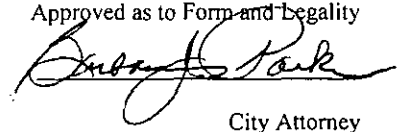


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 SEP 29 PM 5:05

Approved as to Form and Legality



Susan J. Park
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Council President Pro Tem Ignacio De La Fuente

Resolution Amending The Policy The City Council Adopted On May 17, 2011, Which Policy Precludes Further Gang Injunctions Until The City Conducts A Study Of The Effectiveness Of The Fruitvale And North Oakland Gang Injunctions, To Authorize And Direct The City Attorney And The City Administrator To Evaluate And Bring Back Options To The Council To Initiate Gang Injunction Litigation In East And West Oakland

WHEREAS, The City of Oakland is exploring methods of addressing violent behavior in particular geographic areas where violence occurs frequently and is often gang-related; and

WHEREAS, Oakland is experiencing an unprecedented number of homicides so far this year with an increase of at least 30% compared to this time last year, mostly in neighborhoods in East and West Oakland; and

WHEREAS, The City Attorney has brought a civil action focused on two Oakland neighborhoods in the name of the people of the State of California, pursuant to Section 731 of the California Code of Civil Procedure, to abate a public nuisance as defined by section 3480 of the Civil Code, where the nuisance claimed is gang activity; and

WHEREAS, East Oakland homicides and violent crimes require immediate attention, particularly in Beat 30X located in East Oakland; and

WHEREAS, In the second quarter of 2011, Beat 30X had a 300% increase in homicides compared to the first three months of the year and is the second highest police beat reporting violent crime in the second quarter of the year; and

WHEREAS, Oakland's most recent second quarter violent crime report states that eight of the ten most violent beats are located in East Oakland and Oakland's most violent crime reporting beat in East Oakland reported more violent crime than the 8 Oakland Hills beats combined; and

WHEREAS, West Oakland has also seen an unprecedented number of gang related shootings compared to other areas of Oakland, some West Oakland neighborhoods have seen a 100% increase in shootings; and

WHEREAS, East and West Oakland community leaders and residents are requesting the City of Oakland to provide additional resources and tools to reduce violent gang activity in their neighborhoods; and

WHEREAS, The City Council hereby declares that the gang activity in East and West Oakland is unacceptable and requires immediate attention; now, therefore, be it

RESOLVED; That the City Council hereby amends the policy adopted on May 17, 2011, which policy precludes further gang injunctions until the conclusion of a study of the effectiveness of the Fruitvale and North Oakland gang injunctions; and be it further

RESOLVED: The Oakland City Council authorizes and directs the City Administrator and City Attorney to evaluate and bring back options to initiate Gang Injunction litigation in East and West Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, SCHAAF, KERNIGHAN, NADEL
and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California