

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2008 MAY -1 PM 5:49

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: May 13, 2008

Re: A Report and Proposed Resolution (1) Amending Resolution No. 80414 C.M.S., Which Authorized the Acceptance and Appropriation of Grant Funds in an Amount Not to Exceed Two Hundred Thousand Dollars (\$200,000) From the State of California, Corrections Standards Authority, Title V Community Prevention Grants Program to Reprogram Up to Sixty Thousand Dollars (\$60,000); (2) Amending Resolution No. 80415 C.M.S., Which Authorized the Acceptance And Appropriation of Grant Funds in an Amount Not to Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) From the State of California, Corrections Standards Authority, Title II Formula Grants Program, to Reprogram Up to Seventy-Five Thousand Dollars (\$75,000); And (3) Authorizing a Waiver of the Competitive Request for Proposal/Qualifications Process and Authorizing the City Administrator, on Behalf of the City of Oakland, to Enter Into a Professional Services Agreement with the National Council on Crime and Delinquency in An Amount Not to Exceed Fifty Thousand Dollars (\$50,000) For Services Associated With the Police Department's Implementation of a Two-Day Conference, Tentatively Scheduled for September 18 and 19, 2008, Focusing on Disproportionate Minority Contact As It Relates to Juvenile Crime Prevention, Incarceration, and Intervention

SUMMARY

A resolution has been prepared to (1) amend Resolution Number 80414 C.M.S. dated February 20, 2007, which authorized the acceptance and appropriation of grant funds in an amount not to exceed \$200,000 from the State of California, Corrections Standards Authority, Title V Community Prevention Grants Program, (**Project First**), to reprogram up to \$60,000, and (2) to amend Resolution Number 80415 C.M.S. dated February 20, 2007, which authorized the acceptance and appropriation of grant funds in an amount not to exceed \$1,500,000 from the State of California, Corrections Standards Authority, Title II Formula Grants Program, (**Paragon Project**), to reprogram up to \$75,000. The proposed resolution also requests a waiver of the competitive request for proposal/ qualifications process and authorizes the City Administrator, on behalf of the City of Oakland, to enter into a Professional Services Agreement for an amount not to exceed \$50,000 with the National Council on Crime and Delinquency to conduct a two-day conference, tentatively scheduled for September 18-19, 2008, focusing on disproportionate minority contact as it relates to juvenile crime prevention, incarceration, and intervention.

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FISCAL IMPACT

The proposed amended resolution authorizes the reprogramming of up to \$60,000 (and other miscellaneous fiscal adjustments) associated with the State of California, Corrections Standards Authority, Title V Community Prevention Grants Program – **Project First**. Approval of the proposed resolution will authorize an amendment to the appropriation and spending plan of a State of California, Corrections Standards Authority grant for the Police Department’s Project First for program year three (3), beginning July 1, 2007, in the estimated amount of \$200,000. Funding has been appropriated to the State of California, Corrections Standard Authority Grant Fund (2152); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), Project Account G328810. Proposed expense allocations are as follows:

Original Use of Funds	Original Budget	Revised Spending Plan
Safe Passages (Program Administration)	10,000	10,000
The Mentoring Center	60,000	40,000
The Center for Family Counseling	60,000	40,000
Covenant House	30,000	10,000
Safe Passages Subtotal	160,000	100,000
Disproportionate Minority Contact (Conference and Other Administrative Costs)	10,000	20,000
National Council on Crime and Delinquency (Contract for Service)	0.00	50,000
Subtotal for Other Program Expenses	10,000	70,000
Accountancy and General Administrative Services (Overtime for Professional Staff)	15,000	3,000
Program Supplies/Equipment	7,535	21,967
Contract Assessment Fee (\$150,000 x 3%)	4,800	4,500
Central Services Overhead (\$3,000 x 17.77%)	2,665	533
OPD Expense Subtotal	30,000	30,000
TOTAL GRANT FUNDS	\$200,000	\$200,000

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The proposed amended resolution also authorizes the reprogramming of up to \$75,000 (and other miscellaneous fiscal adjustments) associated with the State of California, Corrections Standards Authority, Title II Formula Grants Program – **Paragon Project**. Approval of the proposed resolution will authorize an amendment to the appropriation and spending plan of a State of California, Corrections Standards Authority grant for the Police Department’s Paragon Project in the estimated amount of \$750,000. Funding has been appropriated to the State of California, Corrections Standard Authority Grant Fund (2152); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), Project Account G322110. Proposed expense allocations are as follows:

Original Use of Funds	Original Budget	Revised Spending Plan
Donald P. McCullum Youth Court (Contract for Service) (Amount Not to Exceed \$400,000/yr x 3 years)	1,200,000	1,200,000
W. Haywood Burns Institute (Contract for Service) (Amount Not to Exceed \$75,000)	75,000	25,000
Disproportionate Minority Contact (Conference and Other Administrative Costs)	0.00	75,000
Accountancy and Other Administrative Services (Overtime for Professional Staff) (\$34,898/yr x 3 years)	104,694	79,694
Program Supplies (\$3,551/yr x 3 years)	10,652	16,595
Equipment (\$16,000/yr x 3 years)	48,000	48,000
CSA Mandated Training/Travel (\$1,600/yr x 3 years)	4,800	4,800
Contract Assessment Fee (\$1,225,000 x 3%)	38,250	36,750
Central Services Overhead (\$79,694 x 17.77%)	18,604	14,161
TOTAL GRANT FUNDS	\$1,500,000	\$1,500,000

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State of California – Approval of Proposed Budget Modifications

It should also be noted that the proposed financial modifications to both the Project First and Paragon Project have been reviewed and approved by the grantor; the State of California, Corrections Standards Authority.

BACKGROUND

Project First

Project First, through targeting first time offenders, provides services which reduce the likelihood that youths will commit future crimes. It is suggested that youth involvement with the juvenile justice system lessens as a function of both decreasing risk factors and increasing protective factors. Research also suggests that when services are immediately provided to first time youth offenders, they are less likely to commit more violent or serious crimes.

The effectiveness of programs designed to serve at-risk youth are, in large part, contingent upon matching the appropriate level of intervention with the level of risk the target youth are experiencing. Further, there is persuasive evidence that appropriate interventions can significantly reduce risks and the rate of offending. According to research and evaluation of best practices in violence prevention programs for at-risk youth, the most effective programs are those that incorporate the following principles:

- Use a strength-based (rather than a deficit-based) approach to help youth develop empathy, learn how to anticipate outcomes of their actions, see alternatives to negative behaviors, and recognize that they have options
- Empower families to support youth's positive activities and efforts to succeed in school
- Connect youth with peers
- Link youth to highly structured program activities in the communities in which they live

Project First: Justification for Re-Programming of Funds

Project First had a goal of serving (60) youths during each of its three years of program operation. Throughout the first and second year terms, respectively, a total of (81) youth cases were referred to and assessed by Project First staff; with (45) of these referrals eventually qualifying for full program participation. For the third year term, however, the numbers were lower. Through the period ended December 31, 2007, a total of (21) youth cases were referred to and assessed by Project First staff, with (8) of these referrals qualifying for full program participation.

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The original contractual provision between the Police Department and the community-based program providers aligned with the Project First initiative was designed on a fee for service basis; with a formula calculation developed tied to the number of youths serviced during each quarter of program operation. Due to the fact that the number of youth serviced during the first two quarters of Year-3 program operations were significantly lower than anticipated, a surplus in available grant funds was created. The Police Department in turn conferred with representatives of the granting agency, the State of California, Corrections Standards Authority, to seek authorization to re-program the surplus; still in alignment with the base deliverables associated with the initiative.

It should also be noted that overtime funds were originally set aside for accountancy services and other administrative functions to be performed by the agency's Budget and Grants Administrator. Base accounting service charges shall still be expensed against the grant. However, all other administrative services shall be afforded on an in-kind basis.

Paragon Project

The Paragon Project focuses on several crucial youth violence and delinquency prevention goals: 1) the expanding of *early intervention* and diversion services, rendering them even more strategic and effective by providing enhanced and expanded *gender responsive and gender specific (GRGS)*¹ services; 2) building organizational capacity for the Department and MYC to develop and implement gender responsive services; 3) the establishment of a network of providers informed about and committed to providing services to youth offenders in developmentally appropriate, culturally competent, gender responsive ways; 4) education and increased understanding and collaboration among the City of Oakland's public safety personnel, MYC stakeholders, and the broader community as a whole with regard to youth issues, including juvenile delinquency and Disproportionate Minority Contact.

¹ "Gender responsive" here refers to strategies and services that take gender-based needs and resilience into account; "gender specific" refers to strategies and services that address a need or issue that is considered to be associated one of the genders and/or to refer to services or programming that are provided to either females or males and delivered to one or the other separately. However, GRGS is not a code name for "girls services," nor does it refer simply to separate programming for male and female youth, or same-gender matching of staff and clients.

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Paragon Project: Justification for Re-Programming of Funds

The proposed financial variances to the Paragon Project are attributable to a decreased contractual allocation to the W Haywood Burns Institute for technical assistance relative to Disproportionate Minority Contact analysis and evaluation. It should also be noted that overtime funds were originally set aside for accountancy services and other administrative functions to be performed by the agency's Budget and Grants Administrator. Base accounting service charges shall still be expensed against the grant. However, all other administrative services shall be afforded on an in-kind basis.

Disproportionate Minority Contact

Disproportionate Minority Contact (DMC) refers to the overrepresentation of minority youth who come into contact with the juvenile justice system relative to their numbers in the general population. In July 2005, the County of Alameda was awarded a technical assistance grant by the State of California to investigate (and subsequently validate) DMC in the County, with emphasis placed on 10 to 17 year olds and their involvement in the juvenile justice system.

As detailed in the County's August 2006 report, Oakland must increase its efforts to prevent the progression of behaviors that eventually result in delinquency. The report, produced by the National Council on Crime and Delinquency as part of the grant, further notes that youth of color in Oakland are more than 3 times as likely as a white youth to be placed on probation. African American youth are 11 times more likely, and Latino youth are three times more likely than White youth to be booked into Juvenile Hall.² The Alameda County Probation Department's DMC Initiative's final recommendations have particular relevance to both Project First and the Paragon Project, including: a) target youth *before* they enter the juvenile justice system to prevent the particularly problematic early delinquency; b) increase the number of youth referred to diversion programs; c) devote more resources to community-based services; d) provide gender-specific and culturally appropriate diversion services for females, youth and first-time offenders; and e) prioritize appropriate services for African-American youth given their "severe over-representation" at the County and City level (nearly half of all youth on probation in the County are African American from a limited number of zip codes in Oakland).

² Secure detention at the County's Camp Sweeney is at least twice as likely for all youth of color in comparison to White youth, with African American youth 11 times more likely than White youth to be sent to Camp Sweeney. African American youth are five times more likely, and Latino youth almost three times more likely, than White youth of having an outcome of DJJ (the California Dept. of Corrections and Rehabilitation, Division of Juvenile Justice, formerly known as the California Youth Authority).

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As recipients of two Title V Community Prevention grants and one Title II Formula grant through California's Corrections Standards Authority, the OPD, Safe Passages, and the Donald P. McCullum Youth Court (MYC) have focused on the issue of DMC – gaining knowledge of the issues and identifying programmatic strategies and evaluation needs.

KEY ISSUES AND IMPACTS

Project Description

Conference Development and Implementation

The Police Department, in collaboration with a host of state and local partners, proposes to develop and implement a two-day educational forum (conference) in Oakland. The forum will focus on educating non-traditional stakeholders (e.g., judges, prosecutors, public defenders, police, probation, school officials, political leaders, and community-based organizations) on the issue of DMC as a means of reducing the over-representation of youth of color in the juvenile justice system. The two-day DMC conference is tentatively scheduled to take place on September 18-19, 2008.

Planning partners currently associated with the proposed DMC conference are:

- State of California, Corrections Standards Authority
- Safe Passages
- The Donald P. McCullum Youth Court
- The Alameda County Juvenile Probation Department
- National Council on Crime and Delinquency

Waiver of the Competitive Request for Proposals Process

The National Council on Crime and Delinquency

For more than two years, the National Council on Crime and Delinquency has worked directly with the State of California, Corrections Standards Authority (CSA), and the State's DMC grantees throughout Northern California (including Alameda County) – to provide technical assistance to address DMC in juvenile justice systems. Using a data-driven planning process, NCCD works with local regions (including Oakland) to identify the extent of disproportionality, the stages at which the overrepresentation occurs, and research-based best practices and promising approaches for addressing the issue.

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Founded in 1907, the National Council on Crime and Delinquency (NCCD) is a nonprofit organization that promotes effective, humane, fair, and economically sound solutions to family, community, and justice problems. NCCD conducts research, promotes reform initiatives, and seeks to work with individuals, public and private organizations, and the media to prevent and reduce crime and delinquency.

Since 2005, the Police Department has received grant funds from the CSA to support the identification and understanding of Disproportionate Minority Contact in the hopes of better equipping our agency, and our law enforcement, judicial, and community-based partners, with the tools and resources needed to provide leadership in developing and/or strengthening community-based DMC reduction activities. To this same extent, CSA recently awarded NCCD a 12-month contract to provide technical assistance to three California counties to address DMC in their juvenile justice systems: Alameda (Probation Department), Contra Costa, and Ventura Counties.

For the last several months, the Police Department has held a number of planning forums with NCCD staff, representatives from Alameda County's Office of Juvenile Probation, and a number of community-based providers; building upon the work developed by each of our respective agencies relative to DMC, and further building the foundation for a sustained and effective DMC reduction effort throughout the City of Oakland and the County of Alameda.

The proposed scope of services to be provided to the Police Department by NCCD is inclusive, but not limited to, the following:

- Provide data on DMC – nationally, statewide, regionally (Alameda, Contra Costa, and San Francisco Counties), and Oakland. National, state, Alameda County, and Oakland data are already available.
- Enter into a database OPD contact data and analyze. This estimate is based upon 1,000 contacts (10 variables for each record) to be manually entered into a database and displayed as tables or in graphs as appropriate.
- Identify panel speakers and presenters – number to be determined.
- Identify films/videos to be viewed, exercises related to DMC and provide redacted examples to highlight how DMC results from institutional practices.
- Identify topics and format for discipline-specific workgroups: police, probation, courts, and community-based organizations.

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- Identify data illustrating the issue and best practices for discipline-specific workshops: police, probation, courts, and community-based organizations.
- Identify and provide informational reports and concrete examples of how DMC results from institutional policies and practices.

Based upon the Police Department's collaborative efforts to date with NCCD, the extent of NCCD's expertise relative to the issues of DMC, and NCCD's existing work with the State of California and several state-sponsored grantees (including the Police Department) on the issue of DMC, the Department is requesting a waiver of the competitive bidding process to facilitate an expanded relationship with the NCCD relative to the planning, development, and delivery of a DMC conference in September 2008.

SUSTAINABLE OPPORTUNITIES

Economic

Violence prevention and intervention activities enhance the Police Department's efforts to reduce crime and provide a climate in which economic development can flourish.

Environmental

No environmental opportunities are anticipated.

Equity

Delivery of the conference on Disproportionate Minority Contact will enhance race relations and facilitate future economic growth in Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS

All facilities used in relationship to delivery of the DMC conference shall operate in compliance with the Americans with Disabilities Act (ADA) and Older Americans Act.

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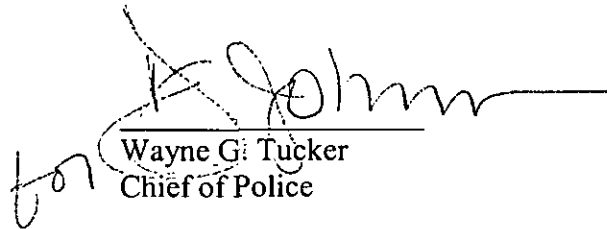
RECOMMENDATION

The Oakland Police Department recommends that the City County (1) amend Resolution Number 80414 C.M.S. dated February 20, 2007, which authorized the acceptance and appropriation of grant funds in an amount not to exceed \$200,000 from the State of California, Corrections Standards Authority, Title V Community Prevention Grants Program, (**Project First**), to reprogram up to \$60,000, and (2) amend Resolution Number 80415 C.M.S. dated February 20, 2007, which authorized the acceptance and appropriation of grant funds in an amount not to exceed \$1,500,000 from the State of California, Corrections Standards Authority, Title II Formula Grants Program, (**Paragon Project**), to reprogram up to \$75,000. The Department also recommends that the City Council authorize a waiver of the competitive request for proposal/ qualifications process and authorize the City Administrator, on behalf of the City of Oakland, to enter into a Professional Services Agreement for an amount not to exceed \$50,000 with the National Council on Crime and Delinquency to facilitate the delivery of a two-day conference, tentatively scheduled for September 18-19, 2008, focusing on disproportionate minority contact as it relates to juvenile crime prevention, incarceration, and intervention.

ACTION REQUESTED BY THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,


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:

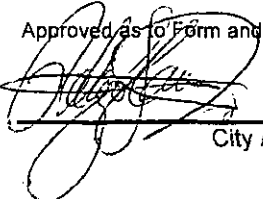

Office of the City Administrator

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CITY OF OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

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RESOLUTION (1) AMENDING RESOLUTION NO. 80414 C.M.S., WHICH AUTHORIZED THE ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) FROM THE STATE OF CALIFORNIA, CORRECTIONS STANDARDS AUTHORITY, TITLE V COMMUNITY PREVENTION GRANTS PROGRAM, TO REPROGRAM UP TO SIXTY THOUSAND DOLLARS (\$60,000); (2) AMENDING RESOLUTION NO. 80415 C.M.S., WHICH AUTHORIZED THE ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE STATE OF CALIFORNIA, CORRECTIONS STANDARDS AUTHORITY, TITLE II FORMULA GRANTS PROGRAM, TO REPROGRAM UP TO SEVENTY-FIVE THOUSAND DOLLARS (\$75,000), AND (3) AUTHORIZING A WAIVER OF THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000) FOR THE POLICE DEPARTMENT'S IMPLEMENTATION OF A TWO-DAY CONFERENCE, TENTATIVELY SCHEDULED FOR SEPTEMBER 18 AND 19, 2008, FOCUSING ON DISPROPORTIONATE MINORITY CONTACT AS IT RELATES TO JUVENILE CRIME PREVENTION, INCARCERATION, AND INTERVENTION

WHEREAS, Police Department was awarded grant funds in the amount of \$200,000 from the State of California, Corrections Standards Authority, Title V Community Prevention Grants Program, for implementation of Project First; and

WHEREAS, the City Council authorized acceptance of the Title V grant funds by Resolution No. 80414 C.M.S., dated February 20, 2007; and,

WHEREAS, the Police Department proposes the reprogramming of up to \$60,000 of the Title V grant program funds; and

WHEREAS, the Police Department was awarded grant funds in the amount of \$1,500,000 from the State of California, Corrections Standards Authority, Title II Formula Grants Program, for implementation of the Paragon Project; and

WHEREAS, the City Council authorized acceptance of the Title II grant funds by Resolution No. 80415 C.M.S., dated February 20, 2007; and,

WHEREAS, the Police Department proposes the reprogramming of up to \$75,000 of the Title II grant program funds; and

WHEREAS, the Department desires to amend Resolution No. 80414 C.M.S and Resolution No. 80415 C.M.S. to facilitate costs associated with the development and implementation of a two-day conference focusing on Disproportionate Minority Contact (DMC), to be funded by both the Title V and Title II grant programs; and

WHEREAS, the Police Department requests a waiver of the competitive request for proposal/ qualifications process to facilitate entering into a professional services agreement with the National Council on Crime and Delinquency in an amount not to exceed \$50,000 for technical assistance and other consultative services associated with the development and implementation of the DMC conference; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement with the National Council on Crime and Delinquency authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement with the National Council on Crime and Delinquency shall not result in a loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Council hereby amends Ordinance 80414 C.M.S. and authorizes the City Administrator, or her designee, to reprogram up to \$60,000 of the State of California, Corrections Standards Authority, Title V Community Prevention Grants Program – **Project First** – program funds. Funding shall be appropriated to the State of California, Corrections Standard Authority Grant Fund (2152); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), Project Account G328810.

FURTHER RESOLVED: That the City Council hereby amends Ordinance 80415 C.M.S. and authorizes the City Administrator, or her designee, to reprogram up to \$75,000 of the State of California, Corrections Standards Authority, Title II Formula Grants Program – **Paragon Project**. Approval of the proposed resolution will authorize an amendment to the appropriation and spending plan of a State of California, Corrections Standards Authority grant for the Police Department's Paragon Project in the estimated amount of \$750,000. Funding shall be appropriated to the State of California, Corrections Standard Authority Grant Fund (2152); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), Project Account G322110.

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the Request for Proposal process on the basis of the findings set forth in the Police Department's report accompanying this resolution with regard to the contract for service with the National Council on Crime and Delinquency for technical assistance and other consultative services associated with the development and implementation of the proposed DMC conference; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into a Professional Services Agreement with the National Council on Crime and Delinquency in an amount not to exceed \$50,000 for technical assistance and other consultative services associated with the development and implementation of the DMC conference, to be funded by the Title V and Title II grant programs, and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and professional services agreement; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with the National Council on Crime and Delinquency as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

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