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APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCIL PRESIDENT LARRY REID,
COUNCILMEMBER LYNETTE GIBSON MCELHANEY, AND
COUNCILMEMBER REBECCA KAPLAN


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

ORDINANCE AMENDING CHAPTER 2.29 OF THE OAKLAND MUNICIPAL CODE ENTITLED "CITY AGENCIES, DEPARTMENTS AND OFFICES" TO CREATE THE DEPARTMENT OF VIOLENCE PREVENTION FOCUSING ON ENDING THE EPIDEMIC OF VIOLENT CRIME IN OAKLAND AND HEALING TRUAMA IN IMPACTED COMMUNITIES

WHEREAS, the City of Oakland has suffered from generations of violence and is currently the most dangerous large city in California and is consistently ranked as one of the ten most dangerous major cities in the Country; and

WHEREAS, Oakland voters have consistently identified public safety as their top priority and first approved the Violence Prevention and Public Safety Act in 2004 (Measure Y) and subsequently approved the 2014 Oakland Public Safety and Services Violence Prevention Act (Measure Z), the successor to Measure Y, to provide a dedicated funding stream for community policing and community-focused violence prevention and intervention strategies; and

WHEREAS, violent crime in Oakland disproportionately impacts communities of color, especially African Americans, who suffer from epidemic levels of gun violence, and whose children are more likely to become victims of commercial sexual exploitation and rape; and

WHEREAS, Oaklanders suffer domestic violence rates twice that of other populations in Alameda County and exposure to interpersonal or community violence traumatizes children and has been linked to developmental challenges that may cause life-long challenges with mental health, substance abuse and aggression that perpetuate cycles of poverty and violence; and

WHEREAS, Oakland has long been a regional center for human trafficking and the commercial sexual exploitation of children; and

WHEREAS, since 2004, the community-focused violence prevention and intervention strategies have been managed by the Department of Human Services; and

WHEREAS, the specialized nature of violence prevention work requires the focused attention of a leader with the requisite authority to implement bold strategies and with stature within the community, community-based organizations and other governmental agencies; and

WHEREAS the City Council desires to better align, amplify and elevate Oakland's violence prevention efforts for increased accountability and performance by establishing the Department of Violence Prevention (DVP) to pursue a public health approach to violence prevention. The City Council intends that the DVP will work with both victims of violent crime and those statistically most likely to become future victims or perpetrators of violent crime to dramatically reduce violent crime and to serve communities impacted by violence to end cycles of trauma; and

WHEREAS, the City of Oakland intends to reorganize the administration of these critical functions to provide dedicated leadership to be more directly engaged with likely victims and perpetrators of violence and to focus on the successful implementation of community-led violence prevention and intervention strategies to realize significant reductions in violent crime rates, address the trauma inflicted on the community from violent acts and advance the sustained safety and stability of the communities most-impacted by violence; and

WHEREAS, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of the organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

WHEREAS, Chapter 2.29 of the Oakland Municipal Code is revised from time to time to change the City organizational structure; now, therefore

THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

SECTION 2. Oakland Municipal Code Chapter 2.29, which establishes the City of Oakland's organizational structure, is hereby amended to modify sections as set forth below; additions are indicated by underscoring and deletions are indicated by strike through type; portions of the Chapter not cited or not shown in underscoring or strike-through type are not changed.

2.29.190 – Department of Violence Prevention

There is established in the City Government a Department of Violence Prevention which shall be under the supervision and administrative control of the City Administrator. The powers, functions, and duties of said Department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Department of Violence Prevention shall be the responsibility of the Chief of Violence Prevention, who shall serve as 'department head' within the meaning of Article IX of the City Charter, subject to the direction of the City Administrator.

SECTION 3. Mission. The mission of the Department of Violence Prevention is to work directly with victims of violent crime - and those who are most likely to be future victims or perpetrators of violent crime - to dramatically reduce violent crime and to serve communities impacted by violence to end the cycle of trauma.

The DVP shall pursue a public health approach to violence prevention and will focus on the successful implementation of community-led violence prevention and intervention strategies to realize sustained safety and stability of the communities most-impacted by violence.

SECTION 4. Reporting back to City Council. The founding Chief of Violence Prevention shall return to the City Council within six (6) months of her or his hiring with a report for possible action, potential recommendations for organizational realignment and programmatic recommendations for additional funding for the mid-cycle budget for FY2018-19 with the objective of meeting the City's stated violence reduction goals.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof

irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 6. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELLWASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, MCELHANEY,
AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation: _____

NOTICE AND DIGEST

ORDINANCE AMENDING CHAPTER 2.29 OF THE OAKLAND MUNICIPAL CODE ENTITLED "CITY AGENCIES, DEPARTMENTS AND OFFICES" TO CREATE THE DEPARTMENT OF VIOLENCE PREVENTION FOCUSING ON ENDING THE EPIDEMIC OF VIOLENT CRIME IN OAKLAND AND HEALING TRUAMA IN IMPACTED COMMUNITIES

This Ordinance would amend Oakland Municipal Code Chapter 2.29, which established the organizational structure of the City of Oakland per Oakland Charter section 600, to create a Department of Violence Prevention.

Upon final adoption on second reading this ordinance will become effective immediately if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption. The organizational structure established by this Ordinance will become effective on the effective date of the Ordinance.