



MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Henry L. Gardner

SUBJECT: Safety and Services (Measure Z)
Oversight Commission –
Background and Next Steps

DATE: December 9, 2014

INFORMATION

This information memorandum describes efforts underway by the City of Oakland staff to implement the requirements of the 2014 Public Safety and Services Violence Prevention Act (Safety and Services Act, Measure Z). It outlines the relationship between Measure Y and the Safety and Services Act, gives a high level overview of the Safety and Services Act requirements, and outlines the qualifications and timeline for the Safety and Services Act Oversight Commission.

I. Overview of the Safety and Services Act (Measure Z)

The Safety and Services Act passed in November 2014 with 77.49% of the vote, surpassing the required 67% supermajority approval rate. The Safety and Services Act maintains the current parcel tax rate of \$99.77 for a single-family home and the parking surcharge of 8.5 percent for parking garages/lots. Programs required by the act include:

Police:

1. Geographic Policing: hire, deploy and maintain sworn police personnel assigned to specific geographic areas or neighborhoods, performing duties such as:
 - a. Crime Reduction Teams/CRTs using intelligence based policing
 - b. Community Resource Officer engaged in problem solving projects
 - c. Intelligence based suppression operations
 - d. Domestic violence and child abuse intervention
 - e. Sustaining and strengthening of Project Ceasefire
2. Maintenance of Sworn Police

Fire:

Maintain adequate personnel resources to respond to fire and medical emergencies

Violence Prevention and Intervention Programs:

1. Street outreach and case management for high-risk youth/young adults.
2. Crisis response for domestic violence victims, commercially sexually exploited children, and victims of shootings and homicides.
3. Reentry programs for youth and young adults, including case management, school support, job training and placement.
4. Young children exposed to trauma or domestic and/or community violence.

II. Measure Y and Measure Z

The existing Public Safety and Violence Prevention Act of 2004 (Measure Y) will run concurrently with the Safety and Services Act until all Measure Y business is completed. This includes the following:

1. An oversight committee to oversee the usage of the funds.
2. An annual financial audit.
3. An annual program performance evaluation for all Police and Human Services activities.

According to the City Attorney's Office, the City is required to maintain the Measure Y Oversight Committee due to the written requirements in Measure Y calling for an oversight body to perform the aforementioned duties. The Measure Y ordinance does not allow for such duties to be done by another body as a replacement of the Measure Y Oversight Committee. In addition, the Safety and Services Act did not grant authority for the Safety and Services Oversight Commission to provide oversight for anything outside of the scope of the new measure.

III. The Safety and Services Oversight Commission Role (Job Duties)

The Safety and Services Oversight Commission serves in the capacity to make recommendations to the Public Safety Committee and City Council. According to the ordinance, the Commission will be responsible for the following:

1. Inquire, review and evaluate the administration, coordination, and evaluation of strategies and practices mandated in this Ordinance.
2. Make recommendations to the City Administrator and, as appropriate, the independent evaluator regarding the scope of the annual program performance evaluation. Wherever possible, the scope shall relate directly to the efficacy of strategies to achieve desired outcomes and to issues raised in previous evaluations.
3. Receive draft performance reviews to provide feedback before the final report.
4. Report issues identified in the annual fiscal audit to the Mayor and City Council.
5. Review the annual fiscal and performance audits and evaluations.
6. Report in a public meeting to the Mayor and the City Council on the implementation of this Ordinance and recommend ordinances, resolutions, and regulations to ensure compliance with the requirements and intents of this Ordinance.

7. Provide input on strategies: At least every three (3) years, the department head or his/her designee of each department receiving funds from this Ordinance shall present to the Commission a priority spending plan for funds received from this Ordinance. The priority spending plan shall include proposed expenditures, strategic rationales for those expenditures and intended measurable outcomes and metrics expected from those expenditures. In a public meeting, the Commission shall make recommendations to the Mayor and City Council on the strategies in the plans prior to the City Council adoption of the plans.
8. The Commission will recommend to the Mayor and City Council those strategies and practices funded by the Safety and Services Act that should be continued and/or terminated, based on successes in responding to, reducing or preventing violent crime as demonstrated in the evaluation.
9. Semi-Annual Progress Reports: Twice each year, the Commission shall receive a report from a representative of each department receiving funds from this Ordinance, updating the Commission on progress towards the desired outcomes.
10. Have a Joint Meeting of the Commission and City Council: The City Council, the Commission and other public safety-related boards and commissions shall conduct an annual joint special public informational meeting devoted to the subject of public safety.

IV. Qualifications and Backgrounds (Commissioner Job Description)

The Safety and Services Oversight Commission will consist of 9 members, one recommended by each councilmember and one recommended by the Mayor. All appointments will be made according to the City Charter. The ordinance clearly calls out specific qualifications for the Commissioners, including the following:

Category 1: At least two (2) members with extensive experience working with service-eligible populations (retirees welcome), especially youth and young adults at highest risk of violence. This could include backgrounds such as the following:

- Case manager, violence intervention specialist, or youth worker
- Job developer or reentry employment specialist
- Mental health, systems advocate, or social worker with experience in working with victims of community violence, domestic violence, trauma, and/or commercial sexual exploitation
- Probation, parole, or law enforcement officer

Category 2: At least two (2) members who reflect the service-eligible population, specifically individuals at highest risk of violence and who have engaged in comprehensive services. This could include backgrounds such as the following:

- Formerly incarcerated individuals
- Individuals on or that have been on probation or parole
- Victims of violence or sexual exploitation
- Individuals that have been engaged in community violence

Category 3: At least two (2) members with a professional law enforcement or criminal justice background (retirees welcome). This could include backgrounds such as the following:

- Public defenders
- Court experience
- Probation experience
- District Attorney's Office
- Parole experience
- Police officer

All members should have the ability to think about larger policy implications. The remaining three (3) members should have one or more of the general qualifications as set forth in the Safety and Services Act including individuals with experience in criminal justice, public health, social services, research and evaluation, finance, audits, and/or public policy.

The Safety and Services Act does not require residency in Oakland, but an intimate knowledge of Oakland and its communities and/or residency or employment in Oakland are highly preferred.

Staff will work with Council offices, if needed, to help generate interviewees for potential members. With the short timeframe to get the Commission seated and operating, staff will also coordinate with the Mayor's Office to ensure membership balance.

V. Who should be on the Commission?

Councilmembers should choose members who are dedicated and willing to attend the meetings and contribute to discussion. They should generally be people that can look at the issues from a high level and provide sound recommendations to the Public Safety Committee and City Council.

Should the Current Measure Y Oversight Committee Members be moved to the Safety and Services Commission? No. With the background knowledge that they have about Measure Y, it is best to keep that committee intact and use such historical knowledge to properly close out Measure Y. In addition, due to the timeline overlap of the two measures, it will be logistically and programmatically challenging to have members serve on two committees simultaneously.

VI. Next Steps

The commission should be chosen soon because the first order of business for the commission has to occur by April 2015 (the first priority spending plan presentation must occur by 120 days after the effective date of the ordinance). This means that the commission should be confirmed by City Council, seated, and have received orientation about roles, process, etc., by early March 2015.

Staff requests that the City Council and the Mayor brainstorm potential candidates and **recommend those candidates by January 31, 2015** to allow the Mayor's office and City staff the time needed to organize all necessary details.

Respectfully submitted,

/s/

HENRY L. GARDNER

City Administrator

For questions, please contact Chantal Cotton Gaines, at ccotton@oaklandnet.com, or 510-238-7587.