10. Special prosecutor (outside of local system) assigned to review all officer involved shootings.

11. Re-invest in Police Activities League (PAL) – community and police interact at community events.

12. Change the target practice images from black face/image to another color.

13. Add more youth seats on citizens review boards and commissions. Youth should be paid to sit on boards and commissions.

14. Produce bi-annual feedback and/or report on improved policing and relations to be dispersed to the community for more transparency and accountability.



Additional Youth Recommendations

15. Implement structures/systems for police to safely, securely and confidently hold each other accountable and acknowledge any misconduct.
16. Prioritize funding and invest in community based youth programs.
17. Create an Oakland Police Fund where police invest their own money in Oakland youth, young leaders, and the community.



President Obama's Task Force on 21st Century Policing Interim Reports Recommendations and Action Items released March 2, 2015 that are aligned with the solutions and recommendations drafted by Oakland Youth on February 11, 2015

1.2 RECOMMENDATION: Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.

1.3 RECOMMENDATION: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

1.3.1 ACTION ITEM: To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.

1.3.2 ACTION ITEM: When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

1.5.4 ACTION ITEM: Use of physical control equipment and techniques against vulnerable populations—including children, elderly persons, pregnant women, people with physical and mental disabilities, limited English proficiency, and others—can undermine public trust and should be used as a last resort. Law enforcement agencies should carefully consider and review their policies towards these populations and adopt policies if none are in place.



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1.8.1 ACTION ITEM: The Federal Government should create a Law Enforcement Diversity Initiative designed to help communities diversify law enforcement departments to reflect the demographics of the community.

1.8.2 ACTION ITEM: The department overseeing this initiative should help localities learn best practices for recruitment, training, and outreach to improve the diversity as well as the cultural and linguistic responsiveness of law enforcement agencies.

2.1 RECOMMENDATION: Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement, and cooperation.

2.2.1 ACTION ITEM: Law enforcement agency policies for training on use of force should emphasize de-escalation and alternatives to arrest or summons in situations where appropriate.

2.2.3 ACTION ITEM: The task force encourages policies that mandate the use of external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.



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2.7 RECOMMENDATION: Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.

2.7.1. ACTION ITEM: Law enforcement agency policies should address procedures for implementing a layered response to mass demonstrations that prioritize de-escalation and a guardian mindset.

3.6 RECOMMENDATION: The Federal Government should support the development of new "less than lethal" technology to help control combative suspects.

4.4.1 ACTION ITEM: Because offensive or harsh language can escalate a minor situation, law enforcement agencies should underscore the importance of language used and adopt policies directing officers to speak to individuals with respect.

4.5.1 ACTION ITEM: Law enforcement agencies should schedule regular forums and meetings where all community members can interact with police and help influence programs and policy.

4.5.2 ACTION ITEM: Law enforcement agencies should engage youth and communities in joint training with law enforcement, citizen academies, ride-a-longs, problem solving teams, community action teams, and quality of life teams.



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4.5.3. ACTION ITEM: Law enforcement agencies should establish formal community/citizen advisory committees to assist in developing crime prevention strategies and agency policies as well as provide input on policing issues.

4.6.3 ACTION ITEM: Law enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts, and peer intervention.

4.7 RECOMMENDATION: Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

4.7.1 ACTION ITEM: Communities and law enforcement agencies should restore and build trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and police.

5.2 RECOMMENDATION: Law enforcement agencies should engage community members in the training process.

5.9 RECOMMENDATION: POSTs should ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.



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5.9.1 ACTION ITEM: Law enforcement agencies should implement ongoing, top down training for all officers in cultural diversity and related topics that can build trust and legitimacy in diverse communities. This should be accomplished with the assistance of advocacy groups that represent the viewpoints of communities that have traditionally had adversarial relationships with law enforcement. 4



Conclusion

We know that OPD has been implementing sweeping reforms. One thing stands out, the Oakland Police Department's officer involved shootings are down which is an indicator that many of the reforms taking place seem to be working. OPD needs to tell this story and make sure that young people and community members know about the reforms taking place within the department. We know that OPD, the decision makers, elected officials and city leaders are working toward a new path forward and we want to ensure that as they are implementing their plans, they are listening to young people, and young people are at the table during the process. We hope that city leaders take the solutions and recommendations presented here, meet with the young people and build a future Oakland that includes fair, equitable treatment for all residents, young and old of all creeds.

We hope that city leaders keep the information presented in this document at the forefront of their minds as they are coming up with policy reforms, creating strategies, funding programs, legislating and addressing the root causes of crime and poverty in the city. The Mayor, City Council, the City Administrator's Office, City department heads, and OPD should focus on root causes and invest in prevention and intervention strategies. The city needs to combat crime by coupling affective policing with addressing the economic and social conditions that cause and breed crime and poverty because we all know they are all closely correlated.

The youth of Oakland are clear, they want to meet with officers and build relationships with them. They want them trained and they want them to see the residents of Oakland as "human beings, to see their humanity," and they want for each to show the other human kindness. They want to build the trust between officers and the community members.

Criminals should fear police, law abiding citizens should not. In that vein, let's continue to build a model police force where respect, equality and equal dispensation of justice and protection for all are the norm and young people are valued and respected and a part of the process.

Lastly, we encourage all of you including the decision makers at the City of Oakland to look at action items and recommendations laid out by the President's Task Force on 21st Century Policing as well. Much of it, may already be happening and we have hope that this police force is heading in the right direction. We need to continue in that direction as Oakland moves forward. We are innovators in Oakland and have always set the bar and standards for the rest of the country to follow. Let's ensure that we are working together as a community with government, the community, law enforcement and young people to make Oakland a safe, viable, humane and sustainable city for all of its residents.



Oakland Youth Commission

City of Oakland



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