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AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Sean Whent

SUBJECT: Sideshow and Bike Life Show
Enforcement and Outreach Efforts

DATE: February 5, 2015

City Administrator
Approval

Date

2/23/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the Public Safety Committee accept this Informational Report from the Oakland Police Department (OPD) on sideshow and bike life show enforcement and outreach efforts.

OUTCOME

This report will help inform discussion between the Oakland Police Department (OPD) and the Public Safety Committee regarding enforcement and outreach efforts concerning sideshow and bike life show enforcement and outreach efforts.

BACKGROUND / LEGISLATIVE HISTORY

The City of Oakland has long experienced problems with unsanctioned, illegal, and unsafe automotive events commonly known as "Sideshows." These events are usually well-organized – usually through text messaging and related smartphone applications – and often include large crowds watching unsafe driving displays at very close distances with no protective barriers. Some sideshow events in the City of Oakland have included gunfire.

Similarly, "Bike Life" show events involving motorcycles have also been an ongoing issue. Bike Life shows involve motorcycles and similar vehicles driving dangerously through city streets. Driving into oncoming traffic and ignoring traffic control devices – such as stop signs – is commonplace.

In years past, the Oakland Police Department (OPD) had a greater capacity than it currently has to confront events such as Sideshows. Previously, OPD benefited from greater sworn staffing levels including traffic enforcement personnel, in addition to grant funding from the California Office of Traffic Safety (OTS), which focused on Sideshow enforcement. As OPD resources have been reduced and the focus has been shifted to violence reduction, the ability of OPD to pro-actively address Sideshow activities has been curtailed. City public safety priorities

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including a critical focus on violent crime reduction, along with fiscal cuts to police resources, have resulted in a necessary shift away from traffic safety enforcement. While OPD receives OTS funding for Motorcycle Safety Enforcement operations, overall OTS funding opportunities have dwindled and there are currently no grants focused on Sideshow enforcement.

ANALYSIS

An analysis of the sideshow events over the last year has revealed the following:

- Sideshow activities usually begin about 1:00 pm, and grow in terms of participants throughout the day and often last until midnight.
- The number of participating vehicles ranges from 50 to 200.
- The primary participants are male and female Hispanics.
- Participants appear to be connected to or associated with various East Bay and South Bay car clubs.
- Social media sites are used by sideshow promoters and organizers to garner attendance, creating a form of a flash mob style appearance.

The primary locations for sideshow activities include but are not limited to:

- MacArthur Boulevard from 90th Avenue to 106th Avenue
- Coliseum Way and Kevin Court
- 90th Avenue and Bancroft
- 8400 Edgewater (Walmart parking lot)
- Sobrante Park neighborhoods
- D Street from 84th Avenue to 88th Avenue
- 47th Avenue and Bancroft
- High Street and the Highway 880 corridor
- Maritime Street and Middle Harbor Road

Over the past six months, the OPD response to sideshow activity has been to place patrol officers on special assignment. This use of patrol officers has allowed patrol personnel to organize as a group focused on addressing sideshow activity through the following measures:

- Post officers at fixed locations to deter sideshow vehicle gatherings.
- Deploy mobile officers on thoroughfares that Sideshow participants use to travel from location to location for the purpose of doing “donuts.”
- Use applicable California Vehicle Code sections to address traffic violations.
- Tow vehicles in compliance with the OPD tow policy.
- Prepare and execute warrants (when applicable) for vehicles that flee when an officer tries to make a traffic stop.

The greatest OPD success experienced in curtailing sideshow has been from the deployment of significant resources. The sideshow enforcement that occurred on November 26, 2014 showcases how OPD can better confront sideshows through the dedication of more police resources. A separate protest that evening brought a large amount of mutual aid to the City of Oakland including an estimated 276 sworn CHP personnel and 47 sworn personnel from the Alameda County Sheriff's Office (ACSO). A CHP helicopter reported sideshow activity near the Port of Oakland. A large contingency of law enforcement personnel scheduled to respond to protest activities were redeployed to respond and were able to detain and question over 200 sideshow participants. Twenty-three people were arrested or cited, gunfire was reported, two firearms were recovered, participants threw rocks and bottles at the responding officers, and a stolen vehicle was lit on fire and destroyed. This enforcement exemplifies how OPD can successfully confront and deter sideshows, despite the violence, property damage and danger to sworn personnel that occurred at this large incident.

The Oakland Police Department has engaged in Motorcycle Safety Operations but has not focused enforcement or outreach efforts specifically on Bike Life Show events. Grant funding from OTS provides for four Motorcycle Safety Operations per year. Each event includes a sergeant and two officers and lasts five hours. Much more enforcement is needed to have an impact on Bike Life Events.

Because sideshow and bike life show events are traditionally spontaneous, it is very difficult to schedule sufficient law enforcement personnel to respond in a manner that is rapid, effective, and safe. When sideshow and bike life show events are discovered to be in progress, the potential to drain the City of Oakland of all law enforcement resources is a serious concern. Scheduling dedicated personnel on the premises that a sideshow or bike life show event may occur creates a significant overtime concern – particularly if no event develops. Assigning personnel to other tasks while awaiting potential sideshow or Bike Life Show activity provides the risk of those personnel being unable to break away from other activities and respond immediately.

Ideally, OPD would be able to dedicate additional sworn personnel to reoccurring events such as protests, sideshows, and bike life shows. **As recently as 2009, OPD had sufficient staffing to maintain a regular patrol squad of officers dedicated to deterring sideshows; additionally, OPD would periodically partner this squad with CHP officers to implement special enforcement operations.** The Oakland Police Department will be better positioned to respond to future sideshow events when sworn staffing is increased. In 2009, with the highest number of sworn personnel in the last several years, OPD still had a response time of more than twice the average for the other nine large California cities for the highest priority calls (14.8 min. vs. 7 min.). For second- and third-ranked priority calls in 2009, Oakland was roughly three times the average for the other cities, 71 min. vs. 20.1 min., for Priority 2 calls and 148.3 min. vs. 52.4 min. for priority 3 calls). The actual number of Patrol Officers in 2009 was 334 and currently OPD has 250 patrol officers. OPD should have a minimum of 517 patrol officers, according to the International Association of Chiefs of Police and the current average of calls for service.

OPD realistically needs at least fifty officers to successfully respond to sideshow in a way similar to the November 26, 2014 sideshow, as OPD cannot normally rely on mutual aid from the CHP or ACSO for such events. Ideally even more officers would be needed to confront sideshow participants and maintain officer safety. OPD has found that sideshows are arranged quickly using Twitter and texting without much opportunity for OPD to have advance notice and thus plan to deploy patrol officers. However, only with a greater overall staffing level, will OPD have the staffing flexibility to quickly redeploy officers to sideshows when they occur.

PUBLIC OUTREACH/INTEREST

This is of public interest as it directly relates to safety within the Oakland community.

COORDINATION

The City Attorney's Office was consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES

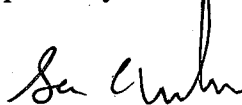
Economic: There are no economic opportunities identified in this report.

Environmental: No environmental opportunities have been identified.

Social Equity: This report provides valuable information to the Oakland community regarding enforcement and crime reduction efforts in their communities.

For questions regarding this report, please contact Sharon Williams, Captain of Police, Area 5, at (510) 777-8543.

Respectfully submitted,



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