

17 APR 27 PM 4:15

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCIL PRESIDENT LARRY REID  
AND COUNCILMEMBER LYNETTE GIBSON MCELHANEY

  
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 the most dangerous large city in California and consistently one of the ten most dangerous major cities in the Country; and

**WHEREAS**, violent crime in Oakland disproportionately impacts communities of color, especially African Americans, who suffer from epidemic levels of gun violence and domestic violence and whose children are more likely than anywhere else in the region to be commercially sexually exploited; and

**WHEREAS**, 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 can 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 domestic violence continues to occur in Oakland at twice the rate of either Alameda County and the State of California; and

**WHEREAS**, Oakland voters first approved the Police Services Parcel Tax and Parking Tax in 2004 and then reauthorized the taxes as the Public Safety and Services Violence Prevention Act (Measure Z) in 2014 to provide a dedicated funding stream for community policing and community-focused violence prevention and intervention strategies which are currently administered by Oakland Unite; and

**WHEREAS**, although Oakland Unite provides valuable services to Oaklanders impacted by violence, reduction in Oakland's violent crime and homicide rates have stalled at 2010 levels and have not produced the breakthrough in violence promised by the 2014 Act; and

**WHEREAS**, the City of Oakland intends to reorganize the administration to provide dedicated leadership that solely focuses on successfully implementing community-focused violence prevention and intervention strategies and that can increase the impact of the programs to make meaningful progress in reducing serious violent crime and healing the trauma inflicted by crime; 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 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. Dedicated Responsibilities**, in addition to any powers, functions, and duties assigned, authorized and directed by the City Administrator, the Chief of Violence Prevention shall be responsible for the administration of the non-sworn responsibilities of the Community-Focused Violence Prevention and Intervention Services and Strategies funded by The 2014 Oakland Public Safety and Services Violence Prevention Act. These funds aim to serve those at highest risk of violence as well as communities traumatized by homicides and shootings and survivors of domestic violence or commercial sexual exploitation through services including, but not limited to, life coaching

and case management, education and training for clients to achieve economic self-sufficiency, violent incident and crisis response programs, and community asset building.

**SECTION 4. 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 5. 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, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, 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: \_\_\_\_\_