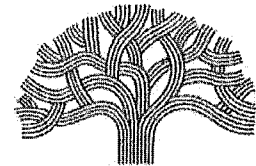


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CITY OF OAKLAND

AGENDA REPORT

CITY HALL ■ 1 FRANK H. OGAWA PLAZA, 2nd Floor ■ OAKLAND, CALIFORNIA 94612

Council President Larry Reid, District 7

(510) 238 – 7007

Councilmember Lynette Gibson McElhaney, District 3

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Date: Friday, May 12, 2017

To: Members of the City Council

Cc: Libby Schaaf, Mayor
Sabrina Landreth, City
Administrator
LaTonda Simmons, City Clerk
Barbara Parker, City Attorney

From: Council President Larry Reid and Councilmember Lynette Gibson McElhaney

Re: The proposal to reorganize the Department of Human Services to Create the
Department of Violence Prevention (DVP)

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 (DVP) focusing on ending the epidemic of violent crime in Oakland and healing trauma in impacted communities.

LEGISLATIVE HISTORY

- April 11, 2017 Council President Reid and Councilmember McElhaney introduce their proposal to create the Department of Violence Prevention (DVP) at the Life Enrichment Committee. Councilmember Rebecca Kaplan joins as a co-sponsor.
- April 24, 2017 Councilmember McElhaney presented the proposal to the Measure Z Safety and Services Oversight Committee. The Committee formally endorsed the proposal.
- 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.
- May 9, 2017 DVP proposal is presented to the Public Safety Committee. Committee votes to advance proposal to full Council at the May 16, 2017 meeting



This memorandum provides clarification of the proposal and responds to questions raised by the Administration's Staff Analysis, Councilmembers and the Public at the Finance and Management and Public Safety Committee Meetings of May 9th.

Questions from: "Supplemental Report – Staff Analysis on the Creation of the Dep. of Violence Prevention"

What are the desired outcomes that the City Council would like to see related to violence prevention and how does the proposed DVP get the City there? What other partners, such as the Oakland Community Organizations (OCO), should be involved in the discussions?

Desired Outcomes:

- Increased authority, visibility and functionality of Oakland Unite
- Parity with OPD
- Establishment of a Victim's Advocacy Unit
- Establish strategies to address domestic violence and the commercial exploitation of children
- Work in tandem with OPD to attain an 80% reduction in homicide and an 80% clearance rate within the next 3 years

Voter-approved Measures Y and then Z promised the public that the City of Oakland would realign its Public Safety efforts to bring Violence Prevention into parity with Enforcement to address Oakland's unacceptable levels of violence. The Measures' funding formula split of 60% to police and 40% to prevention (with additional funding for the fire department) was proof of the commitment.

Lack of Internal Advocacy

Since the passage of Measure Z the City of Oakland has gone through two full budget cycles. Each year, the Council, Administration and Mayor have pushed for funding to improve OPD from the General Purpose Fund totaling tens of millions of dollars for additional staff, recruitment, equipment, overtime, consultants, vehicles, training and the like. During these last two budget cycles there has been a negligible commitment from the General Purpose Fund to supplement Oakland Unite's violence prevention efforts currently underway within the Department of Human Services (DHS). Despite the slow progress, there has been no request from the Administration for additional resources or authorities that would result in greater public safety gains.



Good Efforts, Not-so-Good Results

Oakland Unite is doing good work. Employees in the division are skilled and deeply committed to the cause. As noted in the Staff Report, since 2001 the division has grown and its mission has been refined – outpacing the capacity of DHS. It is past time for the Council to consider a reorganization of DHS given the changing conditions that impacts the work of this important department.

In addition to working to break the cycles of violence in Oakland, DHS is responsible for addressing homelessness, senior centers and elderly care, the Oakland Fund for Children & Youth and Head Start. The conditions for each of these critical functions have changed significantly over the past six years, not to mention since 2001. Homelessness, for example, has increased significantly and increasingly demands increased attention and innovation. Both Head Start and Elderly programs are expected to lose funding as Federal social services programs are under attack.

Reorganizing and elevating the existing Measure Z-funded work of Oakland Unite, essentially “spinning off” the division to form the DVP will allow for greater accountability and capacity for this critical work and free up DHS capacity to address the crises of funding and need that confronts its other divisions.

Maintaining the status quo is a commitment to bad management practices. The results of this lack of focus and resources are told in the statistics on violent crime in Oakland. Even while we can point to good work and effort, it is abundantly clear that non one can credibly argue that there has been a “breakthrough” in Oakland’s violent crime rate.

Richmond’s Office of Neighborhood Safety is the source of inspiration for much of the City’s successful violence prevention work under Ceasefire and Oakland Unite. The team that worked on Richmond’s efforts is currently working in Oakland. Yet, unlike Oakland, Richmond has experienced a breakthrough level of violence reduction.

There are many components of the Richmond model that have not been funded or followed fully in Oakland. **The most glaring omission in Oakland’s program is the lack of dedicated leadership at the Director-level.** Measure Z and violence prevention in general makes up about 5%-10% of the work of DHS. It is no wonder that DHS has become largely a caretaker and grant-maker for Measure Z. Not so in Richmond, where the ONS head, has successfully raised

Smart on Crime

Good choices demand a clear understanding of what's at stake....Nothing is more important than how we choose to keep ourselves, our families, and each other safe. Unfortunately, there are substantial gaps and flaws in the ways we handle crime today. If we choose merely to perpetuate the status quo, we will do so at a great cost – a cost we can ill afford. We will miss the opportunity to improve public safety, and we will incur huge and unnecessary financial costs. It is well within our reach to find better solutions, to create a more effective criminal justice system and to forge true partnerships between communities and law enforcement. – Kamala Harris, Smart on Crime



the profile of the Department and kept the focus on prevention and deep community engagement that engages the men most impacted by violence as thought partners and leaders in the work.

Setting the Bar: 80-80-3

Breakthrough achievement is the result of bold goals. When the then-new owners of the Warriors, Peter Grubman and Joe Lacob declared that the Warriors would win a championship within 4 years – no one took the goal seriously. The Warriors had not won a championship in nearly 40 years. Yet their vision energized the entire organization and became the focus for every member of the organization – from the administration office to the court. This is the power of vision and the determination of leadership. The Council must act to set a goal that indicates to the entire city that we intend to direct our resources and support in a way to attain breakthrough results.

The reorganization of DHS to form the DVP is to see an 80% reduction in homicides over 3 years. In order to make significant progress towards this goal, the City needs to hire an executive-level leader to work in tandem with the OPD Chief to re-focus on the programs and reforms that elevate the prevention model of violence reduction. Until now, most of the reforms within Oakland Unite have been driven by external advocates like OCO, who have had to push hard and continuously for years to obtain even modest changes of process and staffing. The Chief of Violence Prevention will act as an internal advocate for communities traumatized by violence and ensure that community-voice is given parity at the decision-making table. It just makes sense that centralized coordination within a department singularly focused on violence prevention will amplify the efforts of groups like OCO and permit greater community engagement from other Oakland CBOs focused on violence prevention, whether or not they receive funding from Measure Z. And this is a critically missing component of Oakland's current efforts: there is no regular engagement or access to the City's decision makers for groups and individuals that are not current grantees.

What types of "violent crime" does the proposed DVP intended to address? How will it vary from the City's current investments? How will the DVP increase the City's focus on violence intervention and improve coordination?

The DVP will continue to focus on the violent crimes specified by the Measure Z legislation – homicide, domestic violence and commercial sexual exploitation of children. This work demands the 100% focused attention of an executive-level leader with the authority and resources to drive systemic change within the city and build credible relationships throughout the community. The creation of this department doesn't mean an initial shift in the City's investments but does elevate this work to a peer-to-peer relationship with OPD as envisioned by the voters who repeatedly tell us that the city must equally embrace prevention along with enforcement. Empowering a leader – not simply a project manager – with the full-time job of developing and implementing community led strategic plans for preventing all three forms of



violence is critically important now if the public is to experience the type of violence reduction gains contemplated by the legislation.

What is the ongoing investment required? Where would the funding for the additional staffing necessary for this department come from and is it sustainable? What supports are necessary to sustain long-term reductions in violence?

The City of Oakland currently spends approximately \$1 million in administrative costs for Violence Prevention work. There is ample funding to pay for the hiring of a new Chief of Violence Prevention to take charge of the \$10 Million allocated to Oakland Unite **without harming funding to existing programs and contracts.**

Over the past few budget cycles DHS has retained large reserves for Oakland Unite work. In addition, the "true-up" of revenues will reveal that growth in our property tax base is leading to increased revenues from which transitional funding for the position can be obtained. While we are still waiting for the administration's response on exactly what administrative and fiscal functions are completed by staff paid for by non-Measure Z funds, it is prudent for the Council to consider that Administrative functions between the DVP and DHS can be continue to be shared through centralized functions. Additionally, some Measure Z funds clearly support non-Measure Z activities, e.g., the .8FTE in the City Administrator's office whose stated function is only to administer the Safety and Services Oversight Commission as well as the evaluation contracts for Measure Z.

Which staff would move to the proposed DVP? Is it all non-sworn staff funded by Measure Z or only the Oakland Unite unit of the Human Services Department? What new staff positions would need to be created to support the DVP?

The proposal before you contemplates one new hire, moving the entire Oakland Unite division of DHS into its own department, retaining all existing staff who will report to the newly hired Chief of Violence Prevention. Non-sworn staff funded by Measure Z in the Ceasefire team will remain housed in OPD.

We anticipate based on conversations with local and state funders that a new department with an enhanced focus on public health prevention strategies would also attract additional grant funding.

Given the City's holistic approach to violence prevention, are coordination and alignment lost through the creation of a stand-alone department? Will the creation of the proposed DVP disrupt existing positive work?

The administration cites coordinated activities in DHS funded through OFCY and AC-OCAP as examples of coordination. Given that funding decisions in those bodies are controlled by independent boards and not by a City employee, there should be no difference in coordination.



Additionally, the philosophy of the DVP and the philosophy of DHS will be different. The DVP will focus on what public health professionals call 'secondary interventions', programs and services for those at highest risk of violence. DHS, on the other hand, naturally focuses on much longer term interventions such as anti-poverty strategies and early childhood interventions that seek to change the underlying conditions of the community. These are complimentary strategies that don't need to be housed within the same department to ensure coordination.

Does the City want Oakland Unite to explore re-aligning program funding to bring certain types of interventions to scale (i.e. those focused on gun violence or family violence)? Alternately, does the City wish to dedicate additional funding (likely General Purpose Funds) to bring certain programs to scale without decreasing other investments?

No. This proposal seeks to bring more expertise into City leadership. We would never dictate to a new Chief of Police what her or his new strategic plan, funding priorities or staffing arrangement would be. Similarly, it is inappropriate for the Council to dictate the strategic plan of a Department. Instead, it is the job of the Council to provide direction on goals, philosophy and values and it is the role of the City's administrative leadership to respond with strategic plans and funding proposals.

Questions from the Safety and Service Oversight Committee (SSOC) via the Chair, Letitia Henderson Watts:

The SSOC desires to see more information on the funding source for the new director, department structure, and expected outcomes of the proposed department.

The funding for the new Chief of Violence Prevention will be ultimately decided during the upcoming budget process. The Council will direct the City Administrator to return with recommendations on how to fund the position without impacting programmatic funding.

The Commission is concerned about how this department will obtain its proposed outcomes if the overall staffing numbers are the same.

The theory of change is that leadership matters. The current structure allocates only 5-10% of a Director's attention to Oakland Unite while our proposal would allocate 100% of a Director's attention to Violence Prevention. A full time director should be able to better:

- Attract outside funding to expand services and staffing.
- Better manage programs and ensure that those programs follow nationally established best practices and any changes are implemented quickly.
- Ensure that Oakland Unite's needs are quickly addressed by the rest of the City bureaucracy.



- o Work with both Measure Z-funded and outside organizations to coordinate violence prevention services. Currently, Oakland Unite has little contact with organizations it does not fund.

The SSOC would like to see the implementation timeline to ensure that services are not disrupted during the implementation of the proposed department if it passes.

The proposal envisions that a founding director would be hired by September 2017 to influence the current strategic plan. Similar to the transition of the Department of Transportation from Public Works, the Council will support the hiring of a high level executive by contract to work with the Director of DHS to ensure a smooth transition and minimize disruption to staff and programs.

Over the ensuing year, this founding director would engage in a strategic planning process with staff and the community to create a road map for how Oakland Unite can go from good enough to producing a breakthrough in reducing violent crime. During this transition period, our proposal envisions that Oakland Unite would physically and administratively remain housed in the Department of Human Services to ensure that there are no service disruptions.

The SSOC would like to see the existing staff involved in the discussions regarding the changes proposed.

Councilmember McElhaney has maintained open discussion with the Director of Human Services about the goals and functions of Oakland Unite since 2013 when they first partnered to ensure a planning investment of \$250,000 in the FY13-15 budget. McElhaney met with the entire OU staff in March and maintains an open dialogue with staff at every level. Formal discussion with the staff, however, is the purview of the Administrator and Department head. We have confidence that the Administrator will work with the Council to ensure that staff concerns are addressed in the final proposal.

Questions from Councilmembers:

What about the administration's proposal for a department head under DHS? (Guillen)

How does our current approach align with public health best practices? (Guillen)

As referenced by Director Bedford at the Finance Department hearing, the work done by Oakland Unite and DHS overall are all informed generally by the public health approach. In general, a public health approach seeks to methodically analyze and define the causes of violence, develop and test prevention strategies and assure widespread adoption across communities. The California Partnership for Safe communities completed a problem analysis of serious violent crime that primarily focused on homicides. We have not found any similar problem analyses for Domestic Violence or CSEC. The proposal seeks to empower a full time



director to ensure that Oakland Unite doesn't just follow a public health approach but that it follows all current best practices.

What will be the focus of the DVP? Is it on just homicides or is it on broader violence prevention work? (Campbell Washington)

The focus of the Department of Violence Prevention will be preventing the same crimes as those targeted by Oakland Unite: homicides, domestic violence and the commercial sexual exploitation of children. These are the focuses mandated by the Measure Z legislation.

What is the intended funding source for the DVP? (Campbell Washington)

This question will be answered as a part of the budget process. However, the proposal seeks to hold sacred the Measure Z funds that are currently allocated to Community Based Organizations (CBOs) and instead fund the additional administrative cost of a Chief of Violence Prevention from either the true up of Measure Z funds or other sources. The Council must direct the Administrator to return with funding options to be considered within the budget process.

What is the intended implementation timeline for the DVP? (Campbell Washington)

The proposed implementation timeline would see the DVP launched within the first year of the FY2017-19 budget cycle. For the first year, we recommend the immediate hiring of a founding, interim director by contract who can begin the strategic work of designing the new department's organizational structure. During this first transition year, we recommend that Oakland Unite remain housed within DHS to avoid any service disruptions.

Where is the substance of the DVP Proposal? What is different about the DVP proposal? (Brooks) Clearly identify the investments in violence prevention and what returns we get from them? Let's take a look at the inside of the institution. Do we need to create a new Department or do we need to have our departments do better? (Gallo)

This proposal seeks to build upon, amplify and simplify the good work that is currently being performed by Oakland Unite. As good management practices would dictate, too many tasks upon a leader often results in overload and a lack of excellence at every level. The work of DHS has grown considerably since 2001 and it is time for the Council to consider a reorganization that will allow for high-level focus and strategic thinking to drive dramatically improved outcomes. In the cannon *Good-to-Great*, management expert Jim Collins points to the discipline of thought and habit that moves organizations from mediocrity to high performance. The Council's critical work is to organize the structure of the Administration to produce high quality results especially in the area of our most critical function: namely public safety.

The City Staff is currently working within structures that have not been thoughtfully examined



to maximize performance. As is a common practice in government systems, some departments are too big to succeed. DHS has grown so large with a mission and vision that is too broadly focused to allow for the director to have time to be focused on driving innovation on systemic challenges like violence. The issue of violence prevention is a monumental achievement that is worthy of a high-level executive to work in tandem with the Chief of Police to enact an all-in effort to dramatically improve the quality of life for all Oaklanders. This is particularly needed in the under resourced areas of domestic violence and CSEC which are currently not contemplated in the Oakland Unite workplan.

Will the DVP have a significant focus on gang or group violence and on serving re-entry populations as a way to reduce violence? (Kalb)

Yes. It is essential that the DVP continue Oakland Unite's work on providing an alternative path for those at highest risk of violence – which includes group or gang involved youth and those returning from jail or prison. This should be an area of highest focus for the DVP.

Will the creation of this department increase the likelihood of the City securing additional grants to reduce violence? (Kalb)

Yes. A dedicated Director will have more bandwidth to solicit funding from philanthropy and other government agencies. Initial conversations with local and statewide foundations indicate a great interest in funding more initiatives aimed at transforming the lives of boys and men of color.

Questions from Community Members:

Richmond's success was at least in part due to its ability to provide clients in its fellowship programs ten times as much money as in Oakland. How will hiring another administrator replicate Richmond's success if Oakland doesn't employ the same strategy?

This question highlights the need for a department with a director solely focused on ensuring that Oakland runs a fellowship program that is as effective as Richmond's. Richmond's full budget never exceeded \$2.5 million (as compared with the approximately \$10 Million set aside for Oakland Unite). While Oakland Unite recently undertook efforts to launch a version of the fellowship program, there is nothing that prevented these efforts from being adopted much sooner.

Under the DVP, Oakland Unite will have a dedicated director that will establish a strategic plan that will design Oakland-specific programs based on the needs of our community. Strategies must be driven by a leader with the requisite authority and rank to attract additional resources, connect directly with those who are most impacted by violence and provide visibility and accountability for the work. The current structure lacks equity and parity within the



Administrative authorities. Today, Oakland's violence prevention efforts are led by a Program Manager, whereas law enforcement efforts are led by a Chief. With the creation of a DVP, we propose that the Chief of Violence Prevention and the City Administrator would be only leaders accountable for the success of Oakland Unite programs.

How will the Department of Violence Prevention interact with Ceasefire? Will it include the Ceasefire efforts in the Oakland Police Department?

The Department of Violence Prevention will strengthen and enhance Ceasefire Operations by having a Chief of Violence Prevention that can more readily respond to the needs identified by the Ceasefire team. This proposal will not change the non-sworn staffing structure for Ceasefire, and will continue to compliment with Ceasefire to change the lives of those at highest risk of violence. We believe that greater leadership capacity for Oakland Unite will mean improved coordination.

Does this proposal take resources from service provision and put it into bureaucracy?

The proposal to create the DVP would be funded from General Purpose Funds or other sources that will not reduce the Measure Z investments. The upcoming discussions around the FY 2017-2019 budget will decide the level of investment to be allocated to a Department of Violence Prevention from the General Fund. It should also be noted that currently, Oakland Unite uses almost \$1M in Measure Z funds for administrative purposes, the City Administrator funds .8FTE for evaluation contracts and to staff the SSOC, and the Mayor spends .4FTE of Measure Z funds for personnel.

How does increasing the bureaucracy drive better results?

The proposal before you will DECREASE bureaucracy and increase accountability. We believe that leadership matters. In the FY2015-17 Budget, Oakland Unite comprised about 5%¹ of the staff of the human services department and 12.5% of the dollars of the HSD. We believe that 100% of a director's time will better focus, envision, and manage the services and operations compared to the status quo which allocates 5% to 10% of a Director's time. We believe that reducing homicides is a worthy investment because it will save lives and save money in the long run.

We agree that steps have to be taken to elevate the leadership and responsibility for violence reduction, and increase focus. But there is nowhere near enough in the existing proposal to know if that will be accomplished. And we are very concerned that experimentation and on-the-

¹ The 2015-17 Adopted budget for the Human Services Department listed a total of 305.37 FTE and 14.19FTE in Oakland Unite for a total of 4.7%. The Department had a total budgeted expenditure of \$69,453,990 for FY15-16 of which Measure Z comprised \$8,740,773 of 12.5%.



fly development will lead to dangerous -- and perhaps life-threatening -- disruption of programs that really are working.

We agree that “on-the-fly” development and experimentation could be dangerous which is why our proposal intends that Oakland Unite remain as it is while a Chief of Violence Prevention carefully plans for the transition. The experience of the Office of Animal Services and Department of Transportation makes clear that the administration is more than capable of managing a transition of this size or far larger without service disruptions.

We urge council to immediately appropriate funding for a top-level expert on violence prevention administration and management. That expert should consult with the administration, a representative of council, and representatives of all other major participants in the City's violence prevention efforts-- including Ceasefire -- to recommend a full, more effective violence prevention management program within the parameters of Measure Z.

The lack of sustained community engagement by Oakland Unite illustrates why we need a Chief of Violence Prevention to have this exact conversation. We believe that the best way forward is to establish the department and empower a leader to regularly convene community to ensure our programs are built off of the wisdom of those closest to those at highest risk of violence. Oakland has hired countless consultants to opine on what we could do but what we have lacked is investment in the leadership to implement and sustain those changes.

