

# CITY OF OAKLAND



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## REPORT

Date : September 24, 2020  
To: City Council and Members of the Public  
From: Council President Rebecca Kaplan  
Subject: Gun Violence Top Law Enforcement Priority

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### EXECUTIVE SUMMARY

As of August 23, 2020, the Oakland Police Department Crime Analysis reported thirty-four (34%) percent increase in reported gunfire in Oakland. In 2019, there were 953 occurrences of gunfire. This year, 1,281 occurrences of gunfire were reported, with a quarter of the year still to be determined. In a single weekend from August 7<sup>th</sup>-9<sup>th</sup>, 2020, seven individuals (7) were killed across the city, many of the cases are unsolved, with the assailants remaining at-large.

Council President Rebecca Kaplan is calling for the City of Oakland to declare “Gun Violence as the Top Law Enforcement Priority” for the City of Oakland, to decrease the number of illegal guns and gun violence in the city. By increasing gun tracing and prioritizing action to respond to gun crime. We recognize that the easy availability of illegal guns increases violence and harm, and in order to reduce gun violence, we need to crack down on illegal guns, and have a timely and effective response to shooting notifications.

### BACKGROUND / LEGISLATIVE HISTORY

#### GUN VIOLENCE

The City of Oakland is experiencing an increase in the amount of guns shots fired. According to the Oakland Police Department’s ShotSpotter Activations Report, the Oakland Police Crime Analysis Division reported approximately 2,807 ShotSpotter Activations from gun shots fired in 2019. As of September 20, 2020, there have been approximately 4,104 ShotSpotter activations from guns fired. This number is a forty-six percent (46%) increase from the year prior, and that many shots don’t show up in 911 calls.

<b>ShotSpotter Activations</b>	<b>Weekly Total</b>	<b>YTD 2019</b>	<b>YTD 2020</b>	<b>YTD % Change 2019 vs. 2020</b>
<b>Citywide</b>	190	2,807	4,104	46%
<b>Area 1</b>	15	326	347	6%
<b>Area 2</b>	4	104	163	57%
<b>Area 3</b>	36	536	789	47%
<b>Area 4</b>	39	721	1,056	46%
<b>Area 5</b>	96	1,120	1,749	56%

**Table 1: Weekly ShotSpotter Activations Report, September 14- 20, 2020**

Special Concurrent Meeting of the Oakland City Council, CPAB, SSOC, and Police Commission  
September 29, 2020  
File # 20-0628

In the Crime Analysis Report on September 20, 2020 in Table 2, there were 309 “assaults with a firearm”, which represents an increase of 41% from 2019. The crime analysis reported approximately 264 “shootings in an occupied home or vehicle”, an increase of 44% from 2019. The crime analysis reported approximately 136 “shootings not from an unoccupied home or vehicle”, an increase of 48% from 2019. The crime analysis reported 752 shootings from “negligent discharge of a firearm, a 50% increase from 2019. In total, there have been 1,542 shootings reported, which is a 46% increase from 2019, which totaled 1,051 shootings. To highlight the upward trend, in 2018, there were 756 shootings total shootings reported.

<b>Citywide</b> <i>All totals include attempts except homicides.</i>	<b>Weekly Total</b>	<b>YTD 2018</b>	<b>YTD 2019</b>	<b>YTD 2020</b>	<b>YTD % Change 2019 vs. 2020</b>	<b>3-Year YTD Average</b>	<b>YTD 2020 vs. 3-Year YTD Average</b>
<b>Homicide – 187(a)PC</b>	4	50	52	66	27%	56	18%
<b>Homicide – All Other *</b>	-	6	3	5	67%	5	7%
Assault with a firearm – 245(a)(2)PC	8	193	219	309	41%	240	29%
<b>Subtotal - 187 + 245(a)(2)</b>	12	249	274	380	39%	301	26%
Shooting occupied home or vehicle – 246PC	8	169	183	264	44%	205	29%
Shooting unoccupied home or vehicle – 247(b)PC	5	53	92	136	48%	94	45%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	25	471	549	780	42%	600	30%
Negligent discharge of a firearm – 246.3PC	38	285	502	752	50%	513	47%
<b>Grand Total</b>	<b>63</b>	<b>756</b>	<b>1,051</b>	<b>1,532</b>	<b>46%</b>	<b>1,113</b>	<b>38%</b>

**Table 2: Weekly ShotSpotter Activations Report, September 14- 20, 2020**

## GUN TRACING

Currently, there is a grave need for an effective and robust gun tracing program to curb the amount of gun violence and reduce the number of illegal guns on the streets. Table 3 shows the total number of guns traced by OPD.

TYPE	2017	2018	2019
<b>Handgun</b>	1,071	746	602
<b>Rifle</b>	895	85	65
<b>Shotgun</b>	102	57	40
<b>Machine Gun</b>	2	0	0
<b>Partial Firearm</b>	8	7	4

**Table 3: Guns Recovered from Gun Tracing**

On March 15, 2019, the City Administrator submitted an Informational Report on OPD Gun Crime Strategy and Gun Tracing Report, requested by Council President Rebecca Kaplan. Council President Kaplan has been a consistent advocate for increased efforts around gun and shell tracing. She fought for the funding to acquire the gun and shell tracing equipment. She understands that gun tracing is essential to shutting down sources of illegal guns on Oakland’s streets.

The report explained that the United States does not have a national database for the manufacturing and purchasing of all the guns, but the e-Trace system maintained by the ATF allows police agencies like OPD to request the history of particular guns used in crimes. e-Trace is an ATF-managed paperless firearm trace submission system that provides access to gun purchase records from U.S. dealers.

In a Public Safety Committee meeting held on April 23, 2019, it was shared that OPD's Crime Lab uses the ATF's Integrated Ballistic Identification System (IBIS) to compare ballistic evidence. The Crime Lab's gun examiners enter scanned images of bullets and cartridges into the ATF's National Integrated Ballistic Information Network (NIBIN) automated ballistic imaging system. This system uses computer algorithms to analyze images of bullet and shell casing signatures and aids in providing matches at a greatly accelerated rate. The new equipment that Council authorized has expanded our local ability to scan shell casings.

In order to ensure that illegal guns can be tracked down and to deter gun crime, it will be important to have timely response on notifications of shootings, and more consistent tracing of guns and shell casings. We have requested information from OPD about the frequency of providing an immediate deployment in response to notifications of shootings, and about the frequency of being able to collect shell casings or other materials to help identify and shut down sources of illegal guns.

## **LAW ENFORCEMENT PRIORITIZATION**

Previously, the Oakland City Council has adopted policies regarding law enforcement priorities in the direction of "low priority" issues -- designating which topics it would be the policy for OPD not to prioritize, such as cannabis. Our recommendation is to direct OPD's to make "stopping illegal guns and gun violence a top law enforcement priority."

This means making smart and effective choices about deployments, and the need for timely response to urgent situations like armed robberies in progress. The recent choice by the Oakland Police Chief to order hundreds of Police Officers to stay downtown watching peaceful protesters was not the most effective and efficient use of law enforcement resources, while urgent needs for response and follow up on armed robberies was lacking. A better use of sworn personnel would have been to ensure presence in community and commercial corridors facing armed robberies throughout the city.

In conclusion, directing "guns as the top law enforcement priority," and requesting follow up information on gun tracing, and timely deployment to notifications of shootings and armed robberies, could help ensure resources are going where they are most needed, and reduce gun violence in the City of Oakland.

## **ACTION REQUESTED OF THE CITY COUNCIL, OAKLAND POLICE COMMISSION, COMMUNITY POLICING ADVISORY BOARD, AND PUBLIC SAFETY AND SERVICES OVERSIGHT COMMISSION**

Conduct a discussion regarding making guns the top law enforcement priority for Oakland; Supporting the decrease of illegal guns and gun violence by increasing gun tracing; improving response time to shooting notifications; and prioritizing response to gun crime.

Sincerely,



Council President Rebecca Kaplan