

17 JUN 15 PM 4:48



AGENDA REPORT

TO: Members of the
Oakland City Council

FROM: Council President Larry Reid,
Councilmember McElhaney

SUBJECT: Establishing a Department of
Violence Prevention

DATE: June 20, 2017

RECOMMENDATION

Council President Larry Reid, Councilmember Lynette Gibson McElhaney and Councilmember Rebecca Kaplan recommend that the City Council adopt an ordinance amending Chapter 2.29 of the Oakland Municipal Code entitled "City Agencies, Departments and Offices" to create the Department of Violence Prevention which shall pursue a public health approach to end the epidemic of violent crime in Oakland and end the cycle of trauma in impacted communities.

I. LEGISLATIVE HISTORY

- May 30, 2017 The proposal to create the Department of Violence Prevention (DVP) is referred to Rules for scheduling to the June 20, 2017 Council Meeting.
- May 16, 2017 The proposal to create the Department of Violence Prevention (DVP) is introduced to the full council for public input and debate; council continues debate to May 30, 2017 Special Meeting of the City Council
- May 9, 2017 DVP proposal is presented to the Public Safety Committee for input and modification. Committee votes to advance proposal to full council at the May 16, 2017 Meeting.
- May 9, 2017 DVP Proposal is presented to the Finance and Management Committee. Committee unanimously votes to advance the proposal to the full Council at the May 16, 2017 meeting for consideration.
- April 24, 2017 Measure Z Safety and Services Citizen's Oversight Committee (SSOC) formally endorses the proposal for adoption by the City Council.
- April 11, 2017 Council President Reid and Councilmember McElhaney introduce the proposal to create the Department of Violence Prevent (DVP) at the Life Enrichment Committee. Councilmember Kaplan joins as a co-sponsor.

Item: _____
Meeting of the Oakland City Council
June 20, 2017

II. BACKGROUND

Since the passage of Measure Y in 2004, Oakland voters have directed hundreds of millions of dollars into violence prevention and community policing programs to make Oakland safe. Despite these investments Oakland is consistently identified as one of the ten most dangerous major cities in the country and remains the most violent large city in the State of California.

Over the past four years, Oakland has commissioned at least four public safety planning efforts at a cost of nearly \$1 million dollars – including the Mayor's Comprehensive Community Safety Plan that calls for a 10% annual reduction in violent crime. To date, Oakland has not realized dramatically improved outcomes like those achieved by jurisdictions once as dangerous as Oakland that utilize clear and dedicated leadership models. Now is the time to course correct.

Each month Oaklanders can expect to lose on average 7 members of our community to homicide – and dozens more will experience domestic violence and an alarming number of youth will be kidnapped and raped as victims of commercial sex trafficking.

Oakland is a compassionate community of loving people who are eager to see the City take a bold stance against the violence that plagues our beloved city.

Now is the time for us to come together to act with purposeful intention to dramatically reduce violence and to promote healing and restoration for our residents and the communities where they live.

III. PROPOSAL

Council President Reid, Councilmember Kaplan and Councilmember McElhaney propose an ordinance amending Chapter 2.29 of the Oakland Municipal Code to create the Department of Violence Prevention (DVP) to be under the supervision and administrative control of 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.

a. Mission

The Mission of the Department of Violence Prevention is to work directly with victims of violent crime- and those who are most likely to be future victims or perpetrators of violent crime - to dramatically reduce violent crime and to serve communities impacted by violence to end the cycle of trauma.

The DVP shall pursue a public health approach to violence prevention and will focus on the successful implementation of community-led violence prevention and intervention strategies to realize serious sustained safety and stability of the communities most impacted by violence.

b. Focus & Objectives

Item: _____

Special Meeting of the Oakland City Council
June 20, 2017

Utilizing a public health approach, focus of the Department of Violence Prevention will be to significantly reduce the incidents of:

- **Homicides and gun-related violence**
- Domestic violence and,
- The commercial exploitation of our children

Within six (6) months, the Chief will present a Violence Reduction strategic plan to the City Council. The Chief will have discretion to direct resources and staff to accomplish the City's violence reduction goals.

c. Structure & Staffing

The Department shall be led by the Chief of Violence Prevention, a Director-level position that will report directly to the City Administrator, a Deputy Chief for Violence against Children and Families and a Management Analyst.

The Chief will work with the City Administrator and stakeholders to determine to determine which existing violence prevention functions and resources will be under the jurisdiction of the department.

Under the general direction of the Chief of Violence Prevention, the Deputy Chief will be responsible for strategic planning and inter-agency coordination to improve the City of Oakland's response to Domestic Violence and the Commercial Sexual Exploitation of Children (CSEC). These efforts will include, but not be limited to, working the City of Oakland's CSEC taskforce, Alameda County, the Family Justice Law Center to adopt strategies that will significantly reduce these incidents of violence and trauma.

Item: _____

Special Meeting of the Oakland City Council
June 20, 2017

TIMELINE (Proposed)

- | | |
|---------------------|--|
| January – March | <ul style="list-style-type: none">• Community and Stakeholder meetings |
| April - May | <ul style="list-style-type: none">• Council President Reid and Councilmember McElhaney introduce proposal and initiate public debate• Stakeholder meetings continue |
| May - June | <ul style="list-style-type: none">• Community Budget Forums• Stakeholder meetings continue |
| May 30, 2017 | <ul style="list-style-type: none">• Special Council Meeting, amendments and modifications to the DVP proposal |
| June 20 | <ul style="list-style-type: none">• 1st Reading of Revised Ordinance |
| June 26 | <ul style="list-style-type: none">• Budget Adopted |
| June 27 | <ul style="list-style-type: none">• 2nd Reading of Revised Ordinance |
| June - August | <ul style="list-style-type: none">• Recruitment of Chief of Violence Prevention |
| September - October | <ul style="list-style-type: none">• Hiring of the Chief of Violence Prevention, initiate community engagement• RFP/RFQ for Oakland Unite is revised with Chief of Violence Prevention Input |
| April 2018 | <ul style="list-style-type: none">• Violence Prevention Strategy Complete |
| May - June | <ul style="list-style-type: none">• Mid-cycle Budget Adjustments |

Item: _____

17 JUN 15 PM 4:48

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCIL PRESIDENT LARRY REID,
COUNCILMEMBER LYNETTE GIBSON MCELHANEY, AND
COUNCILMEMBER REBECCA KAPLAN

DRAFT

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

WHEREAS, Oakland voters have consistently identified public safety as their top priority and first approved the Violence Prevention and Public Safety Act in 2004 (Measure Y) and subsequently approved the 2014 Oakland Public Safety and Services Violence Prevention Act (Measure Z), the successor to Measure Y, to provide a dedicated funding stream for community policing and community-focused violence prevention and intervention strategies; and

WHEREAS, violent crime in Oakland disproportionately impacts communities of color, especially African Americans, who suffer from epidemic levels of gun violence, and whose children are more likely to become victims of commercial sexual exploitation and rape; and

WHEREAS, Oaklanders suffer domestic violence rates twice that of other populations in Alameda County and 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 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

WHEREAS, since 2004, the community-focused violence prevention and intervention strategies have been managed by the Department of Human Services; and

WHEREAS, the specialized nature of violence prevention work requires the focused attention of a leader with the requisite authority to implement bold strategies and with stature within the community, community-based organizations and other governmental agencies; and

WHEREAS the City Council desires to better align, amplify and elevate Oakland's violence prevention efforts for increased accountability and performance by establishing the Department of Violence Prevention (DVP) to pursue a public health approach to violence prevention. The City Council intends that the DVP will work with both victims of violent crime and those statistically most likely to become future victims or perpetrators of violent crime to dramatically reduce violent crime and to serve communities impacted by violence to end cycles of trauma; and

WHEREAS, the City of Oakland intends to reorganize the administration of these critical functions to provide dedicated leadership to be more directly engaged with likely victims and perpetrators of violence and to focus on the successful implementation of community-led violence prevention and intervention strategies to realize significant reductions in violent crime rates, address the trauma inflicted on the community from violent acts and advance the sustained safety and stability of the communities most-impacted by violence; 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's 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. Mission. The mission of the Department of Violence Prevention is to work directly with victims of violent crime - and those who are most likely to be future victims or perpetrators of violent crime - to dramatically reduce violent crime and to serve communities impacted by violence to end the cycle of trauma.

The DVP shall pursue a public health approach to violence prevention and will focus on the successful implementation of community-led violence prevention and intervention strategies to realize sustained safety and stability of the communities most-impacted by violence.

SECTION 4. Reporting back to City Council. The founding Chief of Violence Prevention shall return to the City Council within six (6) months of her or his hiring with a report for possible action, potential recommendations for organizational realignment and programmatic recommendations for additional funding for the mid-cycle budget for FY2018-19 with the objective of meeting the City's stated violence reduction goals.

SECTION 5. 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 6. 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, GUILLÉN, KALB, KAPLAN, MCELHANEY,
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: _____

NOTICE AND DIGEST

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

This Ordinance would amend Oakland Municipal Code Chapter 2.29, which established the organizational structure of the City of Oakland per Oakland Charter section 600, to create a Department of Violence Prevention.

Upon final adoption on second reading this ordinance will become effective immediately if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption. The organizational structure established by this Ordinance will become effective on the effective date of the Ordinance.