



AGENDA REPORT

TO: Ed Reiskin
City Administrator

FROM: Susan E. Manheimer
Interim Chief of Police

SUBJECT: Gun Crime Data and Police Response
Report-Supplemental Report

DATE: October 13, 2020

City Administrator Approval

Date: October 15, 2020

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report 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.

REASON FOR SUPPLEMENTAL

At the September 29, 2020, Special Concurrent Meeting of the Oakland City Council, Community Policing Advisory Board (CPAB), Safety and Services Oversight Commission (SSOC), Police Commission and the Reimagining Public Safety Task Force, City Council President Kaplan represented an item on the agenda to address "Gun Violence Top Priority Discussion." In her presentation to the City Council she had inquiries for staff to provide responses at the October 20, 2020 City Council meeting. Staff prepared responses to President Kaplan's inquiries which are presented below.

ANALYSIS AND POLICY ALTERNATIVES

Inquiry: Are illegal guns and gun violence decreased by increasing gun and shell case tracing?

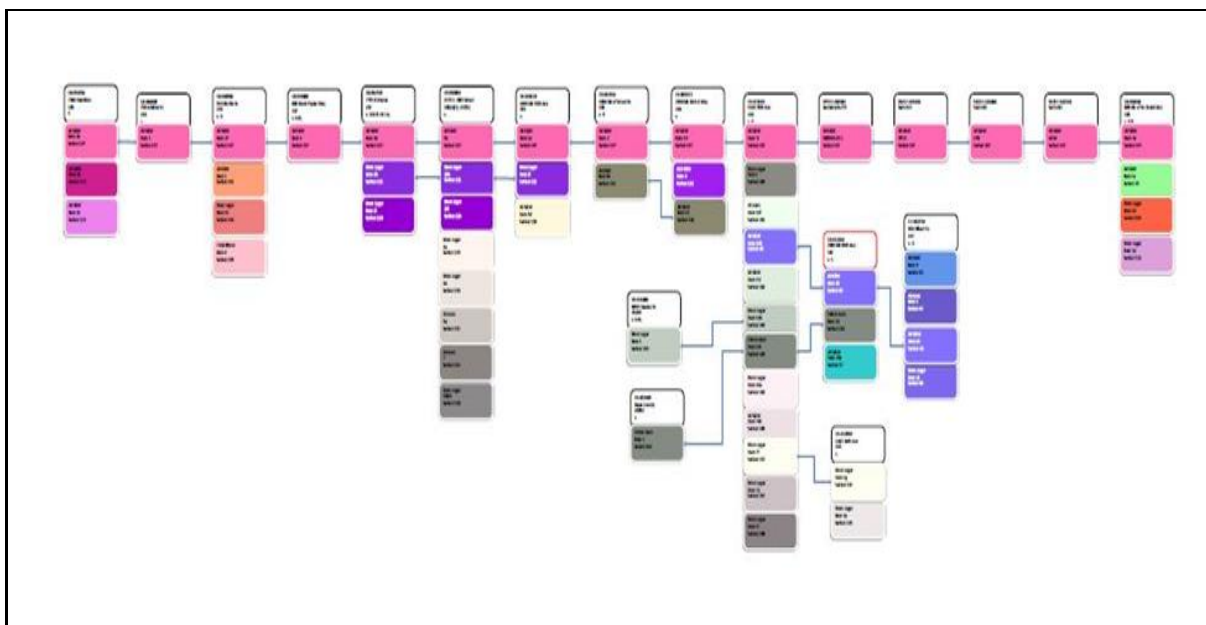
OPD Response:

- Only guns (not casings) are traceable using the Bureau of Alcohol, Tobacco, and Firearms (ATF) eTrace program and this helps connect guns with purchasing sources.
- Shell casings are not traced, rather, the scientific work of the laboratory allows for these crucial connections between shootings to be made. This can connect guns with specific crimes.

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- For example, the lab-developed link chart is shown below which allows visualization of the massive amount of data in which 15 shootings were linked to one gun. At several of these shootings, other guns were also present and linked to other shooting scenes.

Figure 1: OPD Crime Lab Gun Tracing Link Chart*



***Link Chart Explanation:**

- White (top) rectangles = separate crime scenes;
- Pink (2nd row) = same gun used in all 15 incidents (the 15 columns);
- 1st column has 3 colored vertical rectangles = 3 guns involved in this one crime; 8th column = 8 rectangles = 8 guns in the one crime scene;
- The lines/links that connect same colored/shaded rectangles means the same gun was used in the different crime scenes.

Inquiry: How does OPD improve its response to notifications of shootings?

OPD Response:

- Fully staffing OPD Communications Division would reduce the hold times for 911 calls.
- Staff uses the Shotspotter application to receive real time updates on Shotspotter activations and respond accordingly.
- Calls for service regarding shots fired are categorized as Priority One calls and officers are notified to respond to these calls.
- Casings are collected from shooting scenes and submitted to the OPD Property Section.
- The OPD Crime Lab analyzes requested casings.

Violent Crime/COVID-19

The City of Oakland has experienced an uptick in violent crimes since the Shelter in Place beginning March 16, 2020.

- Homicides have increased by 86%.
- Overall shootings have increased by 94%.
- The ShotSpotter activations have increased by 82% (see below charts).

In spite of the recent increase in violent crimes, the OPD consistently responds to each shooting and homicide incident. The Oakland Police Department continues to respond to all shooting incidents and complete both preliminary and follow up investigation reports.

Gunfire Before-and-After Comparison — 29 Weeks

Shooting Type	26 Aug to 15 Mar	16 Mar to 04 Oct	% Change
Assault with a Firearm - 245(a)(2)	148	282	91%
Occupied Home or Car - 246	140	219	56%
Unoccupied Home or Car - 247(b)	60	120	100%
Subtotal	348	621	78%
Negligent Discharge - 246.3	338	713	111%
Grand Total	686	1,334	94%

ShotSpotter Activations Before-and-After Comparison — 29 Weeks

ShotSpotter Activations	26 Aug to 15 Mar	16 Mar to 04 Oct	% Change
ShotSpotter Activations	2,029	3,686	82%

OPD has also experienced staffing challenges due to attrition and retirements. OPD operational and investigative teams have come up with several different strategies to address the violence in the City that not only involves intelligence-led policing, a 60-day operational plan focused on the gangs and groups involved in the violence, but also robust investigative work in collaboration with the Crime Lab and other partnerships to identify those individuals involved in the criminal activity.

Police Records Specialists, Police Evidence Technicians, and Criminalists are crucial to the overall sustainability for operational and administrative efficiency that also contributes to crime reduction and overall public safety. The demand for OPD support/professional staff positions has increased because of the uptick in violence which translates into increased workloads. The OPD continues to respond to the violent related offenses as a priority while also balancing the lower priority offenses which may be delayed or backlogged due to the challenges with the workload versus the staffing needs.

Inquiry: How many guns has OPD been able to trace? What is the status?

OPD Crime Lab Response:

When OPD is able to implement and manage its own eTrace program by the Crime Lab, the following benefits will be gained:

1. Accountability: The OPD Crime Lab will be tasked with providing updates on the eTrace program.
2. Responsibility: The OPD Crime Lab will ensure that the eTrace program is implemented and continuously monitored.
3. Proven Track Record: The OPD Crime Lab is accredited with a high level of experience and a lineage of success.
 - a. Participation in national programs, such as NIBIN, CODIS, AFIS, NFLIS and Laboratory-run programs such as LIMS, have been productive with case leads.
 - b. All indications are that the eTrace program would be successfully run under the Laboratory.

The requested information for gun tracing is shown in the tables below. This information is provided by ATF from the eTrace report to the Criminal Investigation Division.

Table 2: Total Number of Firearms Traced by OPD by Year (2018-2019)

Type	2018*	2019*
Handgun	746	602
Rifle	85	65
Shotgun	57	40
Machine Gun	0	0
Partial Firearm ^[1]	7	4
Unknown type/Combo	0	12

*2018 = 895 total traced; 2019 = 723 total traced

Table 3: Firearm Caliber* by year (2018-2019)

Type	2018	2019
.45*	78	60
.40	191	168
9 MM	243	229
10 MM	6	9
.38	51	26
.32	17	8
.25	18	9
.22	52	57
.357	18	16

^[1] Receiver or frame of gun

Type	2018	2019
.233/5.56 MM	15	23
.380	15	30
.44	0	1
.500	0	1
7.62 MM	11	10
5.7 MM	0	4
Shotguns, lever action rifles, long guns, misc.	180	72

*caliber refers to the approximate internal diameter of the gun barrel; unless followed by MM for millimeters, the decimal refers to percentage of an inch of diameter.

Table 4 – Firearm Recovery by Crime Type by Year (2018-2019)*

Type	2018	2019
Murder	35	38
Robbery	32	38
Aggravated Assault	58	75
Assault	6	4
Domestic Disturbance	12	8
Firearm Investigations	96	56
Carry Concealed	126	97
Felon in Possession	261	166
Aggravated Assault on Police Officer)	9	2
Narcotics Investigation	0	1
Weapons Offense	0	46
Residential Robbery	6	1
Health and Safety	26	2
Discharging Weapon	25	31
Car Jacking	6	7
Domestic violence	8	2
Stolen vehicle	9	5
Stolen Property	6	12
Sexual Assault	0	1
Suicide	15	8
Found Firearm	77	69
Miscellaneous (surrender, safe keeping, etc.)	82	67

Note: *723 Firearms for 2019 (13 Firearms for 2020 as of September 22, 2020 included in the total).

Table 5 – Recovery by State of Origin by Year (2018-2019)¹

State or Area	2018	2019
California	346	498
USA Military Surplus	6	0
Arizona	64	19
Nevada	72	51
Utah	10	6
Alabama	8	3
Oregon	14	5
Florida	4	8
Ohio	7	5
Louisiana	10	2
Virginia	1	1
North Carolina	0	4
South Carolina	4	5
Georgia	9	18
Tennessee	6	2
Mississippi	0	1
Iowa	0	1
Illinois	4	5
North Dakota	1	0
South Dakota	0	1
Indiana	5	4
West Virginia	1	0
Kentucky	5	0
Missouri	7	2
Minnesota	2	0
Kansas	1	1
Arkansas	0	3
Oklahoma	3	2
Texas	27	13
Wyoming:	0	0
Wisconsin	2	3
Colorado	5	1

¹ OPD cannot produce data on firearm tracings per licensed dealer by county and state as OPD does not have access to this data.

State or Area	2018	2019
New Mexico	2	0
Maine	0	0
New York	6	6
New Jersey	4	4
Pennsylvania	4	2
Maryland	3	5
Massachusetts	2	2
Montana	0	2
Idaho	2	2
Washington	11	0
Connecticut	4	8
Alaska	3	2
Hawaii	0	1
Nebraska	0	3
Vermont	0	1
Unknown	N/A	21

The OPD cannot produce data on firearm tracings per licensed dealer by county and state as OPD does not have access to this data. Above listed data reflects the firearms that could be traced; The Criminal Investigations Division (CID) could not trace firearms where serial numbers were obliterated, where there were no stamped serial numbers (also known as “Ghost Guns”²) and weapons in which the report came back “not on file.”

Table 6 – Recovery by Time from Purchase Date to use in Crime by Year (2018-2019)

Time	2018	2019
Under 3 months	23	16
3 months and under 7 months	15	24
7 months and under one year	29	21
One year and under two years	60	59
Two years and under three years	51	63
Three years and over	414	308
Unable to calculate	481	245

² “Ghost Guns,” also known as a “80% receiver,” “80% finished,” “80% complete,” “unfinished receiver” are all terms referring to a weapon that has not yet reached a stage of manufacture that meets the definition of a firearm as defined by the Gun Control Act of 1968 (GCA). Self-made, without a serial number firearms are often referred to as “ghost guns,” because law enforcement is unable to trace them when they are recovered from a crime scene.

Table 7 – Recovery by Age of Possessor by Year (2018-2019) *

Age of Possessor	2018	2019
Possessor 17 and younger	34	34
Possessor 18 to 21	110	76
Possessor 22 to 24	68	50
Possessor 25 to 30	130	85
Possessor 31 to 40	108	61
Possessor 41 to 50	69	29
Possessor over 50	57	34
Unable to calculate	350	367

Inquiry: How is OPD utilizing Evidence Technology? What are the staff levels?

OPD Response:

The Firearms Unit has suffered longstanding vacancies and currently has two Criminalist II vacancies in the face of a 40% increase in violent gun crime since March 2020; these vacancies translate into vastly increased firearm caseloads for the Crime Lab as well as per criminalist. These vacant positions have been frozen in the past due to budgetary constraints. Additionally, these positions require highly specialized skills and are thus difficult to fill. In addition to filling the vacancies, the Laboratory Manager requested a Forensic Technician position to assist with the following technology program implementation:

- The Criminalistics Laboratory plans to design OPD's participation as an eTrace contributor while the OPD Criminal Investigations Division (CID) Weapons Charging Detail would use the results from a well-run eTrace program.
- Apart from the proposed eTrace program above, OPD's Crime Lab already uses ATF's Integrated Ballistic Identification System (IBIS) to compare ballistic evidence with astonishing results. The Crime Lab's firearms staff enter scanned images of bullets and cartridges into the ATF 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 investigative leads for possible matches at a greatly accelerated rate. However, OPD's firearms analysts must still confirm matches with use of the IBIS imaging equipment and microscopes.

Table 8: 2019 vs 2020 Laboratory Analysis Caseload and Productivity

	2019	2020 (to Sep 21)
IBIS Acquisitions	1,703	1,574
Investigative leads	732	861
Requests received	1,370	1,106
Requests completed	946	1,052
Confirmed hits	29	17

The NIBIN database provides information on the guns themselves- whether they were used in other crimes or are connected to other events. Because NIBIN contains information on the guns and the events (crime scenes) and associates (people) connected to the guns, as opposed to purchasing information, the NIBIN system tends to provide data about local (Oakland and primarily Bay Area) crime events. Additionally, NIBIN is networked to other Northern California Crime Labs terminals operated by the ATF. This local data promises strong opportunities to develop greater intelligence about local gun tracing and social crime networks.

Inquiry: What are the prioritizing actions to stop and respond to gun crime?

OPD Response:

Reducing gun violence is a top priority for the OPD. The Ceasefire strategy is the primary model used to combat gun violence in Oakland. This strategy calls for a reliance on crime data and intelligence to focus on those who commit shootings and homicides in Oakland. There is a strong emphasis on removing guns from the community that are in the possession of those prone to using them.

There is significant coordination within OPD and with external law enforcement partners through the OPD Crime Gun Integration Center (CGIC). CGIC works closely with the OPD Crime Lab to rapidly analyze and disseminate the results of ballistic links that are produced by the OPD Crime Lab. This allows OPD to make connections between guns and shootings. There is also significant coordination with DVP, community partners and community based organizations to take intervention steps with those most prone to violence. OPD staff engage in direct communication with subjects prone to violence. A legitimate attempt to steer them toward the services offered by DVP and other community groups is made during one on one conversations and at larger group call-in's. These tactics have been evaluated and have been proven to have an impact on violent crime.

COORDINATION

OPD personnel reviewed the City Council data request internally across various Police Services Agency divisions.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Race and Social Equity: Residents and visitors of Oakland benefit from efforts to stop violent gun crimes. Gun crimes statistically impact less advantaged communities more than more affluent communities; OPD efforts to trace firearms associated with violent crime can positively impact these less advantaged communities and decrease the inequities associated with violent crime.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Receive An Informational Report 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.

For questions regarding this report, please contact Phillip Best, Police Services Manager I, at (510) 238-6443.

Respectfully submitted,



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