

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: September 25, 2007

2007 SEP 13 PM 6:42

Re: An Informational Report From The Oakland Police Department Regarding 4th Of July 2007 Operations In The City Of Oakland Including Citywide Statistics Including But Not Limited To: Number Of Fireworks Calls Responded To, Number Of 8.06.030 OMC Citations Issued, Number Of Felony Arrests, Number Of Misdemeanor Arrests, Number Of Traffic Citations Issued, Number Of Vehicles Towed, Number Of Fireworks Calls Received (Hotline, Emergency And Non-Emergency), Amount Of Explosive Fireworks Recovered, Amount Of Narcotics Recovered

SUMMARY

As requested by the Rules and Legislation Committee, staff has prepared an informational report detailing 2007, 4th of July operations conducted by the Oakland Police Department, including but not limited to the number of fireworks calls responded to; number of 8.06.030 OMC¹ citations issued; number of felony and misdemeanor arrests; number of traffic citations issued; number of vehicles towed; number of fireworks calls received (hotline, emergency and non-emergency); amount of explosive fireworks recovered; and amount of narcotics recovered.

This report provides a narrative operational overview.

FISCAL IMPACT

This is an informational report; therefore no fiscal impact issues are identified.

Because the holiday fell on a weekday, it was a regular workday for many officers assigned to the major response. The total amount of overtime pay for this major response was \$108,579.33 (sworn and non-sworn). Had the holiday fallen on a Saturday or Sunday, it may have resulted in significantly greater costs relative to overtime pay. In addition to the regular patrol shifts, over 249 extra members/employees were assigned to enforcement efforts on the 4th of July holiday.

BACKGROUND

For many years, the City of Oakland has been faced with an extensive proliferation of illegal fireworks, and has taken a zero tolerance approach in an effort to prevent the threats and community disruption posed by fireworks. Each year on the 4th of July, people are injured as a

¹ OMC Section 8.06.030 makes it illegal to buy, sell, transfer, use, or possess fireworks within City limits.

Item: _____
Public Safety Comte.
September 25, 2007

result of the use of illegal fireworks; property damage across the nation totals millions. The City of Oakland is no exception. At a minimum, problems include fires, explosions, noise, disruptive gatherings, reckless driving and large amounts of litter on City streets. In previous years, the Department has worked to mitigate the negative impacts through education, prevention, and enforcement. For enforcement purposes, the Department relies on Section 8.06.030 of the Oakland Municipal Code (OMC), which makes it illegal to buy, sell, transfer, use, or possess fireworks within City limits. Citations for these violations carry a fine of up to \$1,000 (Attachment 1). In addition, there are a number of state and federal laws that prohibit the possession, use, and sale of explosive materials.

KEY ISSUES AND IMPACTS

Accessibility of Fireworks

Fireworks can be legally purchased in neighboring Bay Area cities, and it is common to see the fireworks stands on major thoroughfares which make purchases convenient. The internet provides opportunities to purchase a wide array of decorative explosives that are delivered to the purchaser's front door. Finally, OPD have found individuals illegally selling fireworks from their homes and/or vehicles within City limits.

Historically, prevention efforts have focused on illegal sales and possession within City limits. Future efforts should include encouraging neighboring cities to outlaw the sale or possession of all types of fireworks, and working with package delivery services to prohibit the transportation of fireworks.

Prevention

Police Department staff began prevention, education and enforcement efforts several weeks prior to the actual holiday. To assist with these efforts, the Department conducted a public awareness campaign which included the distribution of flyers, written in the languages of English, Spanish, Chinese, and Vietnamese (Attachments 2 & 3). The Neighborhood Services Coordinators conducted oral presentations during their community meetings and gatherings. In addition, the flyers were promoted at schools, community groups and various media outlets. Finally, the Department issued press releases informing the local media of the problem and plans for increased enforcement.

The Oakland Fire Department provided several locations for community members to surrender fireworks; community members were able to surrender fireworks to seven fire stations and no questions would be asked by the fire fighters receiving the explosives. The fire stations were spread throughout the City (Stations 1, 3, 4, 8, 15, 18, & 20). This information was also distributed through the media (Attachment 4).

Community Support

A large amount of illegal fireworks were used on City streets and parks on the 4th of July. During the busiest time (8:00 p.m. - 11:00 p.m.), officers observed groups as large as 200 people engaging in the illegal activity and provided strong enforcement during that period. Enforcement efforts were severely challenged by the large numbers of individuals willing to engage in the use of illegal fireworks, which made it difficult for officers to respond and take enforcement action at every incident. In order to see significant future reductions in the use of illegal fireworks, the City must leverage its community resources to reach individuals who continue to condone and participate in the use of illegal fireworks in the neighborhoods.

Fireworks at Jack London Square

Previously, officers were tasked with significant crowd and traffic management responsibilities in and around Jack London Square. This assignment resulted in a diluted and slow response to neighborhood problems associated with the holiday. This year there was no major fireworks display at Jack London Square due to several large construction projects. The lack of a major organized show may have resulted in an increased use of fireworks in the neighborhoods. However, cancellation of the event allowed the Police Department to deploy approximately 100 officers more strategically across the City, which resulted in an unprecedented level of enforcement activity in the areas where illegal activity was most prevalent in the past.

July 4, 2007 Enforcement

For the period of July 1-6, 2007, a total of 3200 pounds of fireworks were recovered in the City of Oakland (the majority of fireworks were recovered on the 4th of July). Just days prior to the holiday, a search warrant yielded the seizure of 300 pounds of dangerous illegal fireworks. Of the five felony arrests for fireworks related charges, the District Attorney charged three as felonies, one as a misdemeanor, and one was not charged. One vehicle stop resulted in the seizure of 4 kilograms of cocaine. This operation was part of the City's STOP (Special Traffic Offender Program) enforcement project. Statistics related to the "Avoid 21 Program," were reported to the State of California "Avoid 21 Program" Coordinator². The following table outlines the enforcement results:

Responses to firework calls (Emergency , non-emergency, & hotline)	418
Number of Calls to Hotline	145
Number of 8.06.030 (sale, transfer, use of fireworks) Citations	114
12677 H&S (possession of dangerous fireworks) Misdemeanor Citations	1
12680 H&S (fireworks near people) Misdemeanor Arrests	1
Felony Arrests	22
Misdemeanor Arrests	33

² "Avoid 21" program is a county wide collaboration among all 21 law enforcement agencies in Alameda County. The program is designed to address DUI related offenses and is effectively administered during holiday periods, as well as other occasions.

Item: _____
Public Safety Comte.
September 25, 2007

Number of field stops for fireworks violations (non traffic related)	277
Total Number of Traffic Citations Issued	412
Citations Issued by the Traffic Division	222
Firearms Recovered	4
Vehicles Towed	50
Number of Field Contacts	86

PROGRAM DESCRIPTION

The Police Department, Fire Department, and other City staff met to collaborate on education, prevention, and enforcement strategies for 4th of July activities. The project was designed to reach across the broad spectrum of Oakland cultures and languages to reduce the danger and negative quality of life issues associated with illegal activity on the 4th of July.

A fireworks hotline³ was created and staffed to receive calls from community members reporting the use or possession of illegal fireworks (this information was provided to field officers); it was activated on June 13, 2007 and monitored until July 5, 2007. The hotline will be re-activated next year during the same time period, and may be activated for additional holidays if needed. The hotline phone number was included on the informational flyers distributed to community groups and the media.

Calls received prior to the 4th of July holiday and calls from the previous year, were researched, and the information was used to determine the deployment of officers to fireworks *hot spots* on the holiday. The hotline was checked frequently on the 4th of July to deploy officers in as close to a *real-time* response as possible. This provided the officers with a starting point to conduct extra patrols in an effort to prevent the illegal fireworks activity.

Weeks prior to the holiday, a 4th of July violation resource sheet was created and distributed to Department personnel, and fireworks enforcement training was provided to field officers. The Oakland Police Department's Criminal Investigation Division conducted criminal investigations regarding fireworks possession and assisted officers with field investigations on the 4th of July.

The Oakland Police Department's major response on the 4th of July was made up of three Mobile Field Forces (MFF), which were formed from the Department's Strategic Area Command, Patrol Third Watch, Criminal Investigation, and the Internal Affairs Division. The Patrol Division's First and Second watches worked 12 hour shifts and provided 911 response services. Members were also assigned to the City's partial activation of the Emergency Operations Center as a precautionary measure. In addition, specially trained and equipped officers were available to respond to major crowd management incidents. There were four staff members present, with specialized equipment, throughout the operation to video tape large crowds or activity requiring a police response. The Helicopter Unit provided flight services for the entire operation.

³ The fireworks hotline number is (510) 238-2373.

The Police Department collaborated with the Fire Department to create a process for community members to surrender fireworks at seven fire stations with a "No Questions Asked" policy.

SUSTAINABLE OPPORTUNITIES

Environmental: Strict enforcement of fireworks violations helps protect property from accidental fires which can release toxic elements into the atmosphere, causing health and safety risks to community members.

Economical: By preventing property damage caused by the illegal use of fireworks, businesses are able to maintain low insurance rates, and continue to provide services which contribute to the economic health of the City.

Social Equity: Enforcement of fireworks violations helps protect life and property in the City of Oakland, providing a safer environment.

Disability and Senior Access

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

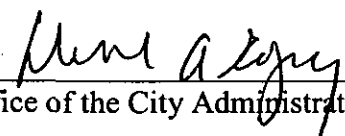
RECOMMENDATION / RATIONALE

The Oakland Police Department employed the strategies of education, prevention and enforcement to reduce illegal activities associated with the 4th of July holiday. Despite the extensive efforts, the number of fireworks related reports, citations, arrests and observations show that there continues to be a significant portion of the Oakland community willing to engage in the use of illegal fireworks. Future efforts must work to reduce the overall number of community members using the dangerous and illegal explosives.

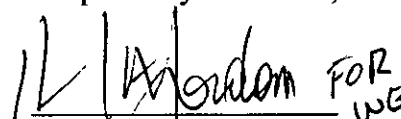
ACTION REQUESTED OF THE COUNCIL

This is an informational report therefore no action is requested of the Council. Staff recommends acceptance of this report.

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Respectfully submitted,


Wayne G. Tucker
Chief of Police

Prepared by:
Captain Paul Figueroa
Office of Inspector General
Oakland Police Department

Item: _____
Public Safety Comte.
September 25, 2007



NEWS FROM



Oakland Police Department

Wayne G. Tucker
Chief of Police

For Additional Information:

Public Information Officer
Roland Holmgren
Ph. 510.238.7230
Fax. 510.238.6947

PRESS RELEASE

For Immediate Release

June 18, 2007

TAKE THE BANG OUT OF ILLEGAL FIREWORKS

Oakland (CA) - With the 4th of July holiday steadily approaching the Oakland Police Department reminds citizens of the dangers of using illegal fireworks. Each year over 9,300 people are injured as a result of using illegal fireworks, as well as millions of dollars in property damage across the nation. In the City of Oakland it is illegal to buy, sell, transfer, use, or possess fireworks. A person cited for these violations can be cited with a fine of up to \$1000.00.

The City of Oakland is committed to keeping the City and its citizens safe and has designated seven locations throughout the City where citizens can drop off illegal fireworks **NO QUESTIONS ASKED**. The drop locations will be held at the following Oakland Fire Department Stations from June 18 through July 9:

Station 1:	1603 Martin Luther King Jr. Way
Station 3:	1445 14 th St
Station 4:	1235 International Blvd.
Station 8:	463 51 st St.
Station 15:	455 27 th St
Station 18:	1700 50 th Ave
Station 20:	1401 98 th Avenue

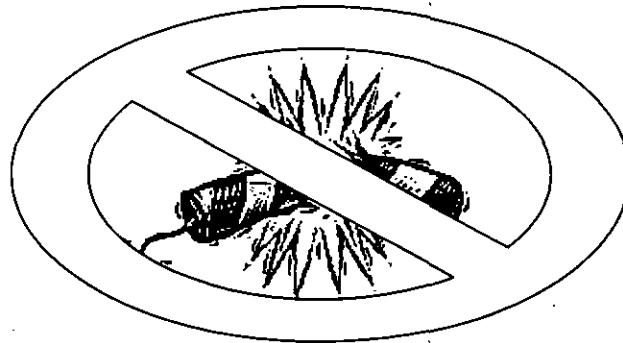
An illegal fireworks hotline has been established so that citizens can report non in progress fireworks complaints at (510) 238- 2373. Citizen may call the Oakland Police Department non-emergency number at (510) 777-3333 for in progress firework complaints. The City of Oakland will not be hosting a firework show. For additional information please contact Officer Roland Holmgren at (510) 238-7230.

###



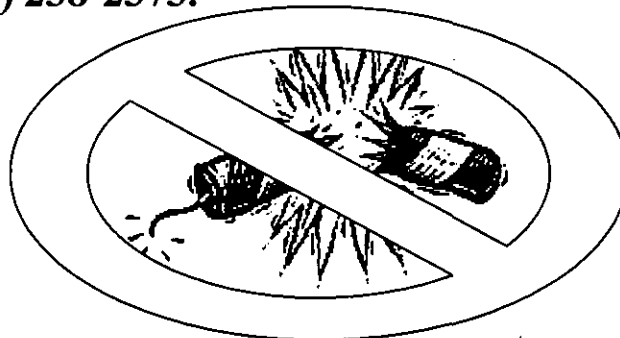
Warning:

It is illegal to buy, sell, transfer, use or possess fireworks in Oakland. If you are caught doing any of these, you will be fined up to \$1,000! (Oakland, Cal., Health & Safety, 8.06.030 (2004).) To report any illegal activities please contact our anonymous Fireworks Hotline at (510) 238-2373.



Advertencia:

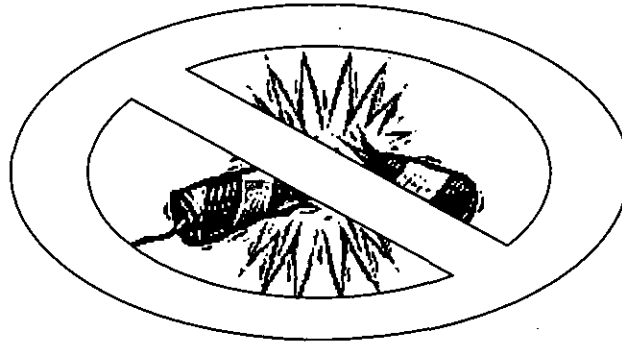
Es ilegal comprar, vender, transferir, usar o poseer fuegos artificiales en Oakland. ¡Si usted es sorprendido realizando cualquiera de estas actividades, se le aplicará una multa de hasta \$1,000! (Oakland, Cal., Salud y Seguridad, 8.06.030 (2004).) Para reportar cualquier actividad ilegal, por favor comuníquese con nuestra línea anónima sobre fuegos artificiales al (510) 238-2373.





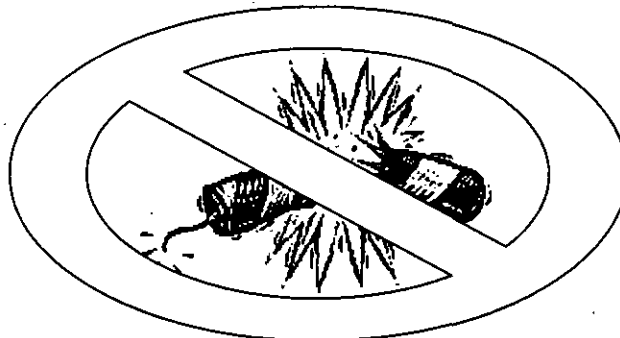
警告： 言告：

在屋崙(奧克蘭)市內買賣、運送、使用或擁有煙火都是違法的行爲。若因進行任何這類行爲而被逮，你可能會被處以高達 \$1,000 的罰款。(加州屋崙(奧克蘭)健康及安全法規 8.06.030 (2004)) 要舉報任何非法活動，請電我們的匿名煙花熱線 (510) 238-2373。



Cảnh Cáo:

Mua, bán, di chuyển, dùng hoặc chiếm hữu pháo bông là bất hợp pháp trong Oakland. Nếu quý vị bị bắt gặp làm những điều này, quý vị sẽ bị phạt đến \$1,000! (Oakland, Cal., Health & Safety, 8.06.030 (2004).) Muốn báo cáo các hành vi phạm pháp nào đó xin gọi đường dây kính của Firework Hotline ở số (510) 238-2373





**City of Oakland Fire Department
Fire Prevention Bureau**

The Oakland Fire Department has agreed to have seven of their Fire Houses be used as drop off locations for fireworks. The collection will begin on Monday, June 18, 2007 and will end on Friday, July 6, 2007. The following are the locations where they will have 55 gallon metal drums to collect fireworks from members of the community who desire to voluntarily turn in fireworks:

Station 1:	1603 Martin Luther King Jr. Way
Station 3:	1445 14 th St
Station 4:	1235 International Blvd.
Station 8:	463 51 st St.
Station 15	455 27 th St
Station 18	1700 50 th Ave
Station 20	1401 98 th Avenue

Drop-off locations are only for fireworks to be dropped off by the community with no questions asked