

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 NOV 24 PM 4:28

To: Office of the City Administrator
Attn: Dan Lindheim
From: Police Department
Date: December 9, 2008

Re: **A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to 1) Apply, Accept, and Appropriate Grant Funds in an Amount Not to Exceed Five Hundred Thousand Dollars (\$500,000) from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant (JABG) Program, Gang Intervention Grant Initiative, for the Grant Term of January 1, 2009 through June 30, 2009; 2) Authorize a Funding Agreement in an Amount Not to Exceed One Hundred and Fifty Thousand Dollars (\$150,000) with the Donald P. McCullum Youth Court for Supplemental Implementation of the Oakland Youth Court, Interface Project, As It Pertains to Youth-Based Gang Violence Prevention and Intervention Services, and Appropriate Said Funds to the Police Department**

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to apply for, accept and appropriate grant funds in an amount not to exceed \$500,000 from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant (JABG) Program, Gang Intervention Initiative. The proposed legislation also authorizes a Funding Agreement with the Donald P. McCullum Youth Court in an amount not to exceed \$150,000 for supplemental implementation of the Oakland Youth Court, Interface Project, as it pertains to youth-based gang violence prevention and intervention services. Lastly, the proposed legislation also requests authorization for the expenditure of remaining funds in accordance with the preliminary spending plan without further City Council authorization provided that City of Oakland bidding requirements and purchasing protocols/policies are followed. The grant term is January 1, 2009 through June 30, 2009.

FISCAL IMPACT

Approval of the proposed resolution will authorize the application, acceptance and appropriation of a State of California, Corrections Standards Authority grant for the Police Department's Gang Intervention Initiative for the program term beginning January 1, 2009 through June 30, 2009, in an amount not to exceed \$500,000. Funding will be appropriated to the State of California, Corrections Standard Authority Grant Fund (2152); Special Operations Group Division Org. (107710); Special Operations Program (PS13), in a Project Account to be determined. The funding agency requires a minimum ten percent (10%) match component. Matching funds/services shall be provided by assignment of sworn staff within the Police Department. Proposed expense allocations are as follows:

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Description and Use of Funds	Amount
Gang Violence and Truancy Suppression Operations	
Lieutenant of Police – Staff Overtime Co - Program Manager (\$62.94/hr x 1.5 x 20/hrs/mo x 6/mos x 1/person)	11,329
Sergeant of Police – Staff Overtime (\$54.41/hr x 1.5 x 20/hrs/mo x 6/mos x 3/persons)	29,381
Police Officers – Staff Overtime (\$47.16/hr x 1.5 x 20/hrs/mo x 6/mos x 16/persons)	127,332
Central Services Overhead (Indirect Costs) (\$168,042 x 17.77%)	29,861
Sworn Overtime Subtotal:	\$197,903
Accountancy and Administrative Services – O/T (\$2,000/mo x 6/months)	12,000
Central Services Overhead (Indirect Costs) (\$12,000 x 17.77%)	2,132
Non-Sworn Staff Overtime Subtotal:	\$14,132
Donald P. McCullum Youth Court (Professional Services Agreement)	150,000
Other Youth Violence Prevention Services (Providers To Be Determined)	130,000
Contract Assessment Fee (\$280,000 x 3%)	8,400
Subtotal	\$288,400
Office Supplies and Duplicating Costs (\$427.50/mo x 6/months)	2,565
Subtotal	3,000
TOTAL (Grant Award):	\$500,000
Mandatory In-Kind Matching Contribution	
Lieutenant of Police (\$120,838/yr x 15%)	18,125
Sergeant of Police Sergeant of Police (\$104,472/yr x 15% x 3/persons)	47,012
Total Matching Funds Contribution:	\$65,137
TOTAL PROJECT COST	\$565,137

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BACKGROUND

Juvenile Accountability Block Grant: Gang Intervention Program

In November 2008, the Corrections Standards Authority announced the allocation of approximately \$855,000 in supplemental, competitive Juvenile Accountability Block Grant (JABG) Funds: Short-Term Projects with Gang Intervention Strategies. The opportunity came as a result of a redistribution of previously allocated funds that original JABG awardees were unable to encumber for the intended purposes within the prescribed timeframe. In an attempt to maximize the fiscal support of programs that improve public safety in California, the Corrections Standards Authority is redirecting these funds to serve their intended purpose. All funds associated with the supplemental JABG initiative must be encumbered no later than June 30, 2009, and liquidated by September 29, 2009.

Donald P. McCullum Youth Court

For more than eight years, the Police Department has sponsored the Donald P. McCullum Youth Court (MYC) Project. MYC's mission is to change young lives and impact communities by providing empowering opportunities for youth through collaborative peer justice; with the aim of increasing the well-being and sense of self-efficacy of youth who are at risk of entering the juvenile justice system.

The Juvenile Accountability Block Grant (JABG) program is designed to promote greater accountability among those juveniles involved in the juvenile justice system by providing financial and programmatic support to improve juvenile justice system infrastructure and operations at the State and local levels. The Police Department works with MYC through enactment of the Oakland Youth Court to hold juvenile offenders accountable for their criminal actions using a peer driven adjudication process whereby youth attorneys prosecute and defend youth clients, and youth juries sentence offenders. The binding sentences are rehabilitative and restorative. After completing their sentence, youth then have the opportunity to volunteer as jurors and attorneys, with potential eligibility for additional training, paid internships, and participation as positive role models for other youth. By diverting these youth, providing support services, and re-integrating them as program volunteers, MYC helps youth to redefine themselves in the legal system and their community.

The Police Department proposes entering into a Funding Agreement in an amount not to exceed \$150,000 with the Donald P. McCullum Youth Court for enactment of youth-based gang intervention and prevention services associated with the JABG program. The scope of services and the spending plan associated with said agreement shall be in keeping with the terms and conditions of previous agreements between the City and MYC as enacted by Resolution No. 76588 C.M.S. dated July 17, 2001, Resolution No. 77357 C.M.S. dated July 30, 2002, Resolution No. 78135 C.M.S. dated October 21, 2003, Resolution No. 78723 C.M.S. dated July 20, 2004, and Resolution No. 79346 C.M.S. dated July 19, 2005, and Resolution No. 80026 C.M.S. dated July 18, 2006, and Resolution No. 80416 C.M.S. dated February 20, 2007.

West Oakland Weed and Seed Initiative

In February 2002, the City of Oakland received Official Recognition status for a new Weed and Seed site in West Oakland; known as the West Oakland Weed and Seed Initiative (WOWSI). The target area is comprised of portions of Community Policing Beats 6 and 7, primarily in census tracts 4014, 4015, and 4016 (a small triangular shaped 18-block area bounded by Peralta Street, Mandela Parkway and Interstate 580.) The WOWSI site is governed by a Steering Committee which is Co-Chaired by a representative of the U.S. Attorney's Office, and the chairpersons of the Beat 6 and Beat 7 Neighborhood Crime Prevention Councils (NCPC). The WOWSI Steering Committee is made up of NCPC representatives, community residents, and representatives of community organizations and public agencies serving the target area. The Steering Committee has oversight for the implementation of the Weed and Seed strategy, with sub-committees focusing on each component of the approved strategy.

Weed and Seed Graduated Site Status

The Official Recognition status for the West Oakland Weed and Seed Initiative expired in the Fall of 2007. In April 2008, the WOWSI Steering Committee submitted a policy application to the U.S. Department of Justice, Community Capacity Development Office, to petition for "Graduated Site" status. The purpose of Graduated Site status is to allow expired Weed and Seed sites that completed their recognition period in good standing to continue to implement their Weed and Seed strategy under the Weed and Seed umbrella. Good standing means that the site was in compliance with the requirements and conditions of all Weed and Seed grants and all Office of Justice Programs reporting requirements through their recognition cycle.

The U.S. Department of Justice bestowed Graduated Site status to the West Oakland Weed and Seed Initiative in the Fall of 2008.

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KEY ISSUES AND IMPACTS

Program Description

Through the proposed Juvenile Accountability Block Grant (JABG) program, the Oakland Police Department, in collaboration with the Donald P. McCullum Youth Court and the West Oakland Weed and Seed Initiative, shall enact: Project Interface: Gang Violence Prevention Program. The Oakland Youth Court (Interface) Project represents MYC's efforts to amplify and fortify key elements of the Youth Court as part of the Oakland Police Department's Delinquency Prevention Plan (DPP). In its DPP, the Department established a set of needs, goals, and strategies that mesh with MYC goals and strategies. These intervention goals and associated strategies include:

1. Targeted delinquency prevention and diversion services directed toward youths at highest risk for delinquency and psychosocial programs that serve high-risk youths.
2. Coordination of juvenile crime delinquency prevention efforts to ensure that agencies and partners serve targeted populations to prevent juveniles from committing repeated acts of delinquency or becoming chronic offenders.
3. Increase in the effectiveness and efficiency of delinquency prevention programs to ensure that program success is proportional to program costs, and that program measurements include reliable, valid and consistent data.
4. The establishment of programs which provide young people with emotionally and physically safe environments, opportunities to build health, positive relationships with adults and peers, meaningful leadership roles, opportunities for community involvement, and the chance to build practical life skills.

The Gang Prevention Program shall supplement the basic premise of MYC's youth court model, coupled with increased truancy and gang suppression operations by sworn staff in the Police Department. The Weed and Seed Steering Committee shall in turn serve as a conduit for the development and sustainability of, as well as youth referrals to, community-based programs and services which shall directly benefit youths and their families associated with the initiative.

Need for Gang Prevention and Intervention Services

Increase in Gang-Related Murders

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In 2007, the City of Oakland recorded a total of 127 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 as their “turf” for very dangerous and deadly shootouts. In many cases the victims are not gang members; but rather persons of Hispanic descent, living and/or working in gang related areas.

**2007 Oakland Homicides
 Weapons or Means**

Weapon/Mean	No.	%	Weapon/Mean	No.	%
Handgun	87	79%	Strangulation	0	0%
Rifle	0	0%	Suffocation/Fire	0	0%
Assault Rifle	12	11%	Vehicle	0	0%
Shotgun	0	0%	Stabbing/Cutting Weapon	5	5%
Drug/Poison	0	0%	Bludgeoning	2	2%
Blunt Trauma	2	2%	Unknown	2	2%

Referenced below, is an overview of homicide suspects and victims by age group:

<i>Known Victims by Age (110)</i>			
Age	Male	Female	Total
0-17	5	4	9
18-25	36	7	43
26-30	21	0	21
31-35	7	0	7
36-40	11	1	12
41-45	4	0	4
46-50	3	0	3
51-55	4	1	5
56-60	3	0	3
61-65	2	0	2
66+	1	0	1
Unk.	0	0	0

<i>Known Suspects by Age (28)</i>			
Age	Male	Female	Total
0-17	3	0	3
18-25	11	0	11
26-30	2	1	3
31-35	1	2	3
36-40	6	0	6
41-45	1	0	1
46-50	0	0	0
51-55	0	0	0
56-60	0	0	0
61-65	0	0	0
66+	1	0	1
Unk.	0	0	0

Juvenile Victims by Age		
Age	Number	%
0-1	2	22%
13	0	0%
14	0	0%
15	4	44%
16	1	1%
17	2	22%

Juvenile Suspects by Age		
Age	Number	%
14	1	33%
15	0	0%
16	0	0%
17	2	67%

Targeted Law Enforcement Resources and Operations

To date, the Police Department has contributed a significant amount of its internal resources to promote anti-gang, narcotics abatement, as well as other public safety endeavors. However, the OPD is in dire need of additional resources to support gang and drug violence prevention efforts. An overview of the prevailing factors which support this contention are:

- The City of Oakland currently has an Officially Recognized Weed and Seed site (the Elmhurst Weed and Seed Initiative), and a Weed and Seed Graduate Site (the West Oakland Weed and Seed Initiative); both of which have high levels of documented gang and drug-related activity.
- Gang violence and quality of life crimes are concentrated in blocks that have high levels of drug crimes.
- Crime hotspots are concentrated throughout both East and West Oakland, as well as in many other areas throughout the City.
- Crack cocaine and marijuana continue to be major drug problems in Oakland. Together these drugs account for approximately 87% of City-wide drug arrests annually.
- Homicide rates in West and East Oakland remain problematic. In 2004, the Oakland Police Department enlisted the services of the RAND Corporation to analyze violence in East and West Oakland. The RAND study found that 91% of homicides were intra-racial (black on black homicides).
- Approximately 5,000 probationers and parolees reside in West Oakland and East Oakland.

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Gang Violence

Numerous gangs operate in Oakland. These gangs are 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 aligned with female gangs. The City of Oakland has approximately 25 Hispanic, 15 Asian, 20 African American and 5 motorcycle gangs. These gangs 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)

In the criminal life, these gangs interact with each other at all levels within their organizations, as their existence depends on using each other to accomplish their criminal deeds.

Several joint federal investigations over the years have resulted in the dismantling of some of the most violent gangs and the conviction 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 also contributed to the reduction in homicides.

Funding acquired by the City of Oakland from the Juvenile Accountability Block Grant program, Gang Intervention Initiative, will be used to strengthen law enforcement efforts throughout the City of Oakland (specifically) and throughout the greater County of Alameda (generally). Resources will be utilized to strengthen and expand existing allied enforcement operations; targeting violent crime throughout the City, with emphasis placed on anti-gang violence, narcotics trafficking, gun violence abatement, as well as other violent crimes.

Some specific goals:

- Reduce the level of violent crime, gang activity and drug-related crimes throughout Oakland
- Reduce the number of locations considered "hot spot" for gang violence, drug sales and use and in turn reduce violence associated with turf battles

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- Develop a cohesive strategy to suppress gang activity and violence in our communities
- Decrease gun possession, gun crime and violent crime throughout Oakland

SUSTAINABLE OPPORTUNITIES

Economic

Funds included in the grant for enhanced service delivery will be provided to Oakland-based organizations and Oakland residents.

Environmental

MYC sentences some youth to community service projects as part of the adjudication process. The primary focus of the community service projects is the promotion of community and environmental awareness. Many projects offer environmental opportunities, such as clean-up projects at Sausal Creek, growing vegetables at the Community Garden at Lakeside Park for donation to local food banks, and participating in workday clean-up projects in various Oakland neighborhoods. Participating youth learn to respect their surroundings while making measurable improvements in the quality of their own environments.

Social Equity

Using an extensive network of community organizations, both the McCullum Youth Court and the West Oakland Weed and Seed Initiative provide enhanced services for Oakland youth aged 9-17+ in the following areas: Physical and emotional safety, relationship building, youth participation, community involvement, and skill building.

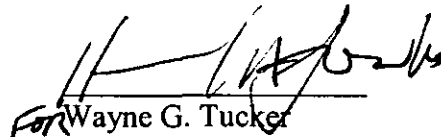
DISABILITY AND SENIOR CITIZEN ACCESS

The West Oakland Weed and Seed Initiative and MYC provide outreach and services to a diverse youth population. MYC administrative offices and courtrooms at the Alameda County administration building are all wheelchair accessible. No senior citizen access issues are noted.

RECOMMENDATION

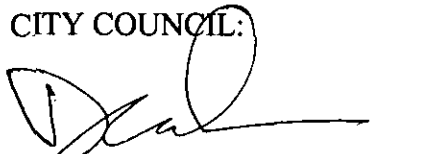
The Oakland Police Department recommends that the City Council authorize the City Administrator to apply, accept and appropriate grant funds in an amount not to exceed \$500,000 from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant Program, Gang Intervention Grant Initiative; authorizes a Funding Agreement in an amount not to exceed \$150,000 with the Donald P. McCullum Youth Court for supplemental implementation of the Interface Project as it pertains to youth-based gang violence prevention and intervention services.

Respectfully submitted,


For Wayne G. Tucker
Chief of Police

Prepared by: Candice Jessie
Budget and Grants Administrator
Bureau of Administration

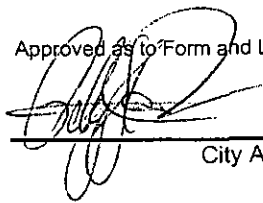
APPROVED AND FORWARDED TO THE
CITY COUNCIL:



Office of the City Administrator

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OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

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RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO 1) APPLY, ACCEPT, AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE STATE OF CALIFORNIA, CORRECTIONS STANDARDS AUTHORITY, JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM, GANG INTERVENTION GRANT INITIATIVE, FOR THE GRANT TERM OF JANUARY 1, 2009 THROUGH JUNE 30, 2009; 2) AUTHORIZE A FUNDING AGREEMENT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000) WITH THE DONALD P. MCCULLUM YOUTH COURT FOR SUPPLEMENTAL IMPLEMENTATION OF THE OAKLAND YOUTH COURT, INTERFACE PROJECT, AS IT PERTAINS TO YOUTH-BASED GANG VIOLENCE PREVENTION AND INTERVENTION SERVICES

WHEREAS, it is anticipated that the Police Department will receive grant funds totaling up to \$500,000 from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant (JABG) program, Gang Violence Intervention Grant initiative, for supplemental implementation of the Oakland Youth Court, Interface Project, as it pertains to youth-based gang violence prevention and intervention services, to be administered by the Donald P. McCullum Youth Court (MYC); and

WHEREAS, the grant term associated with the proposed supplemental implementation of the Oakland Youth Court, Interface Project, is January 1, 2009 through June 30, 2009; and

WHEREAS, the Department desires to enter into a Funding Agreement with MYC for an amount not to exceed \$150,000 for the implementation of the Oakland Youth Court project, to be funded by the grant; and

WHEREAS, the Police Department shall provide the mandatory ten percent (10%) cash match required by the grantor, in the amount of sixty-five thousand one hundred and thirty-seven dollars (\$65,137); and

WHEREAS, the services provided pursuant to the agreement with MYC authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement with MYC shall not result in a loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution No. 76588 C.M.S. dated July 17, 2001, Resolution No. 77357 C.M.S. dated July 30, 2002, Resolution No. 78135 C.M.S. dated October 21, 2003, Resolution No. 78723 C.M.S. dated July 20, 2004, and Resolution No. 79346 C.M.S. dated July 19, 2005, and Resolution No. 80026 C.M.S. dated July 18, 2006, and Resolution No. 80416 C.M.S. dated February 20, 2007; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to accept and appropriate a grant in an amount not to exceed \$500,000 from the State of California, Corrections Standards Authority. Revenues and appropriation shall be allocated to the State of California, Corrections Standard Authority Grant Fund (2152), Special Operations Group Division Org. (107710), Special Operations Program (PS13), in a Project Account to be determined; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to enter into a Funding Agreement with MYC in an amount not to exceed \$150,000 for the implementation of the Oakland Youth Court, Interface Project, to be funded by the grant, and be it

FURTHER RESOLVED: That grant funds received for the Oakland Youth Court, Interface Project shall not be used to supplant expenditures controlled by the City of Oakland; and be it

FURTHER RESOLVED: That all grant funds received hereunder shall be encumbered by June 30, 2009 and liquidated by September 29, 2009, and that no requests for extension will be submitted; and be it

FURTHER RESOLVED: That the City of Oakland has agreed to provide all matching funds required for the project referenced hereunder, and agrees to abide by the statutes and regulations governing the JABG Program, as well as the terms and conditions of the Grant Agreement as set forth by the State of California, Corrections Standards Authority; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and funding agreement; and be it

FURTHER RESOLVED: That the City Administrator is authorized to modify, extend, or amend said agreement, provided that no additional funds will be allocated without prior City Council approval; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with MYC as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

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