



A ROADMAP TO COMMUNITY SAFETY: A GUIDE FOR STATE LAWMAKERS



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ABOUT THE AUTHORS

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Design Credit: Naeem Holman, Movement for Black Lives

Movement for Black Lives

The Movement for Black Lives is a national network of more than 150 leaders and organizations creating a broad political home for Black people to learn, organize and take action. M4BL includes activists, organizers, academics, lawyers, educators, health workers, artists and more, all unified in a radical vision for Black liberation and working for equity, justice and healing.

Civil Rights Corps

Civil Rights Corps is a non-profit organization dedicated to challenging systemic injustice within the United States' legal system—a system that is built on white supremacy and economic inequality.

The organization uses impact litigation, policy, and strategic communications to dismantle criminal-legal injustice, create new paradigms for keeping people safe, and shift power to community-led movements, particularly those led by Black, Brown, and poor people who are most affected by this legal system.

Civil Rights Corps supported the Movement for Black Lives by co-leading—along with Essie Justice Group—the drafting of The BREATHE Act, including the federal, state, and local versions.

Essie Justice Group

Essie Justice Group, the country's leading organization of women with incarcerated loved ones, is taking on the rampant injustices created by mass incarceration. Because mass incarceration is a race and gender justice issue, this California-based organization of multi-cultural organizers is led by and centered on the leadership of Black women.

Essie's award-winning Healing to Advocacy Model is made for the 1 in 4 women with an incarcerated loved one. In Essie cohorts, women and gender nonconforming people come together to heal, build collective power, and drive social change. The revolutionary impact of women with incarcerated loved ones is notable in Essie's role as central architect of The BREATHE Act. Essie Justice Group is a member of the Movement for Black Lives.




INTRODUCTION

OVERVIEW

In 2020, state and local policymakers increasingly came to recognize that our country needs a paradigm shift in public safety—that to create real safety, including and especially for Black communities, we must invest robustly in preventative approaches and the root needs of community members.

Unfortunately, many policymakers are unsure exactly how to proceed next. When pen hits paper, they could benefit from concrete models and examples—and on learning processes that can better involve and serve those communities that have been most harmed.

This Policy Guide is specifically designed for state policymakers, policy advocates, and other stakeholders at the state-level to begin funding non-carceral safety approaches that mirror provisions within The People’s Response Act, as introduced by Congresswomen Cori Bush, Ayanna Pressley, Jan Schakowsky, and Pramila Jayapal, and The BREATHE Act, created by the Movement for Black Lives and championed by Congresswomen Ayanna Pressley and Rashida Tlaib. This Policy Guide offers a model for how states can begin making non-carceral, life-affirming safety investments now, as well as institutionalize these investments so that they are sustained over time.



If you are a policymaker or advocate who wants to do any of the following, this Guide is for you.

- Increase safety in your community
- Make long-term, sustainable investments in community safety
- Target non-carceral safety spending at community needs
- Build a structure to ensure cross-sector collaboration surrounding safety goals
- Expand community leadership over safety priorities and approaches
- Work meaningfully with Black-led organizations and directly impacted individuals

BACKGROUND ON *THE BREATHE ACT*

In the seven years that have passed since the police killing of Michael Brown and too many more Black men, women, and non-binary people, communities have emphatically demanded real, transformative change in public safety policy. When the deaths of George Floyd, Breonna Taylor, Tony McDade, and Ahmaud Arbery sparked more than 600 demonstrations in summer 2020, [the Movement for Black Lives](#) responded with a policy that could meet this moment.

Facing these ongoing tragedies and fueled by these clear, urgent demands for change, the Movement for Black Lives—with technical support provided by [Essie Justice Group](#), [Civil Rights Corps](#), and [Black Lives Matter](#)—responded by drafting its first legislative proposal: [The BREATHE Act](#).

The BREATHE Act is rooted in the [Vision for Black Lives](#), the Movement for Black Lives' policy platform. The Vision for Black Lives platform launched in the summer of 2016 and is the result of a year and a half-long process in which over fifty organizations representing thousands of Black people from across the country came together to lay out a detailed policy agenda.

The BREATHE Act is a proposed federal bill inspired by the Vision for Black Lives and is the most comprehensive and progressive policy framework in recent U.S. history.

Through proposals that span housing justice, education justice, environmental justice, health justice, voting rights, reparations, economic justice, and the criminal-legal system, the framework sets forth a policy answer to this question: “What will it take to keep Black people safe in the United States?” And in its 130-page proposal, The BREATHE Act provides a comprehensive roadmap that would ensure the safety and well-being of all people.

In total, the BREATHE Act framework is broken into four parts that:

- Divest from incarceration and policing, including a robust suite of federal criminal-legal system policy changes—including approaches that would decriminalize our approach to drugs and immigration;
- Invest in new, non-punitive, non-carceral approaches to community safety that lead states to shrink their criminal-legal systems;
- Allocate new money to build healthy, sustainable, and equitable communities, including via sweeping investments in children, education, fair and affordable housing, family support, environmental justice, and ensuring all people economic dignity; and
- Hold political leaders to their promises while enhancing the self-determination of Black communities, such as through protecting voting rights and building a pathway to reparations.

In summer 2021, one of The BREATHE Act’s four sections was introduced in Congress. On June 28, 2021, Members of Congress Cori Bush, Ayanna Pressley, Pramila Jayapal, and Jan Schakowsky introduced [The People’s Response Act](#), which includes the central features of Section 2 of The BREATHE Act—bold investments in non-carceral, non-punitive, life-affirming approaches to safety, as well as the creation of a new agency within the Department of Health and Human Services that can catalyze these funding flows. **But the message of this Guide is that local policymakers need not wait: starting today, actors at the city, county, and regional levels can begin advancing their own versions of *The People’s Response Act* and The BREATHE Act policies that undergird this approach.**

This Policy Guide is designed to help local policymakers and advocates transform their approaches to community safety while investing in real, human-centered safety that affirms the lives and dignity of all people. First, though, this Guide will provide a more in-depth summary of what *The People’s Response Act* includes—and how this bill could fuel non-carceral safety approaches on the ground.



THIS BILL BEGINS A POLICY JOURNEY THAT IS ESSENTIAL FOR SHIFTING OUR CURRENT PARADIGM—**MOVING THE CONCEPT OF “SAFETY” FROM A PRIMARILY CRIMINAL-LEGAL INSTITUTION AND FUNDING REGIME TO A NEW FRAMEWORK THAT ROOTS SAFETY IN PUBLIC HEALTH.**”

BACKGROUND ON *THE PEOPLE’S RESPONSE ACT*

The People’s Response Act is a bill whose content speaks to its unique history—a firm grounding in movement demands. The bill makes paradigm-shifting investments in non-carceral, life-affirming safety approaches while building a new infrastructure for community safety that operates fully outside of the criminal-legal system.

At a high level, *The People's Response Act* contains the following policy proposals from The BREATHE Act:

- Establishing a direct grant for community-led organizations that are implementing non-carceral safety approaches that range from violence interruption, safe passage to schools, and non-carceral crisis response to behavioral health, healing justice, and youth programs;
- Establishing grant programs that fund state and local governments to begin making robust, holistic investments in non-carceral safety—while prioritizing jurisdictions that enact policy changes to shrink criminal-legal harm, that use a participatory approach, and that have a particularly high need (i.e., high rates of poverty or incarceration); and
- Creating a new Division of Community Safety at the federal Department of Health and Human Services, whose purpose is to fund, coordinate research on, and coordinate interagency work on non-carceral safety approaches—all while remaining accountable to a Community Advisory Board that includes individuals who are directly impacted by criminal-legal harm.

In addition, *The People's Response Act* contains:

- A Federal Health Response Unit—or a federal non-carceral first responders unit—that will respond to mass public health crises and support states and cities that declare a public health emergency;
- An interagency task force that will coordinate and promote holistic, non-carceral approaches to community safety governmentwide, including across the Departments of Health and Human Services, Housing and Urban Development, Education, Labor, and Justice, as well as the Environmental Protection Agency; and
- A competitive grant to support community-led organizations and state, local, and tribal governments to hire non-carceral emergency first responders.

The People's Response Act is not a panacea for addressing criminal-legal harm and making the bold, visionary investments that our communities urgently need. But this bill begins a policy journey that is essential for shifting our current paradigm—moving the concept of “safety” from a primarily criminal-legal institution and funding regime to a new framework that roots safety in public health. This bill is an essential step for shifting how the federal government approaches safety. Also, this bill would unlock new resources and new research that would serve to catalyze the urgent work so many local advocates and policymakers are already undertaking—and that inspires the Policy Guide to follow.

GUIDING PRINCIPLES

Every local jurisdiction has very different safety needs and political opportunities, meaning that no policy can work for every community. The following Guide is a blueprint, not a precise prescription of exactly what policies will most effectively address local needs. Ultimately, it is communities themselves that must guide investment decisions and implementation.

Nevertheless, there are several guiding principles that all policymakers should consider implement when crafting policies that advance non-carceral safety through *The People's Response Act* / The BREATHE Act model:

- **Create a funding stream targeted at non-carceral safety.** This Policy Guide is focused on non-carceral and life-affirming safety investments—a model that cares for, rather than punishes, people.

And it is important that this characteristic is maintained: states need a long-term policy structure dedicated to bolstering safety not through criminalization, incarceration, or policing.

In implementing this idea, communities must develop a definition of “non-carceral” that meets their needs. But please see Appendix I for how The People’s Response Act defines non-carceral safety—and note that no funding should go to police, jails, or other carceral actors. Policymakers have spent decades creating institutions that link “safety” with criminal-legal responses; this Policy Guide presents a model that bolsters safety without going through these systems.

- **Ensure robust funding over time.** Non-carceral safety requires sustained funding to bear fruit. Tokenized or one-time investments will undermine the idea that non-carceral safety is a priority—and, consequently, not create confidence that this commitment is real.

- **Create a funding stream targeted at non-carceral safety.**
- **Ensure robust funding over time.**
- **Institutionalize community leadership.**
- **Tailor all spending to local needs.**
- **Apply a holistic definition of safety that leaves no community behind.**

Every state will need to pursue a political path that meets its needs and opportunities. Please see Section III: Policy Implementation Guide for ideas regarding how states may build these structures over time; also, see the companion Federal Funding Guide for guidance on using American Rescue Plan Act resources.

The following examples, though, shows one approach that policymakers have taken to begin making these non-carceral investments:

Measure J, Los Angeles, CA

The Measure J ballot initiative in Los Angeles County redirected resources to support non-carceral safety. The measure requires that, by June 2024, a minimum of 10% of the county's general fund will go toward community programs and alternatives to incarceration, including pretrial supports, community counseling, mental health services, youth development programs, small businesses, jobs-creation, and affordable housing. After voters overwhelmingly approved the measure, an advisory committee of the directly impacted community members and other stakeholders was put together. This group studied the needs and desires of community members, then made budget recommendations to the county CEO. In August, the Board of Supervisors unanimously approved a \$187.7 million spending package to advance non-carceral safety—\$100 million of the county's general funds and \$87.7 million from their American Rescue Plan Fiscal Relief grant.

Department of Community Safety, Brooklyn Center, MN

The challenges that Brooklyn Center, Minnesota faced in creating a Department of Community Safety and Violence Prevention can be a useful lesson for lawmakers. After passing a resolution to create a department that would oversee pilot grants to unarmed civilian responders for mental health crises and non-moving traffic violations, the city is finding it difficult to find adequate funding. If funded, the Traffic Enforcement Department would be a group of unarmed civilians tasked with responding to most minor traffic offenses. While officers would still respond to all felony and moving-related traffic offenses, it would greatly limit interactions with armed officers for offenses like having an expired registration or broken taillight. While the proposed changes contain a promising vision, existing roadblocks underscore the need for identifying and securing a source of long-term funding that can provide for robust investments in community safety at the same time as when policymakers are advancing the policy ideas.



LOS ANGELES, CA



BROOKLYN CENTER, MN

Disclaimer: The aforementioned models are not meant to be endorsed as a perfect policy. Jurisdictions should consider local needs and conditions to build upon, rather than replicate these structures.

- **Institutionalize community leadership.** For too long, many community members have had little say in how public safety is approached; any policy proposals must address this issue by creating mechanisms that ensure community control—not just in a voluntary or advisory capacity, but through language that enshrines robust oversight and directorial powers.
- **Tailor all spending to state needs.** There is no “silver bullet” to safety because safety is fundamentally rooted in multidisciplinary needs—health, housing, education, youth centers, and so much more. These complex needs require a comprehensive network of social supports; moreover, they need a correct diagnosis of what the “social determinants of safety” truly are in each community. Some jurisdictions may benefit from violence interruption and prevention programs. In others, the biggest safety-related need may be for street lights or housing vouchers that will address homelessness. States must have a mechanism to ensure that non-carceral safety spending directly addresses state and local circumstances and priorities.
- **Apply a holistic definition of safety that leaves no community behind.** Centering those most likely to be victimized by both interpersonal violence and institutional harm—such as violent-policing, community divestment, and poverty—must govern policymakers’ approaches as well as their metrics for evaluation. It is an unfortunate reality that for many communities, the systems entrusted to increase community safety ultimately create a heightened risk of harm, violence, and trauma. Where community safety is seen only through the needs of property owners, businesses, or affluent geographic areas, true community safety infrastructure that leads to wellness for all will not be achieved.



POLICY GUIDE & SAMPLE POLICY

The following model is based on The People's Response Act and the state version of The BREATHE Act by the Movement for Black Lives. It provides a blueprint that state leaders may use to begin policy conversations.

CREATE A DIRECT GRANT FOR COMMUNITY-LED ORGANIZATIONS.

DIVISION OF COMMUNITY SAFETY GRANT PROGRAMS

REQUIREMENTS:

- Funding must go to non-carceral programming
- Funding must show a preference for community-based service providers
- Funding must show a preference for community-based service providers that are representative, are geographically rooted & have directly impacted leadership/staff

Community-Based Organization Grant

Direct grants to CBOs implementing programming that has a demonstrable connection to community safety

Local Government Planning & Implementation Grant

Formula grant for local jurisdictions so that they can conduct a "Safety Needs Assessment" of non-carceral safety needs & implement a "Safety Action Plan" to address those needs

Community-Based Organization Grant

Competitive funding to local jurisdictions so that they can implement non-carceral safety programming, including a preference for participatory processes, high-need, and enacted policy changes that reduce incarceration, end the criminalization of poverty, and end racial / gender/ economic disparities in the criminal-legal system

Community-Based Organization Grant

Formula grant for local jurisdictions and CBOs so that they can hire, train, and otherwise support non-carceral first responders



As states begin investing in non-carceral safety approaches, the utmost imperative is to robustly support community-led organizations (CLOs) that are doing this work on the ground.

In designing this organizational funding grant, we recommend allowing funding for any programs that have a demonstrable connection to improving community safety—programs like violence interruption, youth centers, safe passage to school programs, supportive housing, re-entry assistance, and behavioral health. Needs will look different in every community, so flexibility is critical. However, we recommend providing some suggested funding areas that demonstrate the types of approaches encouraged. We also recommend providing capacity-building trainings and supports that help community members access these grant opportunities, even if they do not already have an institutional infrastructure that would otherwise allow them to do so, and eliminating unnecessarily long and onerous request for proposal (RFP) requirements. The following example shows one approach that state policymakers have taken to create grant programs for community-based organizations:

AB 118 (Kamlager), the Community Response Initiative to Strengthen Emergency Systems Act, or the C.R.I.S.E.S. Act, California

The C.R.I.S.E.S. Act was signed into law in 2021 and goes into effect in 2022. The Act establishes a grant pilot program administered by the State Department of

Social Services to fund local jurisdictions and local government departments in creating and strengthening community-based alternatives to law enforcement. Specifically, the grants can fund alternatives to law enforcement, such as providing mobile crisis response teams or community paramedicine programs. The grant stipulates that funding cannot be awarded to any law enforcement agencies and that grantees must award 90% or more of grant funds to community-based organizations. Additionally, the law requires the Department of Social Services to convene a stakeholder working group made up of public health and behavioral health practitioners and people impacted by the criminal-legal system, as well as establish a fund in the Treasury to fund the Act.

See Appendix A for sample policy language.

CREATE GRANTS FOR LOCAL JURISDICTIONS.

As states make a shift to non-carceral, non-punitive approaches to community safety, they should leverage their grant dollars to incentivize cities, counties, and other local actors to begin addressing the underlying, systemic drivers of violence, harm, and criminal-legal contact rather than simply waiting until an incident has occurred. Although states control most aspects of criminal-legal policy, localities have a critical role in enforcing state laws, creating and enforcing local policies, and addressing root needs in communities.

To catalyze non-carceral safety and incentivize local actions that shrink criminal-legal harm, we recommend grants—both formula and competitive—that will fund and/or incentivize local jurisdictions to do safety needs assessments, shrink criminal-legal harm, and make non-carceral, non-punitive investment plans that address these root needs.

See Appendix B for sample policy language.

CREATE A HIRING GRANT FOR NON-CARCERAL FIRST RESPONDERS.

Crisis response is a persistent issue for states; too often, people who are struggling with mental health, substance use, or related issues are subject to police encounters when a social worker or other trained professional would be better suited to safely address their needs.

Although non-carceral crisis response is already a covered funding priority under the other grants described in this Guide, states should create a dedicated funding stream that would catalyze the hiring of non-carceral first responders.

See Appendix C for sample policy language.

ESTABLISH A DIVISION OF COMMUNITY SAFETY THAT CAN OVERSEE NON-CARCERAL SAFETY INVESTMENTS.

Every state should have an entity wholly dedicated to bolstering non-carceral safety approaches. This agency would administer grant programs like those described above, as well as guide research and other important activities.

Our recommended approach is to create a Division of Community Safety within the state Department of Health and Human Services—the approach taken in The People’s Response Act and The BREATHE Act. This Division would approach safety using the same interdisciplinary framework often used in the “social determinants of health” policy space. And, importantly, the Division would focus exclusively on non-carceral approaches, thereby creating a way to fund safety programming that remains fully outside of the criminal-legal system.



<div>DIVISION OF COMMUNITY SAFETY</div> <div>Agency located within the Department of Health and Human Services, tasked with coordinating & overseeing non-carceral safety approaches</div>		
Research	Technical Assistance	Funding
Coordinating & funding research on non-carceral, non-punitive mechanisms to promote public safety	Providing technical assistance to local governments as they implement non-carceral programs funded by the Division	Making grants for non-carceral programs that increase community safety
		<u>Community-Based Organization Grant</u>
		<u>Local Government Planning & Implementation Grant</u>
		<u>Local Government Incentive Grant</u>
		<u>Non-Carceral First Responder Hiring Grant</u>

Design details will need to reflect existing state institutions and resources. However, lawmakers should ensure that these features are present:

- The entity should be permanent, so that it can administer multi-year grants and strategies, and have access to ongoing state funding—including the distribution of federal dollars (i.e., American Rescue Plan Act funds) that can be effectively channeled to serve non-carceral safety ends.
- The entity should be exclusively focused on non-carceral, non-punitive investments—using definitions of “non-carceral” and “non-punitive” that community stakeholders decide, but result in a structure that is fully outside of policing and carceral entities. For these purposes, “community stakeholders” should particularly include individuals from communities that



have been disproportionately policed, surveilled, arrested, incarcerated, and otherwise impacted by the criminal-legal system. These stakeholders should particularly include members of marginalized groups, such as low-income, Black, Indigenous, Latinx, disabled, trans, and gender non-conforming individuals, as well as people living in neighborhoods that experience disproportionate levels of criminal-legal involvement.

- The entity should be able to manage the following responsibilities:
 - Administering grant programs that support local governments and CLOs in implementing non-carceral, non-punitive approaches to community safety;
 - Funding and coordinating research on non-carceral programs, infrastructure, and other investments that serve to increase non-carceral, non-punitive, life-affirming approaches to community safety, allowing policymakers to identify evidence-based solutions, pilot new ideas, and evaluate the impact of promising programs using qualitative, quantitative, and experiential approaches;

- Providing and funding technical assistance to local governments, helping them to implement non-carceral approaches; and
- Supporting and helping to coordinate interagency initiatives that advance, streamline, and otherwise implement non-carceral approaches.
- The entity should have capacity to, in particular, support certain populations that have unique or acute safety-related needs, such as by creating offices that address the safety needs of survivors, youth, people returning from incarceration, homeless individuals, and people experiencing crises. (See subsection I.)

Across the country, many local jurisdictions have begun creating offices that take this non-carceral approach to safety. Dozens of jurisdictions now have Offices of Violence Prevention; the [National Offices of Violence Prevention Network](#) has a tool that allows users to find local examples. While these offices often have a narrower scope (i.e., focusing only on violence interruption or non-carceral crisis response) more ties to carceral entities, and a local orientation, these models can nonetheless provide a starting point for state-level entities.

See Appendix D for sample policy language.

ENSURE ROBUST, ONGOING FUNDING FOR THE DIVISION OF COMMUNITY SAFETY.

The Division of Community Safety must have access to robust—and increasing—funding over time. Without this funding, the Division cannot invest in long-term priorities or gain necessary buy-in. Advocates must see that the jurisdiction is committed to non-carceral safety, not meeting a moment or making a token gesture.

In this current moment, we would note that states have an opportunity to redirect American Rescue Plan Act (ARPA) and other funds to bolster non-carceral safety; for specific guidance surrounding ARPA funds, please see our companion [ARPA Policy Guide](#). For sample language regarding non-carceral restrictions, please see the “Definitions” section.

ENSURE FUNDING PREFERENCES FOR REPRESENTATIVE COMMUNITY-LED ORGANIZATIONS.

Addressing the decades-long pattern of government grants that have systematically underinvested in Black, brown, and other communities of color, states must ensure that non-carceral safety dollars are maximally flowing to CLOs representing the populations that they serve. To this end, we recommend adding a preference for community-led service providers.

See Appendix E for sample policy language.

CENTER INDIVIDUALS IMPACTED BY THE CRIMINAL-LEGAL SYSTEM.

When staffing their Divisions of Community Safety or any offices funding non-carceral safety programming, states should fully recognize and appropriately value the lived experience of people who have directly experienced criminal-legal and related harms.

See Appendix F for sample policy language.

ESTABLISH A COMMUNITY ADVISORY BOARD WITH STATUTORY POWER.

States must ensure that the Division of Community Safety stays true to its non-carceral mission and movement origin. To this end, we recommend creating a Community Advisory Board (“Advisory Board”) that has statutory teeth to:

- Approve annual priorities for research, technical assistance, and funding;
- Evaluate, on an annual basis, the research, technical assistance, and funding research provided by the Division;
- Assess whether the Division is adequately addressing the specific needs of all individuals, including Black individuals, Asian American individuals, Latinx individuals, Indigenous individuals, lesbian, gay, bisexual, and transgender individuals, disabled individuals, and other individuals who are members of communities that have been dis-

proportionately impacted by the immigration and criminal-legal systems; and

- Recommend changes that would address any issues identified.

All Advisory Board members must receive financial compensation for contributing their time.

See Appendix G for sample policy language.

ESTABLISH TARGETED OFFICES TO SUPPORT SPECIFIC POPULATIONS AND SAFETY NEEDS.

Some populations—including harm survivors, youth (including and especially LGBTQIA+ youth), and people returning from incarceration—have specific needs related to community safety. We recommend that the Division of Community Safety create dedicated structures (i.e., dedicated personnel or offices) to particularly serve these groups.

See Appendix H for sample policy language.

DEFINITIONS

Some potential definitions are included in Appendix I.

POLICY IMPLEMENTATION

This section goes in-depth into the processes and funding mechanisms that we recommend state legislators explore when seeking ways to advance their Community Safety Policies. These recommendations are grounded in approaches that various states have taken.

This section will cover the following:

- Funding & implementation guidance;
- Procedural mechanisms to create a new Division;
- Guidance on ensuring a Just Transition for workers who are currently employed by carceral institutions;
- Guidance on bottom-lines and potential pitfalls; and
- Working effectively with Black-led, Black-centered community groups.

FUNDING & IMPLEMENTATION

Community safety is an investment—an investment that will ultimately make all communities safer, more equitable, and more prosperous, but also one that requires a shift in budget priorities. Moreover, community safety requires a paradigm shift in how we deliver much-needed services. Our country has never previously funded non-carceral safety on a mass-scale; instead, we often channel resources through the criminal-legal system and require criminal-legal contact (i.e., police reporting) even to be eligible.

This section provides some guidance on ways that jurisdictions can begin this essential work.

LEVERAGE CREATIVE BUDGETING OPPORTUNITIES

Governors generally hold the power to draft and propose their state budgets, as well as veto power over what the legislature recommends. Governors can draft a budget that includes funding for creating and robustly funding the Division of Community Safety, as well as long-term grant funding for CLOs, local jurisdictions implementing non-carceral safety work, and non-carceral first responders. It is imperative that state lawmakers include clear and strong language guaranteeing the non-carceral character of the Division of Community Safety. See “non-carceral approach to safety” in our “definitions” section. This guarantee will ensure that the new Division does not become a mechanism for increasing or being a conduit for criminal-legal system funding.

While the state budget may be amended at multiple points, the Governor can play a strategic role in working alongside community members so as to advance this proposal and make the Division of Community Safety a reality. One specific idea includes convening diverse stakeholders—including advocates from housing, education, labor, environmental, racial justice, criminal-legal reform, and other spaces—to develop a shared “Safety Agenda” that incorporates policies across these issue areas. By developing this Safety Agenda, the Governor can frame a wide range of policies (i.e., prioritizing certain neighborhoods for public transportation and streetlights, expanding behavioral healthcare and supportive housing). Such a collaborative approach can draw from examples like the the “Solidarity Budget” developed in Seattle, Washington, where a diverse set of community members—including labor, transit, and housing justice groups—crafted a holistic set of [recommendations](#) that would increase safety outside of carceral systems.

Additionally, individual state legislators hold the power to advance budget bills, which is a great way to move toward the creation of the Division of Community Safety through the state budget process, instead of solely relying on the legislative process. This process typically requires fewer committee hearings and allows legislators to focus their attention on pressuring the Governor as a primary target to accept their budget proposals. Again, all budget bills must include clear and strong language as to the non-carceral approach to safety that the agency is to apply, as detailed in our “definitions” section in this Guide.

USE STATE BALLOT INITIATIVES

In many states, ballot initiatives can serve a wide array of purposes and can be a good way to take an idea—here, the need for long-term, non-carceral investments in community safety—directly to voters, rather than rely solely on the state legislature. Such an approach may be helpful particularly in states where introducing the Division of Community Safety through the state legislature does not seem politically palatable—even though community members would support or are demanding this change.

Each state has different rules for how they can use ballot initiatives. The involvement of state legislatures varies greatly and not all states allow for the use of ballot initiatives.

USE PILOT PROGRAMS

Many states may not be ready to make robust, long-term investments until they have seen non-carceral safety investments bear fruit in their state. Pilot programs are a great way to bridge this gap, allowing jurisdictions to show success while considering long-term funding

amounts and options. This model provides state legislators an opportunity to prove that these types of programs work, as well as time that they can use to identify potential funding sources, lessons learned, and design issues before making permanent changes. And pilot programs can be an effective way to use funding streams (i.e., funding from the American Rescue Plan and similar sources) that are time-bound in nature.

We recommend that pilot programs identify those areas most impacted by the carceral system (i.e., the most incarcerated or surveilled) and that are spending the most on Police or Sheriff's Department services. In Alabama, for example, state officials stood up three pilot Crisis Diversion Centers across the state to reduce incarceration and connect individuals in crisis to stabilizing resources.

LEVERAGE FEDERAL FUNDING

Many federal funding streams can go toward implementing non-carceral community safety; state legislators can braid these streams together to both provide seed and even ongoing funding.

The accompanying American Rescue Plan Act guide explains how ARPA funds can be used to fund non-carceral safety initiatives. The existing Medicaid program is another valuable source of funding, particularly in states that undertook Medicaid expansion. Dozens of federal bills are currently being debated that could go toward non-carceral programming—The People's Response Act; Breaking the Cycle Act; etc. Any policymakers who want advice navigating these funding streams should contact the people and organizations listed in the concluding section.

CREATE A REINVESTMENT MODEL

The policies outlined in this Guide will naturally reduce criminal-legal contact and thereby lead to cost savings. States should explore opportunities to repurpose state and local dollars that are currently going toward carceral infrastructure (state prisons, contracts with federal agencies for carceral purposes, police, jails, district attorneys, probation, etc.), using "reinvestment" models that track and divert this spending. Colorado, for example, made changes to parole board practices, reducing the likelihood of re-incarceration over a parole violation. The legislation then directed the general assembly to appropriate a set portion of the cost savings generated by the bill to a fund offering services to parolees.¹

STRATEGICALLY USE BUILDING BLOCKS TO SECURE THE END RESULT

In states where it is difficult to implement the entire Division of Community Safety at one time, states can implement building blocks that implement the full policy over a clearly defined time

¹ The Colorado legislation is not a perfect analog for the Community Safety Policy described here; however, the model illustrates one approach to calculating and repurposing criminal-legal savings.

period. In taking this approach, state legislators should create a roadmap for implementing the full policy; each specific step taken should clearly fit within this blueprint.

If state legislators are implementing building blocks, we recommend considering the following components:

Block #1: Implement Systems of Non-Carceral Crisis Response. Among the many programs that are discussed in this Guide, non-carceral crisis response is one that many jurisdictions have implemented independently. Many states have already stood up such programs—and seen substantial success. One place that state policymakers can start this work involves passing legislation like the C.R.I.S.E.S Act in California, which will create grants for CLOs to establish or build out non-carceral, unarmed, first responder services to respond appropriately to people experiencing mental or behavioral health crises, intimate partner violence and other emergency situations without the risk of police harm or arrest.

Block #2: Create the Grant Programs for CLOs, Local Jurisdictions, and Non-Carceral First Responders. States can immediately begin funding the important community safety-focused work that CLOs and community members are already undertaking. States can begin by implementing the direct CLO grant through a state Department of Public Health or some other department—provided that this Department or Agency is not connected to police or any other carceral entity.

Block #3: Establish the Division of Community Safety. Once states begin funding non-carceral safety work and assessing community needs, establishing a Division of Community Safety is a way to institutionalize and knit this work together. We recommend setting up this Division and giving this body authority over the remaining building blocks.

Block #4: Budget for Safety. Long-term funding is essential for long-term community safety—as is a holistic and interdisciplinary approach to safety. States should convene advocates to help inform a safety budget that leverages transportation, infrastructure, health, education, housing, and other funds to keep community members safe and address high-urgency safety needs. As states implement these building blocks, they should simultaneously begin crafting a long-term and holistic (i.e, whole budget) approach to these issues.

MECHANISMS & TEMPLATES FOR CREATING A NEW DEPARTMENT

The exact process for creating a new state department (i.e., the Division of Community Safety) will vary based on state institutions and political dynamics. In most states, we recommend creating an office located within the Department of Health and Human Services or its equivalent; this approach reinforces that core message that public safety is truly a matter of public health. Where jurisdictions already have a state-level office dedicated to the “social determinants of health” or Equity & Minority Health, such offices may provide a template for the Division of Community Safety. In our view, the “social determinants of safety” lens is closely related to the “social determinants of health” framework that has been embraced by many jurisdictions nationwide.

PROVIDING A JUST TRANSITION FOR WORKERS CURRENTLY EMPLOYED IN STATE CARCERAL INDUSTRIES

As jurisdictions begin implementing non-carceral safety measures and repurposing local dollars currently going toward carceral approaches, policymakers should ensure that this paradigm shift is sustainable and forward-thinking—that is, that the paradigm shift creates employment pathways for people who are currently employed by police and other carceral entities.

When creating the Community Safety Agency, local jurisdictions should consider creating an employee transition plan (called a “Just Transition Plan”) for individuals who will be impacted by decarceral changes. This plan should incorporate views from various stakeholders, including labor unions that are aligned with the non-carceral, non-punitive objectives described here. Policymakers should collect data on how achieving decarceral goals will impact various demographic groups, including considerations based on race, sex, gender, and disability. Then they should create a fair, nuanced plan for facilitating the “Just Transition” process, including: re-employment elsewhere within the local jurisdiction, subject to continued training; buy-out; career path training allowing individuals to enter a new, non-carceral field; or, for individuals who are within 5 years of retirement, the option of early retirement. Importantly, policymakers should incorporate a wide range of views when crafting these plans, including people who are



directly impacted by the criminal-legal system, community-led organizations working on criminal-legal system policy change, and other government departments.

For additional ideas, local elected officials may want to review models that have been developed in the climate field; for example, the Climate Justice Alliance model for a Just Transition, which supports individuals in industries that are tied to climate-warming gases and activities.

BOTTOM-LINES & POTENTIAL PITFALLS

As states begin shaping their community safety policies, they will doubtless encounter divergent perspectives and potential complications. This section summarizes our recommendation on bottom-lines that should undergird this work—and pitfalls to avoid.

BOTTOM-LINES

Community stakeholders—namely people who have been directly impacted by criminal-legal harm—should ultimately shape the direction and bottom-lines of any Community Safety Agenda enacted. However, the following bullets are a framework that the Movement for Black Lives uses to consider whether a policy is aligned with The BREATHE Act framework. The considerations may provide a useful guide for navigating various tradeoffs.

THE BOTTOM LINES FOR COMMUNITY SAFETY

- **No expansion of the carceral state.** Policies enacted should avoid expanding the carceral state, such as by:
 - Expanding detention, supervision, or surveillance;
 - Providing new funding for carceral actors;
 - Imposing or creating new criminal penalties; or
 - Reinforcing the logic of the carceral state, including by programs that divert people into other systems that replicate similar issues as the criminal-legal system.
- **Liberatory focus.** Policymakers should prioritize policies that expand human freedom, such as by:
 - Reducing the population in jails, prisons, and detention centers and/or under state and local supervision or surveillance;
 - Reducing the amount of contact individuals have with the criminal-legal system;
 - Reducing racial inequities in the criminal-legal system;
 - Expanding power for individuals and communities that have been harmed by the criminal-legal system; and
 - Expanding power for grassroots groups challenging the criminal-legal system.
- **Inclusivity.** Policymakers and advocates should ensure that all policy changes fully protect the interests of Black and brown communities, as well as LGBTQIA+, immigrant, undocumented, disabled, and other populations that have disproportionately experienced state harm.
- **Invest in impacted communities.** Community safety policies should particularly benefit those communities most harmed by the criminal-legal system. Moreover, those communities should have influence over directing those resources and mechanisms in law to hold system actors accountable to the intended purposes of the community safety funds and policies.
- **Movement alignment.** Ensure that the drafting and implementation processes include ongoing input from local organizations who have a track record of supporting non-carceral safety approaches and of representing communities who are disproportionately impacted by criminal-legal system harm
- **Participatory process.** A Community Safety Agenda should encourage or expand democratic participation and/or community control over how resources are spent.

AVOIDING PITFALLS

Implementing community safety policies can be a difficult process and oftentimes comes with unique hurdles. Here are some common challenges that jurisdictions have encountered, as well as some advice on navigating these situations.

- **Maintain the non-carceral focus of Community Safety Agency programming.** When states begin to repurpose funding that is currently going to prisons and police entities, but do not plan ahead for a Just Transition, police departments often become involved in programming and services that were previously provided by CLOs (i.e., violence prevention, restorative justice, alternatives to incarceration, etc.).

While high-level intergovernmental coordination is essential, the Division of Community Safety and its funded programming are designed to have a non-carceral focus—a focus that can both improve the safety of and build trust from groups that have historically been targeted by police and carceral entities. Service delivery should remain fully outside of policing structures, avoiding concerns about program cooptation.

- **Work with labor unions early-on in this process.** Many employees who will be impacted by a paradigm shift—police officers, correctional officers, probation officers, and service employees and medical professionals working in prisons—are represented by unions. Where possible, state policymakers should loop in union representatives and leaders who are aligned with the overall purposes of the policy early, using these individuals as key stakeholders to inform the Just Transition plans. Strong relationships and a commitment to a working partnership will minimize future opposition or miscommunication. If union officials frustrate the progress of the Community Safety Policy described here, state policymakers should continue to build a Just Transition plan with aligned correctional employees and non-carceral CLOs. Ultimately, this Community Safety Policy seeks to create a safer and better society, which includes ensuring that all workers have access to good paying and sustainable employment.
- **Plan budgets for the short- and long-term.** From a financial perspective, it may take some time to manifest substantial savings—not only from reduced carceral spending, but also from less emergency room spending and related areas. Policymakers should recognize this short-term and long-term element, leveraging federal funding and the “building block” approach as necessary to bridge this gap.



WORKING WITH BLACK-LED, BLACK-CENTERED ORGANIZATIONS

As policymakers and advocates implement Community Safety Policies, they should ensure that they are working closely with Black-led, Black-centered organizations committed to non-carceral approaches to safety. The criminal-legal system in both its design and implementation has carried out an anti-Black agenda since the inception of the slave patrols that paved the way for policing in the United States.

Given the disproportionate harm Black people have suffered as the result of the United States criminal-legal system, it is a moral imperative to partner with Black communities to change the course.

Even more importantly, policy makers should engage Black-led, Black-centered organizations who are committed to non-carceral approaches to safety because of the expertise and practical knowledge these organizations hold. The success of the policy, in its design and implementation, relies upon strong, non-tokenizing trust and partnership between Black community groups and policy makers. Here are some guiding principles that policymakers may want to consider while structuring these interactions:

- **Positionality.** Policymakers and other advocates should ensure that when they are engaging Black-led, Black-centered (BLBC) organizations, they avoid adopting a top-down approach. Respectful engagement means developing authentic relationships with community organizers, staff, or member-leaders who represent the organizations. Rooting in the value representative democracy offers—where policymakers are generative thought-partners who help make real the goals of the community they are representing, rather than that organizations are there to make real the policy goals of the policymaker—is useful.
- **Preparedness.** Before engaging a BLBC group, policymakers and advocates should do research on the organization’s vision, mission, and focus. All BLBC groups are not the same; policymakers should bring an open mind to each interaction, taking into account the organization’s unique characteristics, mission, vision, and work. Moreover, the policymaker and staff should be aware of location-based histories of oppression and harm the group may have experienced within their jurisdiction.
- **Humility.** In policy and political spaces, lawmakers and many advocacy groups place a high premium on certain evidence bases and expertise types; they should ensure that when doing this work, particularly work dismantling racial injustice, they recognize that direct experience with systemic harm and violence, community organizing, and informal direct services provision (e.g. unpaid labor typically done by Black women, femme, and gender non conforming people) is itself a form of expertise.
- **Liberatory framework.** Policymakers and advocates should avoid adopting a “savior” approach that positions themselves as key to the BLBC organization’s success. Moreover, avoiding transactional relationships with the organization in which a policymaker cuts deals or makes unrealistic promises to support their own political safety is a must. As with all transformative and meaningful policy change, courage and a certain amount of prudent risk-taking will be required.
- **Understanding how the work gets done.** Neither policymakers nor other advocates should use BLBC organizations as vehicles to do whatever work they would prefer not to—a way of using them to do the less substantive work. For example, policymakers and advocates should consider BLBC organizations as full and equal “at-the-table” partners when major decisions are being made or important conversations are taking place.

TECHNICAL ASSISTANCE & CONTACT INFORMATION

For technical assistance when drafting and advancing your local policy, please contact:

CIVIL RIGHTS CORPS

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CENTER FOR POPULAR DEMOCRACY

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CO-SPONSORING ORGANIZATIONS



FURTHER READING & RESOURCES

- [Vision for Black Lives](#)
- [The BREATHE Act](#)
- [The People's Response Act of 2021](#)
- [Community Safety & The American Rescue Plan: A Guide to Using Fiscal Recovery Grants to Advance Holistic Safety](#)
- [Evidence for Non-Carceral Safety](#)

APPENDIX

APPENDIX A, GRANT FOR COMMUNITY-LED ORGANIZATIONS SAMPLE POLICY LANGUAGE

GRANT FOR COMMUNITY-LED ORGANIZATIONS

- **GRANT AUTHORIZATION.**—The Director of the Division of Community Safety shall implement a grant program under which the Director makes grants to non-carceral community-led organizations (CLOs) to serve the purposes that are described in this Section.
- **USE OF GRANT AMOUNTS.**—A grant awarded under this Section may be used for any non-carceral purpose that has a demonstrable connection to improving community safety, including but not limited to:
 - **VIOLENCE REDUCTION.**—
 - Violence interruption and intervention, which may include violence and conflict prevention and mitigation;
 - Abuse interruption, intervention, and prevention;
 - Neighborhood mediation programs;
 - Safe passage to school programs;
 - Mentorship programs; and
 - Afterschool and enrichment programs for youth, including programs focused on music, dance, theater, and other creative and performing arts.
 - **SAFETY-FOCUSED INFRASTRUCTURE.**—Infrastructure investments that are designed to improve community safety, including but not limited to:
 - Park redevelopment;
 - Streetlights;
 - Public transportation;
 - Community centers; and
 - Grocery stores/access to food and nutrition.
 - **PUBLIC HEALTH.**—
 - Preventative, non-punitive, non-coercive, patient-driven healthcare, including mental healthcare;

- Preparedness for—and protection of vulnerable populations during—public health emergencies, including emergencies related to epidemics and climate-related disasters;
- Access to non-communicable disease management programs;
- Communicable disease services;
- Non-mandatory, non-coercive, harm-reduction based Substance Use Disorder (SUD) treatment programs, including medications for SUD treatment and peer support programs; and
- Voluntary harm reduction programs.
- HOUSING.—Quality, accessible, and long-term supportive housing for those experiencing temporary or chronic homelessness, housing insecurity or risk of homelessness, and/or a disability or health issue, as well as for their families.
- NON-CARCERAL CRISIS INTERVENTION.—
 - Accessible methods of processing 911 calls that reduce contact between law enforcement and community members;
 - Non-punitive, unarmed first-responder agencies;
 - Non-law enforcement personnel and partnerships to solve problems that do not require criminal enforcement;
 - Programs identifying and providing skills, resources, and community engagement infrastructure designed to reduce communities’ reliance on first-responders, including through conflict resolution, de-escalation, first aid, and other community-building skills; and
 - The designation of an accessible emergency response number that can be used to dispatch non-punitive crisis and trauma intervention teams.
- HEALING.—
 - Funding for CLOs that provide voluntary, non-coercive, trauma-informed health services and healing supports for individuals and communities, so that they can recover from exposure to violence, abuse, and/or harmful interactions with police.
 - Funding for CLOs that provide healing-centered and culturally responsive engagement; and
 - Reparations for individuals who have experienced any harm from the police or mass criminalization.
- REENTRY.—

- Educational and workforce development programs and/or pathways that work with formerly incarcerated individuals, including youth, helping them to secure secondary and/or post-secondary credentials;
- Early release engagement and structures allowing system access to potential clients;
- For formerly incarcerated youth and youth exiting the foster system, reentry and/or transition supports, including transition coordinators who will ensure that youth participants:
 - Can return to school following incarceration; and
 - Have their credits transfer so that they can progress toward secondary credential attainment.
- Employment opportunities that benefit formerly incarcerated individuals, including:
 - Grants for entrepreneurship;
 - Technical assistance and financial incentives to businesses that hire formerly incarcerated individuals;
 - State-led affirmative hiring programs;
 - Subsidized and transitional employment opportunities for formerly incarcerated people, including “earn and learn” opportunities;
 - Worker cooperatives operated by formerly incarcerated people; and
 - Workforce development and training programs that specifically serve formerly incarcerated people and people with criminal-legal histories.
- **PUBLIC ENGAGEMENT & CAPACITY-BUILDING.–**
 - Trainings and presentations for the local community, providing them with the information, background knowledge, and social context necessary to understand, contribute to, and otherwise engage with the CSA and its work; and
 - Capacity-building funding to local nonprofits, advocates, and CLOs, including:
 - Fellowships to individual community leaders so that they can develop an advocacy infrastructure to meet the specific community’s needs;
 - Investments in fiscal agency, fiscal sponsorship, program evaluation, and shared administrative infrastructure amongst CLOs;
 - Technical assistance; and
 - Professional services (including lawyers who have expertise on contracts, risk management specialists, financial managers, and accountants) and marketing and/or promotion for CLOs.

- **VOLUNTARY PRETRIAL SUPPORTS.**—Providing voluntary pretrial services to help accused individuals successfully navigate the pretrial process and appear at court dates, including:
 - Text-message reminders about court dates;
 - Transportation assistance to help accused persons get to and from the courthouse; and
 - Childcare assistance during court appointments.
- **LIMITATION ON GRANT FUNDS.**—Funds made available under this section may be used only to implement programs, services, or activities that use non-carceral, non-punitive approaches to community safety.

APPENDIX B, GRANTS FOR LOCAL JURISDICTIONS SAMPLE POLICY LANGUAGE

SECTION 1A: LOCAL GOVERNMENT PLANNING & IMPLEMENTATION GRANT

- **GRANT AUTHORIZATION.**—The Director of the Division of Community Safety shall implement a grant program under which the Director makes grants to municipal governments, county governments, and multi-jurisdictional or regional consortia for purposes that are described in this Section.
- **GRANT REQUIREMENTS.**— A jurisdiction seeking a grant under this Section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require, including:
 - **REQUIRED CERTIFICATIONS.**—An assurance that the jurisdiction shall commit to:
 - Conducting a “safety needs assessment” of the local community, which uses a systematic, participatory process to identify the structural, systemic factors that may lead community members to feel unsafe or may increase the risk that community members become involved with the criminal-legal system; and
 - Based on these needs, creating a Safety Action Plan that designs an investment plan to address these underlying issues.
 - **DESCRIPTION OF PROCESS.**—A description of how the jurisdiction has engaged, and will continue to engage, in a public, participatory process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program, which includes input from people who have lived expertise and who

would be eligible for services that are funded through this grant program, including, but not limited to:

- Individuals who are currently or formerly incarcerated;
 - Individuals who have been arrested in the past five years;
 - Individuals who have experienced police violence;
 - Families of such individuals; and
 - CLOs that serve such individuals.
- **PHASES.**—The grant shall include funding for:
 - A planning phase, where the applicant conducted the Safety Needs Assessment and develops a Safety Action Plan that addresses these identified needs; and
 - An implementation phase, where the applicant completes the actions identified in the planning phase.
 - **USE OF FUNDS.**—A jurisdiction receiving funds under this Section shall use such grant funds to implement one or more of the following:
 - Establish or designating a community-led entity that—
 - Employs non-carceral, non-punitive approaches to community safety; and
 - Can coordinate and make investments in community safety, including by using participatory budgeting or other community-led processes;
 - Invest in programs, interventions, or policy initiatives that have a demonstrable connection to improving community safety, including programs, interventions, or policy initiatives that are designed to address needs related to economic stability, survivor safety, physical and behavioral health, environmental safety, housing stability, and educational equity and opportunity, such as those listed in [insert section that lists suggested non-carceral safety approaches].
 - **FUNDING AMOUNT.**— Amounts awarded under this Section shall reflect:
 - The size of the jurisdiction, as measured by population and other metrics that the Director selects; and
 - The need of the jurisdiction, as measured by poverty rate, rate of incarceration, and other metrics that the Director selects.
 - **LIMITATION ON GRANT FUNDS.**—Funds made available under this section may be used only to implement programs, services, or activities that use non-carceral, non-punitive approaches to community safety.

SECTION 1B: LOCAL GOVERNMENT INCENTIVE GRANT

- **GRANT AUTHORIZATION.**—The Director of the Division of Community Safety shall implement a grant program under which the Director makes grants to CLOs, health departments, units of local government, and multi-jurisdictional or regional consortia for the purposes that are described in this Section.
- **GRANT REQUIREMENTS.**— A jurisdiction seeking a grant under this Section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require.
- **APPLICATION PREFERENCES.**—In awarding grants under this Section, the Director shall give a preference to a jurisdiction that:
 - Has taken steps toward, or are submitting proposals within the application for such a grant, for:
 - Increasing human liberty, including through measures that reduce incarceration, pretrial detention, arrests, criminal supervision, immigration detention, and other forms of criminal-legal involvement;
 - Ending the criminalization of poverty, mental illness, homelessness, substance use, and related issues by addressing the root causes driving those issues rather than imposing criminal punishment and other punitive responses; or
 - Ending racial, economic, gender, and other disparities in criminal punishment, including discipline in schools.
 - Has a high rate of poverty, as well as disproportionately high shares of residents who have been impacted by violence and the criminal-legal system.
 - Has prepared and developed the application submitted in consultation with the community that the jurisdiction serves, especially individuals in such community who have been directly impacted by the criminal-legal system.
- **USE OF FUNDS.**—A jurisdiction receiving funds under this Section shall use such grant funds to invest in programs, interventions, or policy initiatives that have a demonstrable connection to improving community safety, including programs, interventions, or policy initiatives that are designed to address needs related to economic stability, survivor safety, physical and behavioral health, environmental safety, housing stability, and educational equity and opportunity, such as those listed in [insert section that lists suggested non-carceral safety approaches].

- **LIMITATION ON GRANT FUNDS.**—Funds made available under this section may be used only to implement programs, services, or activities that use non-carceral, non-punitive approaches to community safety.

APPENDIX C, NON-CARCERAL FIRST RESPONDER HIRING GRANT SAMPLE POLICY LANGUAGE

NON-CARCERAL FIRST RESPONDER HIRING GRANT

- **GRANT AUTHORIZATION.**—The Director of the Division of Community Safety shall implement a grant program under which the Director makes grants to CLOs, health departments, units of local government, and multi-jurisdictional or regional consortia for the purposes that are described in this Section.
- **USE OF GRANT AMOUNTS.**—A grant awarded under this Section may be used to:
 - Hire and train first responders;
 - Procure equipment, technology, support systems, or pay overtime, to increase the number of first responders that are available to a community;
 - Increase the number of first responders involved in activities that relate to crisis response;
 - Provide training to first responders to enhance their conflict resolution, mediation, problem-solving, service, and other skills needed to work collaboratively—and in partnership—with community members;
 - Establish school-based partnerships by employing and retaining first responders who specifically serve pre-Kindergarten, elementary, and secondary schools to support trauma-informed care, behavioral and mental health services, and school-based health centers in local schools.
- **LIMITATION ON GRANT FUNDS.**—Funds made available under this section may be used only to implement programs, services, or activities that use non-carceral, non-punitive approaches to community safety.

APPENDIX D, COMMUNITY SAFETY AGENCY FUNDING SAMPLE POLICY LANGUAGE

DIVISION OF COMMUNITY SAFETY

- **ESTABLISHMENT OF DIVISION OF COMMUNITY SAFETY.**—There is established within the [insert State Department of Health and Human Services or Department of Human Services] a Division of Community Safety (“Division”), which is an independent entity within the Department of Health and Human Services.
- **RESPONSIBILITIES.**— The Division shall have responsibility for overseeing activities that promote non-carceral, non-punitive approaches to community safety, including:
 - Coordinating and funding research on non-carceral, non-punitive mechanisms to promote public safety, including projects that serve to:
 - Identify model programs, policies, and promising practices that take a preventive, participatory, non-carceral, non-punitive approach to reducing violence, mitigating harm, and increasing community safety;
 - Disseminate these ideas to local governments; and
 - Identify where State funding should be directed.
 - Making grants for non-carceral, non-punitive interventions, pilot programs, and demonstration programs that serve to increase community safety, including grants that build non-carceral safety infrastructure at the local level.
 - Providing technical assistance to local governments as they implement the non-carceral, non-punitive interventions, pilot programs, and demonstration programs funded through Division grant programs.
- **POWER TO COMPEL PRODUCTION.**—The Division shall have authority to compel records, including from any State, local, and private entities that have a carceral purpose, so long as these requests are made to further the Division’s research mission.

APPENDIX E, GRANT FUNDING PREFERENCES SAMPLE POLICY LANGUAGE

DIVISION GRANT PREFERENCES

- **PREFERENCE FOR USING COMMUNITY-LED SERVICE PROVIDERS.**—Grant preferences for programs that are directly funded by the Agency, or programs that are funded with Agency

dollars, shall give preference to CLOs, except where:

- The program is primarily administrative, rather than focused on advocacy, education, programs, and/or service delivery; and
 - The grant administrator is able to certify that no CLO is available to, or can be supported to, adequately perform this function.
- **PRIORITY CLOS.**—When selecting among CLOs, the Agency shall show preference for organizations that:
 - Have a leadership with close ties to the local community, as measured by:
 - Living in the specified community for at least two consecutive years;
 - Participation and membership in local organizations, associations, and commissions; and/or
 - Growing up in the specified community and/or having loved ones continuing to reside there;
 - Have a leadership that reflects the racial diversity of the community in which the organization operates; and/or
 - Are led by or employing directly impacted persons (with “directly impacted” defined based on the programming provided by the organization).

APPENDIX F, HIRING PREFERENCES FOR THE COMMUNITY SAFETY AGENCY SAMPLE POLICY LANGUAGE

HIRING PREFERENCES

- **AGENCY HIRING.**—Hiring for the Agency shall be open to all, regardless of race, sex, religion, ethnicity, sexual orientation, immigration status, or disability status, but shall show a preference for:
 - Individuals who are currently or formerly incarcerated;
 - Family members of individuals who are currently or formerly incarcerated;
 - Individuals who are directly impacted, as such term is defined in this Act; and
 - Grassroots organizers working to dismantle mass incarceration.

APPENDIX G, COMMUNITY ADVISORY BOARD SAMPLE POLICY LANGUAGE

COMMUNITY ADVISORY BOARD

- **IN GENERAL.**—The Division shall establish an advisory board that will oversee all activities of the Division, which shall be known as the Community Advisory Board (“Advisory Board”).
- **MEMBER SELECTION.**—The Advisory Board shall be composed of [X] individuals, half appointed by [the Governor] and half appointed by [the State Legislature], provided that:
 - Members of the Advisory Board shall reflect the racial, religious, ethnic, gender, sexual orientation, disability status, immigration status, and other diversities of [State], including representation for Black people, Asian American people, Latinx people, Indigenous people, lesbian, gay, bisexual, transgender, and queer people, women, youth, disabled people, undocumented and formerly undocumented immigrants, and other groups that have been disproportionately disadvantaged by the criminal-legal system;
 - Not fewer than a third of the individuals who are selected to serve as Advisory Board members have personal experience with the criminal-legal system, including—
 - Individuals who have been detained or incarcerated;
 - Individuals who are currently on community supervision (such as probation or parole) or who have been on community supervision;
 - Individuals who have been arrested or cited by law enforcement;
 - Individuals who have been directly impacted by police violence or other forms of violence, including domestic violence, sexual assault, rape, and other forms of sexual or intimate partner violence; and
 - Immediate family members of individuals who have been directly impacted by police violence; and
 - Not fewer than a third of the individuals who are selected to serve as Advisory Board members are advocates or grassroots practitioners working to advance educational equity, health equity, housing equity, environmental justice, racial justice, gender justice, disability justice, or Indigenous justice.
- **CHAIRPERSON SELECTION.**—The Advisory Board shall be led by a Chairperson who is nominated by [the Governor], subject to advice and consent by [the State Legislature].
- **PAY.**—Members of the Advisory Board shall serve at a pay rate that is determined by the

Director.

- **RESPONSIBILITIES.**—The duties of the Advisory Board are as follows:
 - Approving annual priorities and funding for research and technical assistance and evaluating, on an annual basis, research conducted or supported by the Division and technical assistance provided by the Division.
 - Based on the evaluations that are conducted under paragraph [insert internal citation to previous sub-bullet], producing and submitting to the Director annual recommendations regarding:
 - Whether activities conducted by the Division adequately reflect the specific needs and interests of all individuals, including Black individuals, Asian American individuals, Latinx individuals, Indigenous individuals, lesbian, gay, bisexual, and transgender individuals, disabled individuals, and other individuals who are members of communities that have been disproportionately impacted by the immigration and criminal-legal systems;
 - Whether funding made available to the Division is sufficiently flowing to organizations that are led by individuals who are described in [insert internal citation to “priority CLOs”]; and
 - Changes that the Division could make to address any issues uncovered during such evaluations, including ways to ensure that grants awarded under this title are serving to enhance racial equity and benefit CLOs that have diverse leadership and composition.
- **REPORT.**—Not later than 60 days after the date on which the Division receives the recommendations under paragraph [insert internal citation to previous bullet], the Division shall submit a report to the State Legislature, which details—
 - Steps the Division has taken or will take to implement the Advisory Board’s recommendations; or
 - For any recommendations not implemented or planned to be implemented, an explanation as to why such recommendation was infeasible or conflicted with the Division’s statutory obligations.

APPENDIX H, ESTABLISH TARGETED OFFICES TO SUPPORT SPECIFIC POPULATIONS AND SAFETY NEEDS SAMPLE POLICY LANGUAGE

OFFICE OF SURVIVOR AUTONOMY AND HARM PREVENTION

- **IN GENERAL.**—The Director shall establish within the Agency an Office of Survivor Autonomy and Harm Prevention.
- **DUTIES.**—The duties of the Office of Survivor Autonomy and Harm Prevention shall include working with violence survivors, including survivors of domestic violence, sexual assault, and rape, to:
 - Research, identify, provide guidance on, and directly administer grant programs for non-carceral, non-punitive, prevention-oriented programs that—
 - Support the safety, healing, and wellbeing of survivors;
 - Address and prevent domestic violence and sexual violence, including rape;
 - Build local infrastructure that serves to provide, fund, and coordinate supports for survivors;
 - Otherwise support individuals who have experienced violence of any nature; and
 - Disseminate information and guidance internally to ensure that all Agency grant programs, technical assistance, and other activities are sensitive to the needs of survivors; and
 - Provide interagency coordination among local agencies to support survivor safety, as well as facilitate access to services and programs administered by such agencies.
- **PROGRAMMING.**—Programs funded by the Office may include, but are not limited to:
 - Voluntary, non-coercive, trauma-informed health-related services and healing supports for communities so that they can recover from witnessing violence, abuse, and/or harmful interactions with police;
 - Vouchers for individuals who do not have safe places to go, including individuals experiencing domestic and/or sexual abuse, individuals who have been victims of human trafficking, and individuals who have experienced housing discrimination due to being or having been a sex worker;
 - Programming related to abuse interruption, intervention, and prevention;
 - Safe passage to school programs;

- Mentorship programs;
- Afterschool and enrichment programs for youth, including programs focused on music, dance, theater, and other creative and performing arts; and
- Any wraparound supports and services not already provided by local schools and health clinics.
- **PROHIBITION.**—No portion of any grant funds awarded by this Office may be used to fund any projects that are directly run by any carceral entities.
- **LIMITATIONS.**—Any individuals consulted for their expertise during the design, implementation, or monitoring of any grant funds that are awarded by this Office must be financially compensated for their time.

OFFICE OF YOUTH SAFETY

- **IN GENERAL.**—The Director shall establish within the Agency an Office of Youth Safety.
- **DUTIES.**—The duties of the Office of Youth Safety shall include working with children, youth, providers of youth services, and other individuals to:
 - Identify the key barriers that are currently preventing many youth from achieving educational, social, emotional, and economic success, including specific barriers faced by Black, Latinx, Indigenous, disabled, and LGBT populations;
 - Identify the non-carceral, non-punitive programs and services that will most effectively serve to promote youth safety and opportunity, including opportunity for Black, Latinx, Indigenous, disabled, and LGBT populations; and
 - Coordinate between City, County, and other agencies that are currently providing youth services, seeing which necessary programs and services are not currently available in the forms and quantities needed; and
 - Make grants and/or directly implement programming to address the identified gaps.
- **PROGRAMMING.**—Programs funded by the Agency may include, but are not limited to:
 - Safe passage to school programs;
 - Mentorship programs;
 - Youth centers;
 - Afterschool and enrichment programs for youth, including programs focused on music, dance, theater, and other creative and performing arts; and
 - Any wraparound supports and services not already provided by local schools and health clinics.

- **PROHIBITION.**—No portion of any grant funds awarded by this Office may be used to fund any projects that are directly run by any carceral entities.
- **LIMITATIONS.**—Any individuals consulted for their expertise during the design, implementation, or monitoring of any grant funds that are awarded by this Office must be financially compensated for their time.

APPENDIX I, SAMPLE DEFINITIONS

DEFINITIONS

- **NON-CARCERAL FIRST RESPONDER.**—The term “non-carceral first responder” includes a licensed therapist, psychiatrist, doctor, nurse, psychologist, peer support worker, peer, teacher, mentor, counselor, peer support specialist, violence intervention worker, and other community-members with relevant experience who respond to crises in a way that meets the definition of non-carceral approaches to public safety.
- **NON-CARCERAL APPROACH TO SAFETY.**—The term “non-carceral approach to safety,” with respect to a program or service, means that the program or service is established or provided in a manner that is disconnected from carceral institutions, including law enforcement, criminal courts, prosecution, probation, child welfare services, or immigration enforcement.
 - **DISCONNECTED.**—For purposes of this Section, the term “disconnected from carceral institutions” means having no relationship with respect to administration, staffing, or funding, or otherwise cooperating with, collaborating with, or reporting to, any carceral institution in any situation, except where the program or service involved is bound to engage in such cooperation or reporting by existing Federal, State, or local law.
- **SAFETY NEEDS ASSESSMENT.**—The term “safety needs assessment” means a systematic, participatory process for identifying the safety needs in the local community. Such process shall include—
 - Soliciting input from persons who represent the broad interests of the local community, including those who have been directly impacted by arrest, incarceration, criminal supervision, immigration detention, or other criminal-legal system involvement;
 - Identifying the structural, systemic factors that may lead community members to feel unsafe or may increase the risk that community members may become involved with the criminal-legal system;

- Identifying existing resources that are potentially available to address those safety needs as well as any other gaps in necessary resources; and
- Providing opportunities that allow people meaningful opportunities to review, comment on, and provide suggested modifications to the draft assessment, such as through public hearings, online publication, and a comment period that allows sufficient time for community feedback.
- **NON-PUNITIVE.**—The term “non-punitive” means not relying on surveillance or inflicting or aiming to inflict punishment, including, but not limited to, punishment through the criminal-legal system (e.g. arrest, supervision, or incarceration), child welfare system (child removal), medical system (mandated treatment or incarceration in a medical facility), or mandated social services.

APPENDIX J, JUST TRANSITION SAMPLE POLICY LANGUAGE

- **REQUIREMENT FOR A JUST TRANSITION PLAN.**—
 - The State Department of Corrections shall submit a Just Transition Plan to the State legislature for approval.
 - The State legislature shall have 90 days to hold public hearings on the Plan and to hear public comment before finalizing the Plan and implementing it beginning January 1, [insert next year].
- **PLAN REQUIREMENTS.**—
 - Such Plan must include the following information:
 - Identification of all State employees whose jobs will be terminated and/or impacted;
 - Data on and consideration of the impact that terminations will have on various demographic groups, including considerations based on race, sex, gender, and disability;
 - A transition plan for these employees, which may include (but is not limited to):
 - Re-employment elsewhere within State government, subject to continued training;
 - Buy-out;
 - Fully paid career path training allowing individuals to enter a new, non-law enforcement field; or
 - For individuals that are within 5 years of retirement, the option of early retirement.
 - A cost analysis of the funding required to implement the Transition Plan and where the funding will come from.

- **PROCESS.—**
 - In producing this report, the state Department of Corrections must directly consult:
 - CLOs and stakeholders working on criminal-legal system reform;
 - Union leadership and members;
 - People directly impacted by the criminal-legal system, including people currently incarcerated in state prisons;
 - Current law enforcement employees whose employment would be impacted by reduced local funding; and
 - Key state Departments, including but not limited Department of Health and Human Services and the state Employment Departments
 - In the report, the State Department of Corrections must State:
 - The nature of consultation;
 - A summary of the feedback received;
 - A summary of how the feedback was incorporated; and
 - Provide a cost estimate of funding needed to implement the Plan