

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAY 26 AM 10:13

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: June 8, 2004

Re: An Information Report from the Chief of Police on Sideshow Activities and the Cruising Abatement Program (CAP)

SUMMARY

Since November 1997, the Police Department has prepared periodic reports on enforcement efforts to reduce cruising¹ activities in Oakland. This report covers the Department's efforts between December 11, 2003 and March 11, 2004. Citywide cruising abatement activities are under the command and direction of the Special Operation Division's Traffic Section. During the winter months covered in this report, the Police Department did not spend any overtime funds to address cruising in Oakland. However, improved weather conditions have brought a reoccurrence of the reckless driving, exhibitions of speed and other problems commonly associated with the Sideshow.

The Department has developed effective operations to prevent / reduce Sideshow activity and other lawless behavior from occurring. Staff has also implemented plans that will deploy personnel during certain major holiday weekends in order to prevent the occurrence of any large-scale incidents.

FISCAL IMPACT

Sworn and civilian personnel working on an overtime basis are the Department's primary cruising enforcement operation staff, though officers working in their normal shift assignments and on routine patrol, at their regular rate of pay, are frequently tasked to address problems at Sideshow events. The cost of addressing Sideshow problems by officers working a normal tour of duty is not known.

The following special grant program funds will be used to supplement overall operation costs:

- \$28,000 - California Office of Traffic Safety (OTS) grant to be used during joint Sideshow operations with the California Highway Patrol
- \$60,721 - OTS grant funds awarded for the completion of six DUI checkpoints between June 24 and July 10, 2004.

¹ For purposes of this report, the terms cruising and "Sideshow" are interchangeable and include such problems as vehicle noise, loud car stereos, public drunkenness, reckless driving, the spinning of "donuts," and racing in Oakland.

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All other costs associated with Sideshow and holiday safety activities are borne by OPD's General Fund budget, at a cost of approximately \$600,000 per year.

BACKGROUND

Since the late 1980s, the City of Oakland has worked diligently to address problems associated with late-night cruising. These efforts have focused in three general areas:

- Community Involvement
- Local Legislation
- Law Enforcement

The efforts of those involved in finding solutions to these problems have not been made in any one area to the exclusion of the others. Collaboration and compromise continue to play a part in devising a comprehensive solution to the problems associated with this troublesome activity.

The "Sideshow" Problem

Since 1988, late-night cruising activity has been broadly referred to as the "Sideshow." This appellation has been widely applied to the activity by participants, the officials tasked with dealing with the problem, and members of the media. Over the past few years the number of sideshow participants has significantly decreased in size. However, the reckless driving and exhibitions of speed that typify these events continue on a more random basis. Though these incidents do not have the large crowds of spectators and do not occupy locations for extended periods of time, they continue to generate complaints to the Police Department of "Sideshow activity." The incidents also result in collisions, often with serious injury.

The demographics of Sideshow participants during this report period remain consistent:

- Both men and women
- Average 25.5 years in age
- Employed
- 35% of participants not Oakland residents

A new statistic that was tracked during this reporting period is the percentage of vehicles towed from unlicensed operators. This particular demographic group is considered dangerous because of their increased likelihood of being involved in a vehicle collision, especially a hit-and-run. A staggering 70% of the cars towed between December 11, 2003 and March 11, 2004 were taken from unlicensed drivers. Fifty-four (54) of the 206 total arrests made were for driving under the influence of alcohol and/or other drugs.

At a minimum, problems associated with the Sideshow include noise, litter, and the defacement of city streets and off-street parking areas from black tire skid marks. Neighborhood residents also complain of disorderly conduct, vandalism, public intoxication, and public urination.

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Stolen vehicles, firearms, and illegal drugs are routinely recovered during Sideshow activity and vehicle pursuits of serious offenders do occur. Since 1988, seven traffic fatalities have been linked to the illegal exhibitions of speed and racing that occur during the Sideshow.

A key measure of the success of this program is that the major Sideshow gatherings of the past have become very rare. However, a maintenance plan is required in order to sustain and build upon the success of the program.

KEY ISSUES AND IMPACTS

Sideshow Staffing

Staffing the overtime assignments associated with the Cruising Abatement Program (CAP) has always been problematic. In general, most officers are not inclined to volunteer for these particular assignments, resulting in a Department system of "mandatory overtime" to ensure adequate staffing of operations. Discussions with the Oakland Police Officers Association (OPOA) have brought about a tentative agreement to codify a system of mandatory overtime that will better meets the needs of the Department, labor, and the community.

"Regular" Sideshow, a.k.a. "team," operations would minimally consist of the following personnel:

- 1 Lieutenant of Police
- 3 Sergeants of Police
- 30 Police Officers
- 6 Police Service Technicians

Holiday Staffing

Coupled with CAP deployments, the Department also increases uniformed field deployments during certain major holiday weekends. These holiday operations consist of approximately 100 additional officers with appropriate command, supervision and support. Recently, the Department used this deployment model to address issues and incidents at the annual Cinco de Mayo Festival in the Fruitvale District. The deployment method was extremely effective. The festival was adequately staffed to ensure the safety of all who attended. Dedicated personnel were used later in the afternoon and evening to quickly address cruising and crowd management problems that have historically erupted into "Sideshow" activity and violence.

The major holidays requiring additional staffing are:

- Cinco de Mayo weekend (one day)
- Memorial Day Weekend (two days)
- 4th of July (one day)

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- Labor Day (two days)
- New Year's Eve (one day)

The major holidays identified above have traditionally required a major response from the Bureau of Field Operations (BFO) and the formation of Mobile Field Forces (MFF) in order to ensure the safety and security of all holiday revelers both during and after scheduled holiday festivities. Holiday deployments consist of the following:

- 1 Captain of Police
- 2 Lieutenants of Police
- 10 Sergeants of Police
- 100 Police Officers
- 10 Police Service Technicians

Preliminarily, Sideshow and Holiday operations are staffed on a voluntary basis. In the event that assignments cannot be filled, these special details are completed using personnel assigned to specialized units from within the Bureau of Field Operations, with personnel activated for 12-hour shifts. The specialized units available for assignment are:

- Airport Police Section
- Traffic Section
- Special Operations Section (ABAT, Special Duty Unit, Vice/Narcotics)
- Field Services Division (CLASS and Beat Health)
- Problem Solving Officers (PSO)
- Crime Reduction Teams (CRT)

Complete staffing is necessary in order to deliver the best service to the community, enhance officer safety, and to ensure staff work within the policies and procedures of the Department.

Deployment Schedule

The Department anticipates that scheduling Sideshow enforcement operations in late spring will provide enough preventative deterrence to minimize disruptions later in the summer. This included the six grant-funded DUI checkpoints noted in the Fiscal Impact section (Note: The checkpoints will be staffed by the Traffic Section officers and will not be subject to the provisions of mandatory overtime).

SUSTAINABLE OPPORTUNITIES

Economic - Occurrences of "Sideshow" activity in the area of Hegenberger Road negatively impact traffic in and out of the Oakland International Airport. It has also had a negative impact on area businesses that have been victimized by looting or close early because of the cruising activity. It is believed that efforts to reduce the Sideshow and its associated criminal activities

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will strengthen other City efforts to revitalize Oakland and improve local area economic opportunities. Effective efforts will also result in a reduction in police overtime and a more prudent use of taxpayer dollars.

The safe enjoyment of Oakland's holiday and festival activities brings additional dollars to the local economy.

Environmental - A reduction in cruising activity would reduce the number of cars on the city streets, thereby reducing exhaust emissions and possibly the consumption of gasoline. Reduced cruising would have a positive impact on the amount of litter on city streets that accumulates as a result of trash thrown from vehicles and by observing pedestrians.

Social Equity - The City's efforts to reduce the crime, grime, and the noise associated with the Sideshow are being done with the ultimate desire to return order to the streets of affected areas on weekend nights, bringing an immediate improvement to the neighborhood's quality of life.

Festivities in celebration of cultural events and holidays should be safe and sane for all.

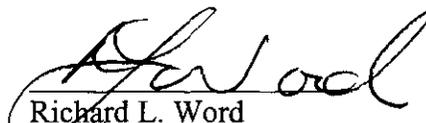
DISABILITY AND SENIOR CITIZEN ACCESS

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

RECOMMENDATION

The Police Department recommends acceptance of this report.

Respectfully submitted,


Richard L. Word
Chief of Police

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Special Operations Division, Traffic Section

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


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