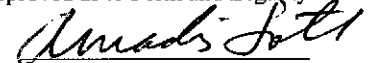


14 MAR -6 AM 11:57

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 84893 C.M.S.

INTRODUCED BY COUNCILMEMBER KALB

RESOLUTION IN SUPPORT OF SENATE BILL (SB) 962 (LENO) – SMARTPHONE THEFT PREVENTION TECHNOLOGY

WHEREAS, many residents of Oakland and other cities throughout California and the rest of the country carry and use a cell phone with them wherever they go and smart phones are increasingly becoming part of people's daily lives; and

WHEREAS, the practice of regularly carrying and using cell phones and other personal electronic devices and their monetary value has made the devices a target for thieves; and

WHEREAS, theft of handheld electronic devices has reached epidemic proportions, with 1.6 million stolen in the United States last year, according to the National Consumers League; and

WHEREAS, the Oakland Police Department (OPD) has observed that criminal enterprises are increasingly focused on stolen personal electronics and that the local surge in robberies is being driven by the resale value of cell phones, as noted by various media stories; and

WHEREAS, well over 4,000 robberies occurred in Oakland alone last year and the rate of robberies in Oakland remains horrendously high, creating a crisis for Oakland residents; and

WHEREAS, an October 30, 2013 East Bay Express article, "What's Driving Oakland's Robbery Epidemic?" reported that (1) OPD estimated that 75% of all robberies involved theft of a cell phone and (2) Lookout, a cell phone security company, estimated that lost and stolen cell phones cost consumers \$30 billion last year; and

WHEREAS, a May 7, 2013 Oakland Tribune article reported that stolen cell phones can be resold for between \$50 to \$400 each; and

WHEREAS, OPD's published Safety Tips regarding avoiding being a robbery victim state "Always conceal what you have to steal, such as money or a cell phone. Cell phones are just like cash—when thieves see a cell phone they want it;" and

WHEREAS, theft-detering technology, sometimes referred to as a "kill switch," has been developed by manufacturers and, if installed in cell phones, would likely hamper the ability to profit from the sale of stolen cell phones and thereby curb interest in committing robbery for the purpose of obtaining cell phones; and

WHEREAS, New York State Attorney General Eric Schneiderman and San Francisco District Attorney George Gascón announced in June the formation of a nationwide Secure Our Smartphones (S.O.S) Initiative aimed at encouraging the cell phone industry to adopt technologies that would deter theft by drying up the secondary market related to stolen devices; and

WHEREAS, numerous media articles have recently reported that the nation's largest cell phone carriers have rejected cell phone manufacturer Samsung Electronics' anti-theft "kill switch" and, while some other features such as Apple's Activation Lock are available for some devices, concerns remain that the available features are not consistently free, standard, and universal; and

WHEREAS, the Oakland City Council, at its January 7, 2014 meeting, passed a Resolution introduced by Councilmember Dan Kalb in support of the S.O.S. Initiative and requesting that the California State Legislature adopt statutory requirements for a mandatory "kill switch" or similar technology on all new smart phones sold in California; and

WHEREAS, Senate Bill 962, introduced by Senator Mark Leno on February 6, 2014 and co-authored by Assemblymember Nancy Skinner, would require any advanced mobile communication device, including smartphone or tablet, sold in California to include a technological solution that renders the essential features of the device inoperable when stolen, thereby removing the incentive for thieves by eliminating the device's value on the secondary market and, as a result, having a positive impact towards ending the epidemic of smartphone theft and ensuring Californians are safeguarded from theft; now, therefore be it

RESOLVED, that the Oakland City Council endorses SB 962.

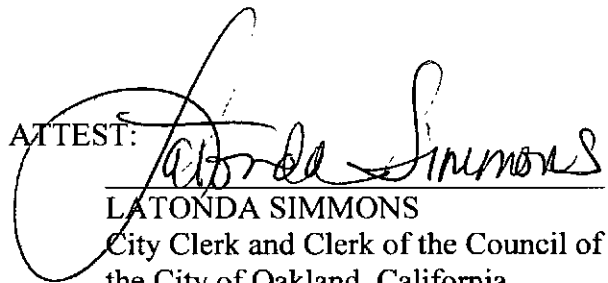
IN COUNCIL, OAKLAND, CALIFORNIA, **MAR 18 2014**

PASSED BY THE FOLLOWING VOTE:

AYES - ~~WILLIAMS~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID,
 SCHAAF AND PRESIDENT KERNIGHAN - 7

NOES - 0
ABSENT - 0
ABSTENTION - 0

Excused - Brooks - 1

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California