

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 JUN -5 AM 11:04

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Police Department
DATE: June 17, 2008

RE: A Supplemental Report From The Office of Chief of Police On The Development Of A Consent-To-Search Program For The City Of Oakland, And the Process by Which Staff Will Conduct Community Outreach and Awareness of The Program Prior to Implementation

SUMMARY

At the request of the Public Safety Committee on May 27, 2008, staff has prepared a more detailed description of the Department's plan for outreach and publicity prior to the implementation of the Safe Homes Program (consent-to-search) in the City of Oakland. Attached is a draft copy of the handout to be distributed to the community which will provide answers to *commonly asked questions raised by members of the community and other City staff.*

Publicity

The Department will hold a press conference announcing the program and launch an advertising campaign to publicize and educate the community on how the program works.

A brochure explaining the Safe Homes Program and information about the community's rights when giving consent to search is available. The brochure will be provided to schools, libraries, Neighborhood Crime Prevention Councils (NCPCs), and churches.

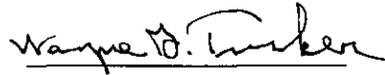
Problem Solving Officers (PSO) and Neighborhood Services Coordinators (NSC) will work with their NCPCs to help educate the community about the program. PSOs, NSCs, and NCPCs will also work closely with Oakland's faith based organizations to ensure that community members understand the program, and have an opportunity to provide feedback with a focus on successfully implementing the Safe Homes Program.

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ACTION REQUESTED OF THE COUNCIL

Accept this report on the Police Department's plan to implement a six-month pilot Consent-to-Search program in the City of Oakland.

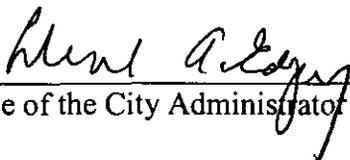
Respectfully submitted,



Wayne G. Tucker
Chief of Police

Prepared by:
Lieutenant Fausto Melara
Youth & Family Service Division
Bureau of Investigations

APPROVED AND FORWARDED TO
THE CITY COUNCIL:


Office of the City Administrator

Attachment: Draft Informational Handout

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DRAFT

Where is Operation Safe Homes being introduced?

Operation Safe Homes will be piloted through out the City.



Why is Operation Safe Homes important?

Operation Safe Homes is part of our commitment to community policing in Oakland. The intent of this program is to save lives by recovering firearms from youth that would not otherwise come to the attention of the police.

To schedule a home visit, please call:
238-GUNS (238-4867)



**Chief of Police Wayne G. Tucker,
Oakland Police Department**

Operation



Safe Homes

Operation Safe Homes is part of our commitment to community policing in Oakland and removing illegal handguns from our streets. The intent of this program is to save lives by recovering firearms from youth that would not otherwise come to the attention of the police.

The information inside is intended to dispel myths and to provide facts about **Operation Safe Homes**.

To schedule a home visit please call:
**238-GUNS
(238-4867)**

DRAFT

What is Safe Homes?

Safe Homes is designed to disarm youth ages 17 and under, by seeking voluntary consent from their parents to allow police to search for illegal firearms.

If a firearm is found, neither the youth nor anyone else in the home will be charged with the illegal possession of a firearm in the home.

This is not about taking kids into custody; it's about keeping kids safe and taking guns out of their hands.

How are families selected for participation?

Operation Safe Homes is voluntary. Referrals can come from a parent who request help with their youth. Requests can be called in to 238-GUNS (238-3867). Once a request is received, it will be reviewed and an appointment will be made for an Operation Safe Homes visit.

Immigration, the Oakland Housing Authority and the Oakland Public School District are not involved in this program and will not be contacted.

What happens during an Operation Safe Homes Visit?

Those selected will be visited by Oakland Police Officers assigned to Oakland Public High Schools. The officers are trained in conducting home visits. In addition, specially trained bi-lingual officers will be made available to explain Operation Safe Homes and ask whether parents would like to participate. A consent form will be provided. And remember, participation is voluntary!

If you choose to consent, you have the right to stop the search at any time. You can also tell the police officers what specific areas of the home you want searched. You can restrict the search to a child's bedroom, a closet or any other part of the home. Parents have the right to withdraw consent at any time and the search will stop. There will be no consequences if you choose not to participate or if you choose to stop a search.



What happens when a firearm is found?

All recovered firearms will be investigated by the Oakland Police Department.

If police determine by testing the firearm that the firearm was used in a homicide or a shooting, an investigation will be launched to determine who is responsible for that crime. If other illegal items are found, such as small quantities of illegal drugs, the property will be seized and charges maybe filed by the Alameda County District Attorney's Office.

Also, if you find a gun in your home but do not want to consent to a search, you can call 238-GUNS (238-4867) and we will come and pick up that gun, no questions asked.

We are very concerned about how youth are getting guns, and will hold illegal gun traffickers accountable.