

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2007 SEP 13 PM 5:53

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

**Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Grant Funds in an Amount Not to Exceed Eight Hundred Twenty-One Thousand Two Hundred Dollars (\$821,200) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial (Byrne) Discretionary Grants Program to Supplement Frontline and Other Community-Policing Services on Behalf of the Police Department**

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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 an amount not to exceed \$821,200 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial (Byrne) Grant Program. Resources will be utilized to strengthen and expand existing allied enforcement operations; targeting violent crime throughout the jurisdiction, with emphasis placed on anti-gang violence, narcotics trafficking, gun violence abatement, as well as other violent crimes. The funding will also provide law enforcement with training and federal assistance to address gang activities and gun violence in Oakland; enabling law enforcement to focus more fully on crime hot spots and linkages to organized criminal activity. The proposed program period is October 1, 2007 through September 30, 2008.

### FISCAL IMPACT

Approval of the proposed resolution will authorize the application, acceptance, and appropriation of U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Discretionary grant program funds for the period of October 1, 2007 through September 30, 2008, in the estimated amount of \$821,200. Funding will be appropriated to the Federal Grant Fund (2112); Bureau of Administration Division Org. (106110); Bureau of Administration Division Program (PS01), in a Project Account to be determined. The funding agency does not require a matching funds component. The program will be managed by the Deputy Director for the Bureau of Administration. Proposed expense allocations are as follows:

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Source of Funds	Funding Amount
Crime Suppression Enforcement Operations:	
Lieutenant of Police (\$55.92/hr x 1.5 x 20/hrs/mo x 4/persons x 12/operations)	80,525
Sergeant of Police (\$48.35/hr x 1.5 x 20/hrs/mo x 4/persons x 12/operations)	69,629
Police Officers (\$41.91/hr x 1.5 x 20/hrs/mo x 17/persons x 12/operations)	256,509
<b>Subtotal: Crime Suppression Operations</b>	<b>\$406,663</b>
Gun/Gang Violence Prevention Travel and Training	25,120
Batteries/Chargers/General Office Supplies	9,500
Digital Cameras/Camcorders/Memory Sticks	7,250
Desktop/Laptop Computers (\$4,000/ea x 20/Units)	80,000
Sales Tax (\$87,250 x 8.75%)	7,635
<b>Subtotal: Travel, Supplies and Equipment</b>	<b>\$129,505</b>
Drug/Gang Violence Community Awareness Brochures (\$1.75/ea x 15,000/Units – Including Sales Tax)	57,745
Youth-Based Violence Prevention Workshops (\$9,000/ea x 4/Sessions)	36,000
Media/Radio/Public Service Announcements	80,000
Vehicle Rentals for Undercover Operations (\$3,251.92/mo x 12/months)	39,023
<b>Subtotal: Brochures, Workshops, PSAs, and Vehicles</b>	<b>\$212,768</b>
Central Services Overhead (\$406,663 x 17.77%)	72,264
<b>Grand Total:</b>	<b>\$821,200</b>

Interest earned on the federal portion of the grant must be appropriated to the Byrne program and expended in accordance with the approved spending plan. The proposed resolution includes a request for the City Council to appropriate the interest earned to the Byrne Project Account.

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## **BACKGROUND**

The Edward Byrne Memorial (Byrne) Discretionary Grants Program is designed to help improve the capacity of local criminal justice systems and provides for national support efforts such as training and technical assistance projects to strategically address local public safety needs. In FY 2007, the Byrne grant program focuses on funding local, regional, and national efforts within six major categories:

- Targeting Violent Crime
- Preventing Crime and Drug Abuse
- Enhancing Local Law Enforcement
- Enhancing Local Corrections and Offender Re-Entry
- Facilitating Justice Information Sharing

## **KEY ISSUES AND IMPACTS**

### **Gang Violence In Oakland**

There are numerous gangs operating within Oakland, mainly comprised of males ranging in age from 12-45 years old. Although the majority of the gang members are male, females also play an active role, with male gangs often being aligned with female gangs. The City of Oakland has approximately 25 Hispanic, 15 Asian, 20 African American and 5 multi-ethnic motorcycle gangs. These gangs are recognized to operate on three levels:

- Organized Crime (Chinese Triads, Drug Cartels, Motorcycle Clubs)
- Prison Gangs (Black Guerilla Family, Four One Five, Mexican Mafia, Aryan Brotherhood, Nuestra Familia, Northern Structure)
- Street Turf Gangs (Fruitvale Gangsters, Border Brothers, Oaktown Crips, Ghost Town, Dog Town, 11-5 Till I Die, Sobrante Park, Twamps)

### African American Gangs

The African American street/turf gangs operate primarily for financial gain. Their main enterprise is the drug market with narcotics such as heroin, cocaine and marijuana that can be purchased at various locations throughout the City, on a 24-hour a day basis. The individuals perpetrating these crimes are part of the neighborhood and are “allowed” to sell drugs in the area because of acceptance based on fear. The acceptance is based on a person growing up in the community, or their knowing individuals in the area. The African American street/turf gangs do not claim a color, and not all members have an alliance to prison gangs.

There have been several joint local and federal allied enforcement operations/investigations resulting in the dismantling of some of the most violent gangs, and convictions of several high-level drug dealers and their close associates. The high rate of drug-related murders that once occurred in the late 1980’s and early 1990’s has slowed, due largely to enforcement efforts by local, state and federal law enforcement agencies. Tougher sentencing guidelines for suspects and education in schools have also contributed to the slowdown.

The most current trend with African American street gangs is the available drug market. Heroin, marijuana and ecstasy are reportedly more popular than crack cocaine. In recent months, violent turf wars erupted between Dog Town and Ghost Town, Seminary and The Bandits, 65<sup>th</sup> Ville and 69<sup>th</sup> Ville, 84<sup>th</sup>/Dowling and Sobrante Park, that have claimed several lives. There is a high propensity for violence in the foreseeable future, as some of these members now have access to large caches of high-powered assault weapons and the desire to avenge previous homicides.

### Hispanic Gangs

The Hispanic street/turf gangs in Oakland operate for pride, beliefs in a color, and an alliance to a prison gang. Hispanic gangs are divided into three basic groups: Nortenos, Surenos, and Border Brothers. Nortenos claim the color red and the number 14 of XIV. These are Hispanic street gang members who operate in Northern California and are rivals of Surenos. Surenos claim the color blue and the number 13. Nortenos align themselves with the Nuestra Familia/Northern Structure prison gangs. Surenos align themselves with the Mexican Mafia. Border Brothers are individual inmates who are recent immigrants, Spanish speaking, loosely organized, and aligned with whatever gang(s) seek(s) their services. Hispanic gangs are involved in confrontations with rival gangs that can lead to deadly consequences. Further, they routinely assault rival members and other individuals for wearing the opposite color in their neighborhood.

### Asian Gangs

Asian gangs are basically divided into three categories: Organized Crime Groups (Wo Hop To Triad, Sun Yee On Triad, Wah Ching); Organized Criminal Gangs [Bui Doi, V-Boyz/Viet Thugs (VT), TL], and other Asian criminal groups without names or structure; Street Turf Gangs [Oaktown Crips (OTC), Oaktown Junior Crips (OJC), Oakland Mien Boyz (OMB), Oakland Junior Mien Boyz (JMB), Straight Asian Crips (SAC), Asian Pride Crips (APC), Asian Crips Everywhere (ACE), Asian Street Walkers (ASW), Sons of Death (SOD), etc.]. Currently, there are about 700 – 1,000 active Asian gang members and associates in Oakland.

Asian gang members usually prey on victims in their own communities. Due to language barriers, distrust of law enforcement, misunderstanding of the judicial system, and fear of retaliation, many offenses are routinely not reported to the police. As a result, investigations of Asian gang-related crimes are difficult to conduct without the cooperation offered by victims and witnesses. Most Chinese and Vietnamese gangs are financially motivated, extremely mobile, and have contacts in other parts of the United States as well as abroad. Gang members often use these resources to draw additional “talents” to further their criminal activity, recruit new members, form new alliances, and harbor fugitives.

Oaktown Crips (OTC) and their subsets are the only true street/turf Asian gang in Oakland, and they claim the color blue. Although OTC is not affiliated with the notorious Crips gang in Southern California, they do communicate and sometimes form alliances with other Southeast Asian gangs throughout the State. Currently, Asian gangs are not as visible on the streets as they were previously. Most have ventured into the more lucrative black markets of stolen vehicle smuggling operations, drug trafficking, identify thefts, counterfeits, and alien smuggling.

### U.S. Office of the Attorney General’s Anti-Gang Strategy

The City of Oakland’s anti-gang strategy is closely aligned with the Department of Justice’s National Gang Strategy, focusing on the following key elements:

- The identification of gangs which pose the greatest danger to our City’s communities and targeting them with the coordinated resources of law enforcement, prevention and intervention services, as well as re-entry services.
- The positioning of anti-gang coordinators, aligned with current City of Oakland and Alameda County efforts, to prepare and implement a comprehensive, City and county-wide strategy to coordinate allied enforcement, anti-gang activity.

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- In collaboration with the U.S. Attorney’s Office for the Northern District of California, provide increased enactment of anti-gang prosecution and prevention programs from all levels of law enforcement.
- Systematic reduction in the supply of guns to deter violent crime.

**2006 Oakland Homicides  
 Weapons or Means**

Weapon/Mean	No.	%	Weapon/Mean	No.	%
Handgun	107	72%	Strangulation	0	0%
Rifle	5	3%	Suffocation/Fire	1	1%
Assault Rifle	18	12%	Vehicle	0	0%
Shotgun	5	3%	Stabbing/Cutting Weapon	4	3%
Drug/Poison	0	0%	Bludgeoning	0	0%
Blunt Trauma	2	1%	Unknown	6	4%

- Apprehension of illegal gun dealers - even with a reduction of legitimate sources, ineligible individuals are still able to purchase firearms from illegal sources. A 1997 U.S. Department of Justice study showed that those who are most likely to possess guns are gang members and drug sellers; with the vast majority also being young and male.
- Pursue prosecution options that provide for enhanced sentencing penalties. The threat of prosecution can result in several positive outcomes, e.g., the specter of federal prosecution, which often has stronger penalties than state charges. The option of federal charging also provides prosecutors a greater amount of flexibility in determining how to proceed with a case.

**Increase in Gang-Related Murders**

In 2006, the City of Oakland recorded a total of 148 homicides, with a significant number of these murders attributed directly to gang related activities. The majority of these murders involved rival Hispanic gangs which used the entire City for these very dangerous and deadly shootouts. The upsurge in gang related murders has resulted in an increase from 15% of murders in 2005 to 38% for 2006. Moreover, reported gang related shootings increased by 80%, from 49 in 2005 to 79 in 2006. The victims in many cases are often not gang members, but persons of Hispanic descent, living and/or working in gang related areas.

### Alameda County Narcotics Task Force

The Alameda County Narcotics Task Force is made up of several county and state agencies, including the Oakland Police Department (OPD). The OPD has been an integral part of this Task Force; routinely assigning Police Officers to the task force on a full-time basis. Additionally, the OPD has provided field support to the task force in the form of “arrest teams”, when necessary. In 2006, Task Force Officers conducted five major narcotic raids, resulting in 13 arrests. These cases also resulted in the total seizure of 1 pound of methamphetamines, 9.8 pounds of powder cocaine, ¾ of a pound of rock cocaine, 8.3 pounds of heroin, and approximately \$100,000 in currency.

### Crime Reduction Teams

Most of the violent crime in Oakland is connected to the narcotics trade. By aggressively enforcing narcotics laws at the street level, it is possible to address most categories of Part I<sup>1</sup> crime. The OPD’s Crime Reduction Teams (CRTs) have primary responsibility for street level narcotics related enforcement in the target areas. Police Officers use different techniques to conduct short and long-term investigations directed toward the identification and apprehension of individuals involved in criminal activity.

CRTs conduct buy/bust and surveillance operations and work with federal agencies to enhance surveillance capabilities. They are tasked with conducting at minimum three buy/bust operations and two reverse sting operations per month. CRTs identify drug houses in targeted areas, and develop information to either serve search warrants or conduct parole/probation searches on these locations. They are also encouraged to present cases to the United States Attorney for charging. Once this is done, the CRTs work closely with the Problem Solving Officers to initiate and mitigate beat health projects. CRTs work closely with CID investigators, providing them with intelligence and information about wanted suspects, often resulting in apprehension and prosecution. CRTs work several prostitution operations each month and also provide patrol officers and the Police and Corrections (PAC) Team with a list of probationers and parolees involved in criminal activities in the target areas. CRT officers have also worked closely with the Drug Enforcement Agency (DEA) to conduct long term comprehensive narcotics investigation designed to target upper and mid-level drug dealers.

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<sup>1</sup> Part I offenses are: murder, forcible rape, robbery, felony assault, burglary, larceny, and auto theft.

### FBI Fugitive Task Force

The Fugitive Task Force is made up members from the FBI, US Marshals, and the Oakland Police Department. This unit is responsible for locating and arresting wanted felons who have committed serious crimes in the City of Oakland. The unit uses a number of advanced surveillance equipment to track and arrest these suspects. The Oakland Police Department has participated in this Task Force for over 10 years now. Members of the Fugitive Unit assisted the FBI with a court-sanctioned wiretap operation which resulted in the arrest of 15 violent drug offenders from Richmond and Oakland. During 2006, the FBI Fugitive Task Force arrested 11 murder suspects, 25 felony assault suspects, and 15 robbery suspects (8 wanted for bank robbery).

In addition to the above mentioned Task Forces, the department's Gang Unit has teamed up with the Bureau of Alcohol Tobacco Firearms and Explosives to conduct comprehensive long term investigations against violent gang members.

### **Use of Funds: Enhanced Allied Enforcement Operations**

Funding acquired by the City of Oakland from the Edward Byrne Memorial Discretionary Grants Program (Byrne) will be used to strengthen law enforcement efforts throughout the City of Oakland (generally) and throughout the greater County of Alameda (specifically). Resources will be utilized to strengthen and expand existing allied enforcement operations; targeting violent crime throughout the jurisdiction, with emphasis placed on anti-gang violence, narcotics trafficking, gun violence abatement, as well as other violent crimes. The funding will also provide law enforcement with training and federal assistance to address gang activities and gun violence in Oakland; enabling law enforcement to focus more fully on crime hot spots and linkages to organized criminal activity.

Some specific goals:

- Through allied enforcement efforts, reduce the level of violent crime, gang activity and drug-related crimes throughout Oakland
- Through community policing efforts, reduce the number of locations considered "hot spots" for gang violence, drug sales and use, and in turn, reduce violence associated with turf battles.
- Through a joint federal/local law enforcement group/task force, develop a strategy to suppress gang activity and violence in our communities
- Through a joint federal/local law enforcement task force, decrease gun possession, gun crime and violent crime throughout Oakland and Alameda County

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## **SUSTAINABLE OPPORTUNITIES**

### **Economic**

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

### **Environmental**

There are no environmental issues associated with this report.

### **Social Equity**

The Edward Byrne Memorial Discretionary Grants Program will enhance violence prevention and facilitate crime reduction in Oakland neighborhoods.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

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

## **RECOMMENDATION**

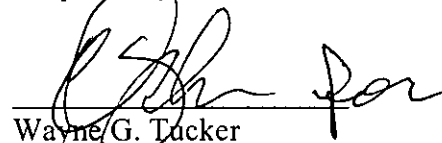
The Oakland Police Department recommends that the City Council adopt the resolution and authorize the City Administrator to accept grant funds in an amount not to exceed \$821,200 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Discretionary Grants Program, and appropriate said funds to the Police Department.

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**ACTION REQUESTED BY THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

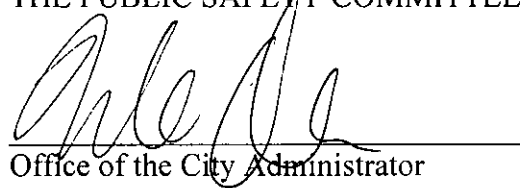
Respectfully submitted,



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:

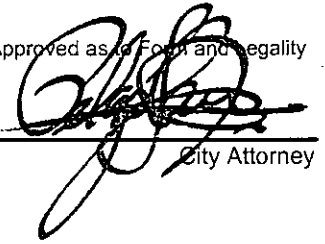
  
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# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

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RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED TWENTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$821,200) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, EDWARD BYRNE MEMORIAL (BYRNE) DISCRETIONARY GRANTS PROGRAM TO SUPPLEMENT FRONTLINE AND OTHER POLICING SERVICES ON BEHALF OF THE POLICE DEPARTMENT**

**WHEREAS**, it is anticipated that grant funds totaling up to \$821,200 will be received from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial (Byrne) Discretionary Grants Program for frontline and other policing services in the Police Department; and

**WHEREAS**, the Byrne grant program is designed to help improve the capacity of local criminal justice systems and provides for national support efforts such as training and technical assistance projects to strategically address local public safety needs; and

**WHEREAS**, the proposed program period for the initiative is October 1, 2007 through September 30, 2008; and

**WHEREAS**, the Government Code requires that the Chief of Police request the local jurisdiction's legislative body to appropriate said funds solely for front line law enforcement services in accordance with the Chief's spending plan; and

**WHEREAS**, Government Code Section 30062(d) defines front-line law enforcement services to include community crime prevention programs; and

**WHEREAS**, the proposed spending plan will facilitate the City Council's goal of crime reduction through City-wide community policing and other strategies; and

**WHEREAS**, the sum of \$821,200 in Edward Byrne Memorial Discretionary grant funds received must be allocated in accordance with the Byrne spending plan; now, therefore be it

**RESOLVED:** That 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 \$821,200 in Edward Byrne Memorial Discretionary grant funds, plus accrued interest earnings, in accordance with the spending plan; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate a grant in an amount not to exceed \$821,200 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Discretionary Grants Program, to be allocated to the Federal Grant Fund (2112): Bureau of Administration Division Org. (106110); Bureau of Administration Division Program (PS01), in a Project Account to be determined; and be it

**FURTHER RESOLVED:** That grant funds received for the Edward Byrne Memorial Discretionary Grants program shall not be used to supplant expenditures controlled by the City of Oakland; and be it

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

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the grant award.

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