

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2008 JAN 10 PM 6:31

**To:** Office of the City Administrator  
**Attn:** Deborah Edgerly  
**From:** Police Department  
**Date:** January 22, 2008

**Subj.: Public Hearing, Council Report and Resolution Authorizing (1) the Acceptance and Appropriation of a State of California "Citizen's Options for Public Safety" (STATE COPS) Grant in the Amount of Seven Hundred Ninety-Eight Thousand Nine Hundred and Fifty-Three Dollars (\$798,953) (2) Implementing California Government Code Sections 30061-30065, and (3) Approving the Oakland Police Department's Fiscal Years 2007-2009 State COPS Grant Spending Plan, Which Includes the Hiring of Three Full-Time, One Year Limited Duration Professional Staff Positions for the Research, Planning, and Crime Analysis Division and the Property and Evidence Unit**

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### SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate grant funds in the amount of \$798,953 from the State of California, "Citizen's Options for Public Safety" (State COPS) grant program, to the Police Department. The resolution, prepared pursuant to California Government Code Sections 30061-30065, also seeks approval for the Department to allocate the State COPS funds pursuant to the spending plan referenced below. Further, the resolution seeks approval for the addition of three full-time professional staff positions to the Department for the Crime Analysis and Police Property and Evidence Units to be funded by the grant for up to one year. The proposed program period is October 1, 2007 through June 30, 2009.

### FISCAL IMPACT

The Department received \$798,953 in State COPS grant funds on a pass-through from the County of Alameda. The entire grant amount, plus accrued interest, is restricted by statute for use associated with front line law enforcement services. Under existing law, the Chief of Police is required to submit a spending plan and conduct a public hearing prior to the City Council's acceptance and appropriation of the \$798,953 (plus interest earned) in additional funding.

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Approval of the proposed resolution will authorize the application, acceptance and appropriation of State of California, "Citizen's Options for Public Safety" (State COPS) grant for the twelfth year program, beginning October 1, 2007 through June 30, 2009, in the amount of \$798,953 (plus accrued interest). Approval of this proposed resolution will also authorize the addition of 3.0 FTE civilian positions for the period of October 1, 2007 through June 30, 2009 as outlined in the grant spending plan below. Funding will be appropriated in the State of California Grant Fund (2158), Bureau of Administration Org. (106110), Bureau of Administration Program (PS01), in a Project to be determined. There is no matching fund requirement.

The appropriation is wholly in addition to the General Fund budget and cannot be used to supplant City funding. Proposed expense allocations are as follows:

Description and Use of Funds	Amount
Colt AR-15 Rifles (Approximately 40 Long and Short Barreled, Plus Parts and Accessories)	95,000
Ammunition	133,404
Travel/Training/Supplies	75,000
Video Equipment	111,000
Vehicle License Plate Readers (2)	55,000
Shotspotter (Upgrades and Maintenance)	88,000
Administrative Analyst II (1 Position) <sup>1</sup>	97,994
Police Property Specialist (2 Positions) <sup>2</sup>	143,555
<b>Total:</b>	<b>\$798,953</b>

<sup>1</sup> Position cost calculated at Step 1; annual rate of \$61,849.20; fringe benefit calculation of 58.44% (\$36,144.68).

<sup>2</sup> Position(s) cost calculated at Step 1, annual rate of \$45,302.40; fringe benefit calculation of 58.44% (\$26,474.73).

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Based on a 17.77% calculation rate, Central Services Overhead (CSO) charges associated with the annual salary and fringe benefits of \$97,994 for the Administrative Analyst II is \$17,413. CSO charges will be expensed to the General Purpose Fund (1010), Bureau of Investigations – Research, Planning, and Crime Analysis Division Org. (103610), Research, Planning, and Crime Analysis Division Program Code (PS06).

Based on a 17.77% calculation rate, Central Services Overhead (CSO) charges associated with the annual salary and fringe benefits of \$143,555 for the two (2) Police Property Specialist positions is \$25,509. CSO charges will be expensed to the General Purpose Fund (1010), Bureau of Investigations – Police Property and Evidence Division Org. (102120), Police Property and Evidence Division Program Code (PS03).

## **BACKGROUND**

For the twelfth consecutive year, the State Legislature has authorized supplemental funding for front-line law enforcement through the State COPS grant program. Funds are received by the Alameda County treasury and distributed to local jurisdictions through the Supplemental Law Enforcement Services Fund.

## **KEY ISSUES AND IMPACTS**

In past years the Department has designated State COPS grant funds mostly for equipment, training, and contract services for front line law enforcement. The majority of the funding was appropriated to increase and enhance crime prevention services and to fund special crime suppression projects. A narrative overview of the spending plan proposed by the Chief of Police, Assistant Chief of Police, Deputy Director of Administration, and Deputy Chiefs of Police for the State COPS XII award of \$798,953 (plus earned interest) is outlined below:

### **Spending Plan**

**Colt AR-15 Rifles - \$95,000:** Currently, there are 50 patrol rifles issued for deployment in the Department for use by the Patrol Rifle Program (long-barreled) and Tactical Team (short-barreled). State COPS funds will be used to purchase new equipment to assist these units to address public safety threats throughout Oakland.

**Ammunition - \$133,404:** Ammunition will be purchased to facilitate Police Officer training and firearms proficiency qualifications throughout the year. These are perishable skills that frontline peace officers need to maintain in order to protect themselves and the lives of others.

**Travel/Training/Supplies - \$75,000:** Funds will be used by Police Officers for advanced peace officers training sessions and other forms of continuing education as mandated by the State of California and the Negotiated Settlement Agreement. Funds shall also be used to purchase

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supply items directly associated with these training sessions, inclusive of text books, periodicals, and trade magazines.

**Video Equipment - \$111,000:** For several years, the Oakland Police Department has considered the benefits of utilizing video taping equipment in interview rooms. Many law enforcement agencies in the nation have moved in this direction, capitalizing on new video technology. The OPD has progressed from audio tapes to digital tape recordings to memorialize statements, including those of victims, witnesses, and suspects. However, videotaping suspects' interviews and subsequent statements is quickly becoming the standard in the industry.

Interviews and statements can be video taped for a variety of reasons. It can demonstrate the suspect's actions during the commission of the crime. It also clearly depicts suspects voluntarily giving statements to investigators, without force, fear, threats, coercion or promises. The recorded interviews and statements help investigators with the details of the statement during follow up investigations while providing an excellent tool with which to help prepare for courtroom testimony. Finally, the recorded interviews could refute defense attorneys' claims of inappropriate, unethical, and illegal police interrogation techniques while demonstrating the completeness and accuracy of admissions/confessions.

**Vehicle License Plate Readers - \$55,000:** In late 2005, the Department purchased and deployed four Automated License Plate Recognition (ALPR) systems. When deployed, the systems are capable of scanning hundreds of license plates during a shift. The system captures color images of each vehicle, as well as an infrared image of the plate, which is converted into a text file that is then checked against onboard databases of interest (stolen vehicles, wanted felons, AMBER alerts, etc.) stored in the processor. In the event of a "hit", an audible and visual alert notifies the officer.

In the first eight months of operation, the Department has located numerous stolen and wanted vehicles. The database of scanned vehicles has been instrumental in solving several crimes, including the near fatal hit and run of a motorcycle officer. The program has been so successful in Oakland that other agencies in Alameda County have purchased similar systems. The Department wants to expand its capabilities by adding two more mobile ALPR systems at a cost of \$55,000.

**Shotspotter (Upgrades and Maintenance) - \$88,000:** In 2005, the Department purchased and deployed a Shot Spotter gunshot identification and location system. The system is deployed in two large areas of the City known to have the highest incidence of crime and helps frontline law enforcement officers respond promptly to scenes of shootings and capture criminals. In the first full year of operation, the system was partially credited for reducing the incidents of "shots fired" calls by 34%. The Department has yet to exploit the full potential of the system,

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The Department is currently expanding the detection and intervention capabilities of the system, which should increase the chance of suspect apprehension. The annual maintenance of the system is \$53,000 and continued phone service is \$35,000. The Department is requesting \$88,000 to continue use of the Shot Spotter system.

**Administrative Analyst II - \$97,994:** The Police Department is in the process of reorganizing its frontline patrol structure from a watch command structure to a geographical policing structure. The Administrative Analyst II will be tasked with identifying unique technology needs and products to assist with geographical policing. Additionally, the Administrative Analyst II will provide real time analysis of crime trends and patterns to Area Commanders.

The Department will explore acquiring additional grant monies, and the utilization of future institutional salary savings to address the long-term sustainability of the Administrative Analyst II position. This may possibly include adding a request to institutionalize the position within the context of the agency's mid-cycle budget request for Fiscal Year 2009-2011.

**Police Property Specialists - \$143,555:** The Department's Property and Evidence Unit handles in excess of 100,000 items on an annual basis. These items are processed and stored on-site and at several off-site facilities. The Unit also handles a multitude of other critical functions related to criminal investigations. The two (2) newly hired Police Property Specialists would extend the operating hours of the Property and Evidence Unit to a 24/7 operation; direly needed to provide around the clock services for Patrol Officers. The placement of the two Police Property Specialists would further improve overall services relating to the processing and storing of evidence, recovering evidence, equipment distribution, criminal investigations, asset forfeiture, auctions, and unclaimed cash distributions.

## **SUSTAINABLE OPPORTUNITIES**

### **Economic**

Crime prevention activities funded by this spending plan will have a positive impact on property values and business opportunities. All equipment included in the spending plan will, whenever possible, be purchased locally.

### **Environmental**

There are no environmental issues associated with this report.

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**Social Equity**

The services provided through this initiative will assist the community through improved police services and enhanced police-community relations.

**DISABILITY AND SENIOR CITIZEN ACCESS**

There are no ADA or senior citizen access issues contained in this report.


**RECOMMENDATION**

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept State COPS XII grant funds in the amount of \$798,953, approve the proposed spending plan, and appropriate said funds to the Police Department.

**ACTION REQUESTED BY THE CITY COUNCIL**

Staff requests that the City Council adopt the resolution.

Respectfully submitted,

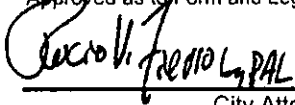
  
FOR Wayne G. Tucker  
Chief of Police

Prepared by: Candice Jessie  
Budget and Grants Administrator  
Bureau of Administration

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:

  
Office of the City Administrator

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 City Attorney

**OAKLAND CITY COUNCIL**

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**RESOLUTION No. \_\_\_\_\_ C.M.S.**

Introduced by Councilmember \_\_\_\_\_

**PUBLIC HEARING, COUNCIL REPORT AND RESOLUTION AUTHORIZING (1) THE ACCEPTANCE AND APPROPRIATION OF A STATE OF CALIFORNIA "CITIZEN'S OPTIONS FOR PUBLIC SAFETY" (STATE COPS) GRANT IN THE AMOUNT OF SEVEN HUNDRED NINETY-EIGHT THOUSAND NINE HUNDRED AND FIFTY-THREE DOLLARS (\$798,953) (2) IMPLEMENTING CALIFORNIA GOVERNMENT CODE SECTIONS 30061-30065, AND (3) APPROVING THE OAKLAND POLICE DEPARTMENT'S FISCAL YEARS 2007-2009 STATE COPS GRANT SPENDING PLAN, WHICH INCLUDES THE HIRING OF THREE FULL-TIME, ONE YEAR LIMITED DURATION PROFESSIONAL STAFF POSITIONS FOR THE RESEARCH, PLANNING, AND CRIME ANALYSIS DIVISION AND THE PROPERTY AND EVIDENCE UNIT**

**WHEREAS**, the State Legislature has approved a grant of \$798,953 to the Police Department in pass-through funding for the State of California "Citizen's Options for Public Safety" (State COPS), to be distributed through the Alameda County Supplemental Law Enforcement Services Fund to supplement, not supplant, existing local law enforcement funding; and

**WHEREAS**, the proposed grant term for the Department's implementation of the State COPS XII grant program is October 1, 2007 through June 30, 2009; and

**WHEREAS**, state regulations require the Chief of Police to obtain Council approval to appropriate said funds and, pursuant to Government Code Section 3062(dd) these funds can only be used for the purpose of front line law enforcement services and in accordance with the State Cops regulations and the Chief's proposed spending plan; and

**WHEREAS**, consistent with the State Cops regulations, the Chief is requesting authorization to use these funds as provided by the spending plan contained in the Council report which is included with this resolution and the Department intends to use part of these funds to hire three one-year limited duration full-time civilian positions to the Police Department who will be assigned to the Research, Planning, and Crime Analysis Division, and the Police Property and Evidence Unit; and

**WHEREAS**, the requested State COPS XII spending plan and the Chief of Police's proposed expenditures were discussed and public comment was allowed before the City Council and prior to the passage of this resolution; now, therefore be it

**RESOLVED:** That following the public hearing, the City Council does hereby implement the provisions of the California Government Code by accepting and increasing estimated revenues and appropriations to the Police Department by \$798,953 in State COPS XII funds, plus accrued interest earnings, in accordance with the spending plan as developed and approved by the Chief of Police and as discussed at a public hearing prior to passage of the enabling legislation; and be it

**FURTHER RESOLVED:** That revenues and appropriations shall be allocated to the Police Department's State of California Grant Fund (2158), Bureau of Administration Org. (106110), Bureau of Administration Program (PS01), in a Project Account to be determined; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to use the State COPS grant to fund three full-time, one-year limited duration civilian positions (one Administrative Analyst II and two Police Property Specialists) to the Police Department staff who will be assigned to the Research, Planning, and Crime Analysis Division and the Police Property and Evidence Unit; and be it

**FURTHER RESOLVED:** That Central Services Overhead charges and all other City of Oakland mandated overhead expenses associated with the annual salary and fringe benefits for the Administrative Analyst II is \$17,413, and said expenses shall be allocated as follows: General Purpose Fund (1010), Bureau of Investigations – Research, Planning, and Crime Analysis Division Org. (103610), Research, Planning, and Crime Analysis Division Program Code (PS06); and be it

**FURTHER RESOLVED:** That the Central Services Overhead charges and all other City of Oakland mandated overhead expenses associated with the annual salary and fringe benefits for the two (2) Police Property Specialist positions is \$25,509, and said expenses shall be allocated as follows: General Purpose Fund (1010), Bureau of Investigations – Police Property and Evidence Division Org. (103610), Police Property and Evidence Division Program (PS03); and be it

**FURTHER RESOLVED:** That the Bureau of Administration shall provide all required reports regarding the State COPS XII grant funds, as specified in the California Government Code; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator, or her designee, to execute all agreements and other documents necessary to accept, modify, extend, or amend the grant award, and to accept all other funds that become available during the grant period; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator, or her designee, to take whatever steps are necessary to implement the Chief's spending plan and to use the grant funds for frontline law enforcement services as defined by the Government Code and as provided by the Chief's proposed spending plan; and be it



**FURTHER RESOLVED:** That all agreements executed for this grant shall be reviewed and approved by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California