

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND
AGENDA REPORT

To: **2011 SEP 15 09:51:45** City Administrator
Deanna Santana
From: Police Department
Date: September 27, 2011

Re: An Annual Informational Report from the Office of Chief of Police Detailing the Department's Efforts to Manage Various Events Conducted Throughout the City of Oakland During the Fourth of July Holiday, Including Illegal Fireworks and Sideshow Activities

SUMMARY

Staff has prepared an informational report detailing the Department's efforts to manage events conducted throughout the City of Oakland during the July 4, 2011 holiday, including any illegal fireworks and sideshow activities.

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 fire danger and community disruption posed by fireworks.

FISCAL IMPACT

In addition to the regular duty patrol officers, the Problem Solving Officer (PSO) units from all three areas were assigned to enforcement efforts on the 4th of July holiday. Because the holiday fell on a Monday, which is a regular day off for the PSO officers, the PSOs switched their days off to make the 4th of July holiday a regular work day. By doing this the Department did not use overtime for response to major events; *zero overtime was used for July 4th enforcement efforts.*

BACKGROUND

Each year on the 4th of July, people are injured as a 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. In addition, there are a number of state and federal laws that prohibit the possession, use, and sale of explosive materials.

Item: _____
Public Safety Comte.
September 27, 2011

July 4, 2011 Enforcement

The following is a summary of police productivity during this operation:

Number of field stops for fireworks violations	77
Responses to firework calls	91
Number of OMC Section 8.06.030 (sale, transfer, use of fireworks) citations	23
Felony Arrests	6
Misdemeanor Arrests	11
Number of Traffic Citations	62
Firearms recovered	2
Vehicles Towed	3
Number of field contacts	43

PROGRAM DESCRIPTION

The Police Department, Fire Department, and other City staff met to coordinate education, prevention, and enforcement strategies for 4th of July activities. As mentioned above, this collaborative problem-solving project was intended to prevent, educate, and enforce. The project was designed to reach across the broad spectrum of cultures and languages to reduce the danger and quality of life issues associated with illegal activity on the 4th of July.

A fireworks hotline¹ 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). 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.

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 major response on the 4th of July was made up of three Mobile Field Forces (MFF), which were formed from the Department's PSO units. 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.

¹ The fireworks hotline number is (510) 238-2373.

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.

Economic: 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

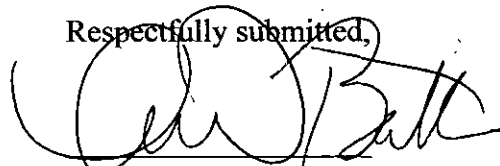
There are no ADA or senior citizen access issues identified in this report.

RECOMMENDATION / RATIONALE

Staff recommends acceptance of this informational report.

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.

Respectfully submitted,



Anthony Batts
Chief of Police

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Prepared by:
Lieutenant F. Hamilton
Bureau of Field Operations 1
Special Resource Unit

Item: _____
Public Safety Comte.
September 27, 2011