



**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Update on Community Public Safety Workshops and Adoption of a Resolution Authorizing Funding for the Public Safety Workshop Projects Recommended for Immediate Implementation

## **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing funding for the Public Safety Policy Innovation Workshop projects recommended for immediate implementation.

## **SUMMARY**

In response to community concerns around policing and public safety following the murder of George Floyd by an officer of the Minneapolis Police Department, Council directed staff to conduct community engagement efforts, including community conversations and a community survey about public safety and policing in Hayward. After receiving the results of the community engagement work, Council directed staff to convene a Public Safety Policy Innovation Workshop inclusive of community members and City staff to recommend public safety policy and programmatic changes for Fiscal Year 2022.

This report and its attachments detail the work completed by the workshop participants and their recommendations for addressing four key problems identified from the community engagement work:

1. **There is a lack of trust between the community and government, including City Hall and Hayward Police Department (HPD),** stemming from a lack of communication and relationship building and an inadequate recognition of the long-term negative impacts of systemic racism.
2. Systemic health inequities for the Black, Indigenous, and people of color (BIPOC) community, inadequate cultural responsiveness, **and a lack of resources have led to limited and/or uncoordinated response options for mental health crises.**
3. There are inadequate shelter and outreach resources to meet the needs of people experiencing homelessness. In addition, the current outreach model and resource options are not meeting everyone's needs, and some people decline services. These

challenges are especially burdensome for people that have experienced systemic inequities and other long-term traumas, particularly BIPOC communities.

4. There are limited public resources and a possible misalignment between resource allocation and community safety needs, including inadequate transparency and focus on the long-term negative impacts of systemic racism.

This February through April, over a period of ten weeks, participants have dedicated over 2,000 collective hours to interviewing key stakeholders, refining their understanding of the problems, and developing and prioritizing the solutions listed in this staff report and detailed in Attachment III. Staff compiled participants' recommendations and provided additional analysis of cost, responsiveness to community input, racial equity, staffing, and intersections with existing City plans and projects. Staff is recommending that the Council adopt a resolution (Attachment II) authorizing funding for and directing staff to implement the projects identified for immediate implementation as outlined in Attachment IV.

## **BACKGROUND**

Following the May 25, 2020 murder of George Floyd by an on-duty officer of the Minneapolis Police Department and subsequent national protests and conversations about race, police brutality, and public safety, a group of Hayward community members brought forth concerns about Hayward's policing services, policies, and programs in light of three officer-involved shootings that occurred around the same time period. On July 21, 2020, the Council directed staff to implement a public safety community engagement project designed to elicit further information and experiences from Hayward community members to inform future policy discussions.<sup>1</sup>

### **Community Conversations**

From August through October 2020, staff worked with consultants to administer a resident survey and partnered with community members and organizations to hold conversations about public safety in Hayward. Over 1,700 community members provided their input on public safety and policing in Hayward by participating in this community engagement project. Following the community conversations project, an interdepartmental team of 20 staff worked on analyzing the data and summarizing common concerns, themes, and attitudes. The results of the survey and community conversations were presented to Council on October 27, 2020.<sup>2</sup> Some of the key themes from the community engagement work include:

- Racism and homelessness are top safety concerns.
- Community members appreciate Hayward's diversity and complexity and want all community members to feel safe.
- Many community members have positive views of the police, and an equal number have some level of concern about policing in Hayward. These included concerns about

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4595758andGUID=1B1F44FA-A2AE-4612-9135-7F0034B2DCCE>

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4677304andGUID=52E170E7-7C7A-4B62-AEA8-32BB683AC71D>

responsiveness and effectiveness, a general lack of trust due to historical systemic racism and intergenerational trauma, and specific negative experiences with police.

- Survey results indicated a general satisfaction and feeling of safety interacting with Hayward police, but a significant minority of respondents reported negative or ambivalent responses to these general safety-related questions.
- Close to 60% of survey respondents indicated a feeling that the relationship between Hayward Police and Hayward residents is positive.
- A majority of survey respondents supported reducing the police budget and redistributing it towards other community services, and 60% supported establishing a participatory committee for dictating how that funding is reallocated.
- A majority of survey respondents did not support proposals to freeze police hiring, limit equipment purchases, or ban spending on police facilities.
- Eighty-two percent of respondents supported using 3-1-1 as an urgency hotline, indicating a desire for public safety services beyond policing to respond to emergencies.

On November 17, 2020, the Council received the HPD 2019 and 2020 annual reports<sup>3</sup> and on January 25, 2021, the Council Budget and Finance Committee reviewed HPD's FY 21 adopted budget and organizational structure.<sup>4</sup> During this same time period, HPD leadership and staff took the following actions:

- Modified HPD policies to ban shooting into a moving vehicle and eliminate the use of carotid restraints (I.e., "chokehold" or "stranglehold" restraints.)<sup>5</sup>
- Built relationships and increased coordination with Alameda County Behavioral Health (ACBH) and the Community Assessment and Transport Team (CATT), resulting in a 30% increase in CATT and ACBH Crisis Team responses in Hayward.

### **Policy Innovation Workshop**

At the December 16, 2020 Council Budget and Finance Committee meeting, staff outlined a proposal for a policy innovation workshop during Spring 2021 to help staff and the City Council develop recommendations and/or pilot programs that could be funded as part of the FY 2022 budget.<sup>6</sup> Staff provided an informational update on the process, schedule, and participant selection for the workshop to the Committee during the January 25, 2021 meeting.<sup>7</sup>

The first policy innovation workshop was held on Wednesday, February 18. The workshop included 33 participants, including 13 community members and 20 City employees, of which

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<sup>3</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4696842andGUID=F45588E7-4157-4F67-8EBC-D2AE0B9CD276>

<sup>4</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4763552andGUID=6D00F1EA-7BEB-4EC3-8C0E-578CD0F5AE47>

<sup>5</sup> Later banned statewide by when Governor Newsom signed AB 1196 into law on September 30, 2020.

<sup>6</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4730803andGUID=B7016A74-469D-4B54-A400-B830088097E7>

<sup>7</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4763551andGUID=D83DF95A-3DDF-4F10-9714-51A7ED81326E>

9 were HPD staff, 4 were Hayward Fire Department staff, and 7 were from various other City departments. Over the course of ten weeks and over 2,000 combined hours, participants identified the most pressing concerns raised in the community outreach work, broke into groups to tackle the identified challenges, and began working to deeply understand the complex problems they chose. Teams identified key community stakeholders, interviewed them to learn from their lived experiences, and drew key insights from those interviews to inform solutions brainstorming. The teams then prioritized their solutions and identified assumptions that will need to be addressed in shaping the projects through implementation. A summary of the teams' individual processes and findings can be found in Attachment V.

The workshop teams generated 19 recommended projects detailed in this report, to which City staff added four existing projects and two recommendations based on suggestions from the Community Conversations and Survey feedback (see Attachment III). Workshop participants have indicated a desire to remain involved in the project planning, implementation, and reporting processes moving forward.

During the April 26, 2021 Council Budget and Finance Committee meeting, Committee members received a report and presentation from staff and workshop participants on the findings and recommendations from the Public Safety Policy Innovation Workshop.<sup>8</sup>

### **Racial Equity and Historical Context**

The Public Safety Project, including the Community Conversations, Community Survey, and Policy Innovation Workshop, all relate to the City's ongoing racial equity work, first begun in conversation with the Community Task Force in 2017. Community-Police Relationships was a key focus point of the action plan in the Commitment for an Inclusive, Equitable, and Compassionate Community brought before Council on November 28, 2017.<sup>9</sup> At the recommendation of a Community Task Force member, the City joined the Government Alliance on Race and Equity (GARE), a network of local governments working to achieve racial justice and advance opportunities for their community members. The GARE team brought a citywide Racial Equity Action Plan to City Council on May 26, 2020.<sup>10</sup>

As with all City programs, approaching policing and public safety work with a racial equity lens is critical. By focusing on racial disparities, in the context of historical and continued inequitable policies and in partnership with the community, the City can take intentional actions to address the long history of racially disparate outcomes in policing and the criminal justice system, particularly for Black people. For example, in Alameda County, 11% of the

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<sup>8</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4923274andGUID=8578F78D-F62B-4332-9497-04E8187D0741>

<sup>9</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3215739andGUID=F3049814-41FA-4CBE-A0CA-ED5F1F8DBFDD>

<sup>10</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4544083andGUID=5CDE545C-2BB9-4C01-AC3C-9C1CBBDB4A0A>

population is Black or African-American,<sup>11</sup> while 48% percent of the County’s probationers<sup>12</sup> and 47% of the County’s jailed population are Black or African-American.<sup>13</sup> In Hayward, where Black and African American individuals comprised 9.6% of the population during the four years covered by the Commission on Accreditation for Law Enforcement Agencies (CALEA)<sup>14</sup> Compliance Report, 19% of traffic warnings and citations were issued to Black and African American community members.<sup>15</sup> The criminal justice outcomes in our County show evidence of deep racial disparities between Black and African-American community members and other racial groups.

The projects in this staff report are the first steps in working toward local solutions to broad, systemic problems. While Hayward is a unique community in many ways and the relationship between HPD and the community may be different from other jurisdictions, the City is not exempt from or immune to the institutional and systemic racism that many other communities and our nation as a whole are working to name and address. Other broad, systemic problems arose in the course of the policy workshop, including: deinstitutionalization and the lack of mental health resources and housing support for those in our community who need it most; a decades-long decline in nationwide public trust in the government; and scarce public resources paired with reduced public investment in health, housing, education, and other human services.

## **DISCUSSION**

As teams identified and prioritized solutions, staff compiled the recommendations into a comprehensive project spreadsheet divided into categories based on the teams' prioritization and recommended timing based on staff resources and the need for additional resources and exploration. Staff also added projects from the City’s Strategic Roadmap and Racial Equity Action Plan planned for implementation in FY 22 that relate to the problems identified by workshop participants and results from the Public Safety Community Conversations and Survey.

Workshop participants received this spreadsheet for review and feedback prior to the Council Budget and Finance Committee meeting. Participants had the opportunity to provide feedback via email, in one-on-one meetings with members of the project team, and/or by attending three discussion sessions held on April 14, April 15, and April 17. Their feedback is noted throughout this report and summarized in Attachment VI.

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<sup>11</sup> U.S. Census Bureau QuickFacts Alameda County, California.

<https://www.census.gov/quickfacts/alamedacountycalifornia>

<sup>12</sup> Alameda County FY 2020-2021 Community Corrections Partnership Plan

<https://www.acgov.org/probation/documents/CCPPlan-FINAL.pdf>

<sup>13</sup> United States Department of Justice Bureau of Justice Statistics, Annual Survey of Jails, 2018.

<sup>14</sup> For reference, the Commission on Accreditation for Law Enforcement Agencies (CALEA) was created in 1979 as a credentialing authority through the joint efforts of law enforcement’s major executive associations. The Hayward Police Department has maintained the highest level of accreditation for at least the past ten years. For more information, visit [www.calea.org](http://www.calea.org).

<sup>15</sup> Hayward Police Department CALEA Compliance Review, 2017-2020 <https://www.hayward-ca.gov/sites/default/files/documents/CALEA-Compliance-Review-2017-2020.pdf>

The projects identified on the list fell into three main categories:

- *New Public Safety Response Models and Services* - How can the City of Hayward modify its public safety services to address responsiveness to behavioral and mental health, people experiencing homelessness, and property crimes?
- *Community Relationships* - How can the City of Hayward work to improve and strengthen relationships with community members to increase trust and enhance communication?
- *Transparency and Accountability* - How can the City and Police Department improve transparency and accountability to the community?

As some participants noted, while this project list is a comprehensive overview of the recommendations that came out of the Public Safety Innovation Workshop, there are some participant-identified opportunities for change that did not arise during the workshop, including HPD’s hiring process (e.g., hiring for characteristics, values, and ethics that reflect community priorities) and analysis of and accountability for negative outcomes from policing interactions, including racial disparities/disproportionate harm to people of color, injury, and death.

The highest priority projects emerging from the Public Safety Workshop are recommended for launch within the first six months of FY 22 and highlighted in Table 1 below.

**Table 1: Projects Recommended for Immediate Implementation  
(launch within next 6 months)**

Category	ID	Project
New Public Safety Response Models and Services	1	<b>Dispatch Needs Assessment and Capacity Improvement:</b> Conduct a needs assessment on incoming calls and outgoing responses with actionable recommendations, including providing additional emergency behavioral health and medical capacity in dispatch.
	2	<b>Mobile Mental Health Response Team:</b> Pilot deploying a behavioral health response to nonviolent calls for service through a 40-hour/week mobile team (one medic, one behavioral health clinician, and one community counselor).
	3	<b>District Command Behavioral Health Clinician:</b> Pilot temporary behavioral health staffing in the District Command (community policing) Unit.
	4	<b>Behavioral/Mental Health Coordinator:</b> Pilot a temporary behavioral health coordinator position to track the responses and outcomes from pilot programs, as well as County services.
	5	<b>Expand Shelter Options and Outreach:</b> Including solutions for those who decline typical services, such as safe parking or a

		sanctioned encampment, and non-congregate options, such as the hotel annex. For each new shelter option, deploy trained outreach workers into community on a daily basis.
	6	<b>Community Services Officers Respond to Property Crimes:</b> Pilot using unarmed Community Service Officers to respond to cold calls such as vehicle break-in and property damage.
Community Relationships	7	<b>Law Enforcement Community Internships:</b> Develop substantive Community Service Officer training internships with the Hayward Police Department, Chabot Community College and California State University East Bay that may lead to law enforcement careers, with the goal of creating a pipeline for Hayward residents to serve in HPD.
	8	<b>Neighborhood Participatory Budgeting:</b> This one-time participatory budget process would have community members submit and vote on proposals to increase neighborhood connections/cohesion.
Transparency and Accountability	9	<b>HPD Training Curriculum Working Group:</b> Establish a group of community members (particularly young people of color) to review and co-create HPD training curriculum with a community-informed lens to incorporate community knowledge and concerns into HPD's extensive training.

In addition to the projects recommended by the workshop teams, there are a number of projects planned for implementation in FY 21 and FY 22 that originated in other City plans but relate to the goals of the public safety project more generally. They are listed in Table 2 below.

**Table 2: Projects Currently Underway/Ready for Immediate Implementation**

Category	ID	Project
Transparency and Accountability	10	<b>Traffic Stop Software:</b> This project is included in staff's existing FY 22 racial equity work plan. It will implement a software system to collect data on police stops with the goal of providing more targeted training on implicit bias, accountability, and making policy changes using that data.
	11	<b>Equity Analysis of City's Social Media Policies:</b> This is included in the Community and Media Relations Office's existing FY22 racial equity work plan and is intended to improve the accessibility, content, and relevance of information provided through all City social media channels.
	12	<b>Budget Equity Analysis:</b> This project is included in staff's existing FY 22 racial equity work plan. It includes a review of both the operating and capital budgets and entails applying a racial equity lens to resource allocation in the City's full budget, with a focus on the Police Department in year one. The project will include a public-facing data dashboard.

	13	<b>Introduction to Racial Equity/The Role of Government Training:</b> This project is included in the Racial Equity Action Plan. Roll out GARE (Government Alliance for Racial Equity) trainings to staff throughout the City, with a focus on HPD in year one.
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Workshop participants also recognized the need to delay the implementation of several projects due to limitations on staff capacity and identified a number of projects recommended for launch within the next 12 to 18 months as outlined in Table 3.

**Table 3: Projects Recommended for Mid-Term Implementation  
(launch within next 12-18 months)**

Category	ID	Project
Community Relationships	14	<b>City Employee Volunteer Time:</b> Designate a number of hours set aside monthly for staff to spend outside of their official duties volunteering in the community to build relationships through service.
	15	<b>Pilot Youth Outreach Models:</b> Explore engagement and relationship-building opportunities with school-age Hayward community members to share information and lived experiences.
	16	<b>Community and Media Relations Social Media Internships:</b> Work with the Hayward Youth Commission to develop social media internship in conjunction with the CMR team to develop youth-centric information regarding resources, services, and events. Host interns from each school during 22/23 school year to get the program off the ground.
Transparency and Accountability	17	<b>Community Feedback/Complaint Liaison:</b> Contract with an outside intermediary (non-profit or a firm) to field feedback and complaints from community members and serve as a neutral liaison to the City.

There were also project suggestions from participants that required further exploration and consideration beyond the scope of the team’s work. The projects recommended for additional research and review over the next 12 months include:

18. Hold City facilitated discussions/forums to engage behavioral/mental health experts regarding responses in Hayward.
19. Explore a program that provides monthly stipends for income-qualified individuals.
20. Establish a process for people to voluntarily provide behavioral/mental health information pre-crisis.
21. Run a City-sponsored behavioral/mental health de-stigmatization campaign.
22. Communicate and map existing behavioral/mental health resources/processes for community members.
23. Explore the feasibility of a sales tax increase in Hayward with all funds allocated to community safety, homelessness, and mental health needs.

24. Develop a long-term plan for a Restorative/Transformative Justice public safety model in Hayward.
25. Evaluate the Community Advisory Panel and explore other community oversight models, such as a Civilian Auditing and Investigations Office.

## **Staff Analysis**

In addition to compiling the list of recommended projects, staff has provided analysis of the projects in several key dimensions for Council and community consideration. The analysis for each project is detailed on the individual project sheets (Attachment III). A brief description of each dimension and methodology is included below.

*Community Responsiveness:* Staff have highlighted the project's connection to specific community feedback received in the Community Conversations, Community Survey, and/or stakeholder interview processes.

*Racial Equity Analysis:* At its most basic level, racial equity analysis asks who is burdened and who benefits from policy decisions, informed by the context in which people and communities of color – particularly Black people and communities – have been marginalized and harmed by institutional and systemic racism. The analysis in the attached project summaries relies on data from the Public Safety Community Conversations and Community Survey, HPD CALEA Compliance Review, U.S. Census and American Community Survey, and various other sources as noted in each project sheet. The goal of this analysis is to provide context for the recommendations through a racial equity lens. This analysis is presented with the caveat that continued co-creation of the proposed policies, programs, and projects with impacted communities is necessary for advancing racial equity. Data analysis is only the first step in understanding the inequities in our community.

*Cost:* Staff has provided cost estimates for each solution based on new appropriations needed to fund anticipated staffing needs, contracting, equipment, and other necessities. The majority of these cost estimates are based on a one-time pilot period. Staff will continue to refine the cost estimates outlined in the attached project sheets and identify an interval at which to return to Council with ongoing cost estimates for each program, including long-term staffing needs. Staff have also identified recommended funding sources for the pilot year of the recommended projects, further detailed in the Fiscal Impact section of this report.

*Staffing:* The staffing section of each analysis identifies an Executive sponsor(s) for each of the projects and departments that will participate in solution implementation. The staffing recommendation is provided to help City staff begin to assemble teams for each project, promote transparency, and identify for Council the staffing resources that will be needed to support this work for consideration when prioritizing Strategic Roadmap projects and related staff-intensive work. Implementing the projects in this list may require reassigning staff and/or reprioritizing existing workplans.

*Accountability and Success:* Staff also made preliminary suggestions for ways to report out on the progress of each project and some possible metrics to measure project success. As

projects move closer to implementation, reporting structure and frequency as well as metrics used to measure success will become more well-defined.

*Immediate Next Steps:* Staff has also identified the immediate next steps for each project as highlighted in Attachment IV.

Additionally, staff will provide analysis supporting project implementation including immediate next steps, funding recommendations, ways of measuring project success, methods and frequency of project updates to Council and the public, and other questions or considerations.

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Priorities of Supporting Quality of Life, Improving Organizational Health (Racial Equity), and Preserving, Protecting, and Producing Housing as it relates to supporting services to residents experiencing homelessness. Staff is bringing this item in response to strong and continued community concerns around policing and public safety services. This item will be included in the next update to Council on the Strategic Roadmap.

**FISCAL IMPACT**

The fiscal impact of each project is outlined on the individual project sheets in Attachment III. Staff recommends funding the proposed pilot projects from two main sources: by using salary savings from five (5) vacant Police Officer positions and allocating \$385,000 in federal stimulus funding to the projects as detailed below.

Funding Source Recommendations		
Police Officer Vacancies (5)	\$1,294,405	
Stimulus Funding		\$385,000
Project		
Dispatch Needs Assessment and Capacity	\$65,000	\$0
Mobile Mental Health Response Team	\$900,000	\$0
District Command Behavioral Health Clinician	\$150,000	\$0
Behavioral/Mental Health Coordinator	\$178,600	\$0
Law Enforcement Community Internships	\$0	\$35,000
Neighborhood Participatory Budgeting	\$0	\$350,000
Expand Shelter Options and Outreach <sup>16</sup>	\$0	\$0
CSO Response to Property Crimes	\$0	\$0
HPD Training Curriculum Working Group	\$0	\$0
<b>Total</b>	<b>\$1,293,600</b>	<b>\$385,000</b>

<sup>16</sup> There are significant costs associated with this solution, but they are being considered as part of the Let's House Hayward plan.

In addition to the expenditures listed above, the cost of staff projects recommended for immediate implementation are already included in the FY 21 and FY 22 budget allocations for their respective departments and divisions.

Staff has estimated the costs and additional budget needs of projects recommended for mid-term implementation in FY 22 or FY 23, which may be funded out of existing FY 22 budget allocations or considered in the FY 23 budget, as follows:

City Employee Volunteer Time .....	\$0
Pilot Youth Outreach Models .....	\$0
CMR Social Media Internships .....	\$25,000
Community Feedback/Complaint Liaison .....	\$75,000
<b>Total</b>	<b>\$100,000</b>

The projects recommended for further exploration and consideration for long-term implementation bear unknown, variable, or extensive costs and will require further research and scoping before staff can provide accurate cost estimates, though staff has included budgeting considerations in “Implementation Notes” for each project, where applicable.

After the initial pilot year, sustainable funding sources will need to be identified for subsequent program years for those projects that prove successful and are recommended to continue. When staff returns to report to Council at the end of the pilot period for any approved projects, staff will provide recommendations for ongoing project funding.

**PUBLIC CONTACT**

In addition to the presentations, discussions, and opportunities for public comment at public meetings as outlined in the Background section of this report, the Public Safety Policy Innovation Workshop and the preparation of this report incorporated the following public contact/community engagement efforts:

- Feedback from the Public Safety Community Conversations and Community Survey informed the creation of the Public Safety Innovation Workshop. Participants were asked to review the data from both the community interviews and survey prior to the first workshop session. Workshop participants were then asked to identify common areas of concern in the interviews and survey to select the problems teams would address over the course of the workshop.
- Each workshop team included community members. Thirteen (13) of 33 workshop participants were members of the Hayward community, not counting staff members who are also residents of Hayward.
- Workshop teams interviewed a total of 91 community stakeholders over the course of the workshop.
- Workshop participants were given the opportunity to review and provide feedback on the project lists, which is summarized in Attachment VI.

- Community members who were not formal workshop participants were invited to sign up as “Community Advisors” to the workshop and were offered the opportunity to meet with project team members during the workshop period to provide feedback, ask questions, or share concerns.
- Project team members met with the Hayward Community Coalition and Hayward Concerned Citizens to discuss the project recommendations coming out of the Policy Innovation Workshop.

Additionally, the City kept interested parties and the Hayward community at large informed of the project through the project website at <https://hayward-ca.gov/haywardsafe> and shared information about the Public Safety Project and the opportunity to sign up as a Community Advisor via a February 24, 2021 special edition of The Stack newsletter and ongoing social media campaign.

**NEXT STEPS**

If Council adopts the attached resolution, staff will proceed with implementing the projects recommended for immediate implementation as outlined in the attachments. Staff plans to return to Council at six-month intervals (January 2022 and July 2022) with project updates on the projects under implementation and further analysis and recommendations for the mid-term and long-term projects. Additionally, Council will receive project updates through the Strategic Roadmap implementation and update process, and throughout the course of the FY 23 budgeting cycle.

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