

Measure Y Questions & Answers

MSIC Community Meeting, August 9, 2007

1. *How many police officers were employed by the Oakland Police Dept before Measure Y passed and how many police officers are now employed by the Oakland Police dept? - Juan DeOlivares*

When Measure Y passed, we had 716 sworn officers. As of August 17, we are now at 740—while the City has hired more than 280 officers during this time, the City has lost a large number through attrition: 5 – 6 officers retire per month along with other typical reasons for attrition such as resignations and failures in the Academy, so this is a moving target. Since the passage of Measure Y, the Police have run 12 Academies, with 152 candidates graduating. 21 of these have been assigned to Measure Y Problem Solving Officers and Sergeant positions. No officers have been assigned to other Measure Y positions:

- Crime Reduction Team
- Truancy Duty—expanded police staffing in the Oakland Schools
- Special Victims Unit

Measure Y funds have been used to cover overtime costs associated with the Police Department's efforts to address truancy. (Deputy Chief David Kozicki)

2. *Where are the additional police required by Section 1a-e in Measure Y? (currently, as of '06 numbers, we have 696, 107 less of the 803 promised by the ordinance and 43 less than the ordinance's required minimum for tax purposes) - Juliet*

- a. *Why was there a hiring freeze for same? It's the tax that cannot be collected, not the police to be recruited!*

At one point the Police assigned all new graduates to patrol in order to deal with the shortage of patrol officers. Now, 40% of all new graduates are assigned to Measure Y positions—primarily as Problem Solving Officers (PSOs). While the Department does not have 739 sworn at this time, we are budgeted for 739. This is the requirement outlined by Measure Y in order to spend funds from the initiative. This has been a matter of debate, but is the standing opinion of the City Attorney's Office. We currently have 16 officers and 5 sergeants assigned to problem-solving duties that are paid with Measure Y funds. These PSOs and sergeants supplement the original 14 PSOs that were staffed prior to the passage of Measure Y. (Deputy Chief David Kozicki)

3. *Because there are (fewer) police officers now than when this Measure passed, where is the proof that taxes were not collected in years 05-06? – Juliet*

There are not fewer police officers. There are currently 3 more than when Measure Y passed. (Deputy Chief David Kozicki)

4. *Why do Council members and city officials constantly talk only about the community policing efforts and crime prevention sections of this legislation while ignoring the sell issue of adding more police to OPD's force? – Juliet*

As approved by voters, Measure Y positions are Community Policing positions, which include:

- Problem Solving Officers
- Crime Reduction Team
- Truancy Duty—expanded police staffing in the Oakland Schools
- Special Victims Unit

(Deputy Chief David Kozicki)

5. *What is the CURRENT time line for the additional officers to be added? – Juliet*

We have been unsuccessful in providing an accurate time line for hiring the additional officers needed to fill our Measure Y compliment. This has been the subject of much discussion at all levels of City government. The best answer to this question is that since the passage of Measure Y, OPD has started 283 people in the police academy for a net gain today of 3 officers on the street. The issues impacting the situation are as follows:

- Higher than expected attrition in the Academies as a result of resignations
- Higher than expected attrition from veteran ranks as a result of disabilities and the retirement benefit 3@50

The Department is working to better understand the factors contributing to this.

Causes include:

- Lack of understanding of the rigors of police work
- Family issues
- Lack of a clear career definition
- Dangerous work environment
- Strict job fitness requirements combined with liberal disability retirement requirements

Meanwhile, the Council approved moving 12 officers from the Airport back to the City, and also increased funding for civilian positions (Police Service Technicians who deal with paperwork backlog, citations for abandoned automobiles, and other responsibilities that do not require a sworn officer). (Deputy Chief David Kozicki)

6. *I would like a straight answer to both and a schedule from the city that can reasonable be met to achieve the goals sold to us during the campaign for this tax. – Juliet*

We hope to be able to fill all 57 Problem Solving Officer slots by February 2008, but we cannot be more definite because we cannot predict how many of our recruits will actually graduate from the Academies nor how many of our current officers will be taking regular or disability retirement—all of which contributes to our total number of officers. (Deputy Chief David Kozicki)

7. *Given the universal agreement that OPD is seriously short handed, and the continual refrain from both OPD top brass and the city council that they are taking as many qualified applicants into academies as are applying, has there been any thought to increasing the numbers of qualified applicants by means of one time incentives (monetary or otherwise)? These could easily be written with a, say, 5 year commitment to OPD so as to avoid paying to train officers for other jurisdictions. It wouldn't involve committing to long term funding streams because these would be one time offers. Is there a union problem with this? – Stephan Johnson*

OPD provides incentives to officers who recruit new officers. The incentive is a two stepped process that increases to \$1000 if the recruit completes the academy.

Furthermore, the Department requires the repayment of training costs for officers who leave prior to completing 5 years. The repayment is based on a sliding scale. (Deputy Chief David Kozicki)

8. *I heard a rumor that one of the reasons we are not using Measure Y funds to hire more police officers is because the Police Officers Union protested that it takes away overtime pay from the existing police force. Is there any truth to this rumor? If not, why then are Measure Y funds not being used to hire more police officers? Where do you feel is the kink in the system? - Ting V.*

Measure Y funds are being used to recruit and train new officers when those officers are assigned to Measure Y positions (see #4). We have not used Measure Y funds to cover training and recruitment costs for the two academies currently in session because we have not deployed officers to MeasureY assignments from the last two academies. This was done in an effort to improve basic Patrol staffing and emergency response. These decisions were only influenced by the OPOA in that they demanded improved Patrol staffing for officer safety reasons. This actually worked to reduce the incidence of overtime. (Deputy Chief David Kozicki)

9. *Can you cover how dispatchers prioritize calls coming into the (Dispatch) center? – Ting V.*

a. *How do you manage whether or not officers are prioritizing calls accordingly?*

Dispatchers prioritize calls; after officers respond to a call, they advise dispatcher of the status—thus closing the loop:

Priority Code Zero (highest code reserved for limited incident types involving officer safety and natural or man-made catastrophes)

1. Officer needs help
2. Red alerts at the airports and plane crashes
3. Imminent or in-progress incidents involving Weapons of Mass Destruction
4. Imminent or in-progress incidents involving domestic or international terrorism
5. Natural disasters such as earthquakes, hill fires, floods, etc.

Priority Code 1 (When a situation involves imminent potential for serious injury to persons)

1. In order to prevent a crime of violence
2. When there is a serious public hazard
3. When an expedited response will enhance the likelihood of apprehending a felony suspect. This includes felonies in progress or situations where a felony suspect is still on the scene or has returned to the scene
4. When an expedited response is necessary to protect other public safety, Fire or EMS responders
5. Missing/runaway juveniles age 16 and under

Priority Code 2 (Urgent, but not an immediate emergency)

1. Any call involving an in-progress dispute with violence potential; suspect (s) on the scene (whether in or out of custody); hazard or serious inconvenience to an individual or the general public
2. In-progress misdemeanors
3. Just-occurred felonies or misdemeanors when expedited response may enhance the likelihood of apprehending a suspect that is no longer on the scene
4. Stolen vehicle reports
5. Upon request by supervisory or command personnel

Priority Code 3 (No cover needed. Cold reports. Non-emergencies, No indication of danger to life and/or property)

Priority Code 4 (Non-emergency assignments which are to receive alternative processing) Residents can download a citizen complaint form from <http://www.oaklandpolice.com/geninfo/crimrpt.html>

1. Mail, and Phone and Fax Reports—
2. Abandoned autos not requiring complaint contact (Call 238-6030 for abandoned vehicles on the street, or 238-6040 for abandoned vehicles on private property)
3. Filed incidents or incidents created for documentation
(Neighborhood Services Coordinator Jacqueline Long)

Can an officer pick and choose which calls they go to?

No, priorities are set by the dispatcher. (Neighborhood Services Coordinator Jacqueline Long)

- b. *When do you dispatch officers to a different area than their beat because the need in that area increased?*

Officers are sent to different areas within their police service area (for Montclair that is Police Services Area (PSA 2, Beats 8-13) when high priority calls takes precedence. The Police Department typically keeps officers within the same Police Services Area to reduce travel time and because that is the area that they are assigned to. (Neighborhood Services Coordinator Jacqueline Long)

- c. *If a dispatcher is told that a crime is in progress, would that not boost the priority and hopefully the response time of the call?*

Yes, depending on the crime and what else is happening within the Police Services Area and City wide. (Neighborhood Services Coordinator Jacqueline Long)

10. *If a house has a burglar alarm and the alarm goes off, do the police respond faster to a call from the alarm company than to an individual calling 911 reporting a burglary?*
Ting V.

The short answer is “no.” A call about an alarm and a call reporting a burglary are two different things, and the priority will depend on the information reported by the caller. If you report that the burglary is in progress and suspects are on the scene, it will have a higher priority than a ringing alarm. However, it also depends on what other activity is being reported at that time. (Neighborhood Services Coordinator Jacqueline Long)

11. *Do the police have a formal procedure in the taking of a burglary police report? Individuals have reported that some cops would not write down the items that were stolen in their report. Why does the system allow officers to take shortcuts in these (reports)? - Ting V.*

The reporting process may differ depending on each individual case. If there is a long list of items, the officer may request that you provide a list of missing items with some identifying information as a supplemental report. We frequently find that homeowners discover other missing items after a report has been made, so you can always update your report. (Neighborhood Services Coordinator Jacqueline Long)

12. *There are a lot of reports by Montclair residents of openly unprofessional and discourteous behavior by police officers. What procedure should they follow when they encounter this behavior? At what point does the police administration decide that an officer's pattern of behavior is consistent enough to warrant disciplinary action? Given that police officers are part of a union, it seems that it would be hard to terminate them despite a string of misdemeanors. If disciplinary action is warranted, what measures can be taken? - Ting V.*

Any complaints about unprofessional or discourteous behavior by police officers can be reported to the Professional Standards Division by filing a citizen's complaint form, available at <http://www.oaklandpolice.com/geninfo/complain.html>. This is the unit that investigates any and all complaints. (Neighborhood Services Coordinator Jacqueline Long)

13. *What is the criteria for selecting a Measure Y funding recipient? – Bill Schwartz*
40% of Measure Y revenues (\$6.6 million in Fiscal Year 2006-07) go to violence prevention programs for youth most at risk:

- Youth Outreach and Services for truants, out of school youth, suspended and expelled students and youth on probation.
- Special Services to Children and Youth Exposed to Violence
- Diversion and Reentry Services for young people on probation and parole
- Employment and Training for parolees, probationers and high risk youth
- School-based services, such as peer conflict resolution training, violence prevention curriculum and case management and mental health services to high risk students

Programs actually funded had to submit a proposal. Successful proposals included the following six critical elements:

1. Strong service track record, particularly with the targeted populations and geographic areas
2. Incorporation of best practices into program design
3. Clear, specific outcomes linked to violence prevention
4. Service activities that clearly lead to these outcomes
5. Demonstrated partnerships
6. Leveraged resources

City staff from the City Administrator's Office, Community and Economic Development Agency and Department of Human Services worked with outside experts to conduct a thorough review of all preliminary proposals submitted. Outside panelists were selected for their expertise in key areas including: violence prevention, street outreach, employment, youth development with high risk youth, family violence, mental health, recreation, and community policing. Panels were developed representing readers with varied programmatic experience in the public and non profit sectors.

Panels conducted a thorough review of each preliminary proposal using consistent evaluation methods. During the proposal review, the panel also looked at balancing geographic distribution across the high need community police beats and how collaborations and other strategies might maximize the use of resources.

Invitations for full proposals were asked only of those preliminary applicants who demonstrated clear qualifications -- including a history of success -- to deliver the service to the specific target populations in the geographic areas identified, and with the required partners. These proposals were again reviewed by panelists.

Final funding recommendations were brought to City Council for approval. (Anne Marks, Violence Prevention Planner)

*a. Are there existing standards used to measure success in attaining the funding recipient's stated objectives?
Where can we find the results of the assessment?*

The Measure Y Oversight Committee meets monthly, and the public is welcome to attend their meetings held in Hearing Room 1 at City Hall from 6:30 to 9 on the third Monday of the month, March-December and the 4th Monday in January and February. Summaries of their meetings may be found at <http://www.oaklandnet.com/measurey.htm> (Anne Marks, Violence Prevention Planner)

14. Who is actively and closely monitoring the Montclair Regional Park for youth that comes in outside our area to hang out on week days and week-ends? I was told a Park Ranger, but lately I have not seen much patrol during the week and see more and more youth from outside our area hanging out there, littering and more so loitering using loud obscene profanities around young children. – Teri Thuma

OPD and Rangers can continue to monitor the trail. Make sure you bring it to MSIC so that it can become one of their priorities. And, if you see suspicious activity in progress, call 777-3211 on your cell phone to report it directly to dispatch. (Council Member Jean Quan)

15. Graffiti: what is being done to stop the graffiti that continues around the Montclair Walking Trail? Currently there is some right on the trail behind McCaulous store. – Teri Thuma

See above, also call it in to the Public Works Agency Call Center at 615-6655 or email to pwacallcenter@oaklandnet.com. (Council Member Jean Quan)

16. Please show the outcome measures that demonstrate that any of these programs have reduced crime. – “Calvigna”

For example, "Youth UpRising" (\$176,000) has dance classes and promotes the Hyphy * scene; how specifically does this make my neighborhood safer?

* Hyphy (from the urban dictionary) - Although mostly Bay Area, getting "hyphy" is more of an Oakland word defining getting ignorant, drunk/high, and quite violent within a group of friends.

The Measure Y oversight Committee is in the process of collecting outcome measures for funded programs. Keep in mind that Measure Y only started funding these programs in Fiscal 2006-2007, so they are still fairly new. On the other hand, several programs had been in place prior to Measure Y and were expanded:

Pathways to Change

The Pathways to Change program works with repeat juvenile offenders - those youth most likely to re-offend again and cause crime. This program has been successful in decreasing crime throughout Oakland by decreasing arrests and offenses of its participants. Not only does this program prevent crime, it saves money. Pathways to Change's average cost per youth are \$5,000. Without the program, a youth awaiting placement in detention would have an average stay of 55 days in juvenile hall, at a cost of \$156 per day, for an average cost of \$8,580 per youth. According to an evaluation:

Overall, during both the 6-month and 12-month follow-up periods, there were decreases in the number of youth with new referrals and the frequency of arrests. There was also a significant decrease in the proportion of sustained charges for violent crimes within both follow-up periods. More specifically, the percentage of youth with at least one new referral to the Probation Department was 36% during the 6-month follow-up period and 49% during the 12-month follow-up period. This represents a 60% decrease in recidivism during the 6-month follow-up period and 45% decrease in recidivism during the 12-month follow-up period.¹

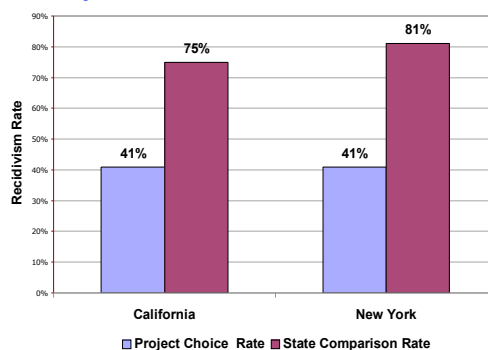
Project Choice

Formerly incarcerated individuals are disproportionately involved in violence in Oakland. In 2006, 44% of known homicide suspects and 42% of homicide victims were on probation or parole. Project Choice, Oakland's reentry pilot program that has been expanded by Measure Y funding, works intensively with incarcerated offenders to ensure that they don't join these statistics. This model has proven to be a substantial success at reducing crime when it was quantitatively and qualitatively evaluated by an independent consultant who found that Project Choice juvenile system participants had a recidivism rate 83% lower than juvenile parolees in California overall, and 97% lower than comparable juveniles in New York state.² It costs about \$4,500 per person to run the Project Choice program. By comparison, it costs over \$30,000 per year to incarcerate an adult in state prison, and \$60,000 per year for a juvenile prisoner.³

¹ Safe Passages, *Violence Prevention and Intervention Strategies: Outcome Evaluation Report*, released May 10, 2004 and revised June 8, 2004.

² Karraker, N., Newhouse, C. (September 2006) *Project Choice: Findings from the 2002-2006 Program Years*.

³ Urban Strategies Council, California Police and Prison News of July 1, 2004.

Figure: Project Choice Recidivism for Youth: 2006⁴

Middle School Peer Conflict Mediation Program

Data for School Year 2006-07 are not yet available. However, in 2005-06 the **suspensions for fighting went down at 13 of 15 middle schools** with new Peer Conflict Mediation programs, when compared to the previous year. This is especially notable, since across OUSD, suspensions rose in 2005-06. There were some dramatic decreases in the percentage of suspensions for fighting at some middle schools with new Peer Conflict Mediation programs, such as a **37% decrease at Frick** and a **26% decrease at Havenscourt**. Even where the number of suspensions for fighting went up (for example Elmhurst increased from 146 to 180), the percentage of suspensions for fighting actually went down from 56% of all suspensions to 32% of all suspensions -- a 24% decrease in the percentage of suspensions for fighting.⁵

Second Step® Violence Prevention Curriculum

Through Measure Y, all OUSD preschools, elementary schools and middle schools implement the Second Step® Violence Prevention Curriculum. This curriculum has been evaluated multiple times and has demonstrated effectiveness in reducing violence. The Grossman study⁶ found that following the completion of the program, observed physically aggressive behavior decreased significantly and neutral/pro-social behavior increased significantly among children receiving the curriculum, compared with children in the control group. The McMahon study⁷ found that both preschool and kindergarten children demonstrated significant decreases in problem behaviors. The Frey study⁸ found that, when compared with children in the control

⁴ State recidivism rates are from: Safe Passages (April 2006) *Juvenile Recidivism Context Study*. Available at: www.safepassages.org. The California rate is from a report by the California Department of Corrections & Rehabilitation, Juvenile Division; reported in: Bailey, B. and G. Palmer (2004). "High Rearrest Rate: Three-Fourths of Wards Released Over 3 Years Held on New Charges." *San Jose Mercury News*, October 17.

⁵ OUSD Department of Student, Family & Community Services, *K-8 Second Step Program and Grade 6-8 Conflict Resolution Program Evaluation Report*, released on June 30, 2006.

⁶ Grossman, David C., Holly J. Neckerman, Thomas D. Koepsell, P.Y. Liu, Kenneth N. Asher, Kathy Beland, Karin S. Frey, and Frederick P. Rivara. 1997. "Effectiveness of a Violence Prevention Curriculum Among Children in Elementary School." *The Journal of the American Medical Association* 277:1605-11.

⁷ McMahon, Susan D., and Jason J. Washburn. 2003. "Violence Prevention: An Evaluation of Program Effects With Urban African-American Students." *The Journal of Primary Prevention* 24(1):43-62.

⁸ Frey, Karin S., Susan B. Nolen, Leihua Van Schoiack-Edstrom, and Miriam K. Hirschstein. 2005. "Effects of a School-Based Social Competence Program: Linking Children's Goals, Attributions, and Behavior." *The Journal of Applied Developmental Psychology* 26:171-200.

group, those who participated in the Second Step® demonstrated significantly better outcomes in student behavior, pro-social goals, and social reasoning. Specifically, children in the intervention group required less adult intervention in minor.

Additional information may be found for future evaluations at <http://www.oaklandnet.com/measurey.htm> (Anne Marks, Violence Prevention Coordinator)

17. What are the specific objectives of the Measure Y supported organization as it pertains to reducing crime? – Bill Schwartz

a. What are the metrics to be used to measure success in attaining the objectives?

b. What are the measured results?

Please see above.

18. Los Angeles added 330 officers from July 2005 to July 2007. (Los Angeles Times, July 23, 2007) That is a net gain after retirements and resignations, which run well 400 officers per year. (Los Angeles Times, April 20, 2007) Although LA is a bigger city, there is no reason why Oakland cannot add about the same number of officers in order to get the police force we need. The pay is comparable, and both cities recruit well outside their own population base. Why is Oakland not being as successful as LA? – Barry E. Breaux, MD

Council Member Quan's office called the LAPD and was told that LAPD did not increase its force by 330 officers; rather, these are the number of officers recruited to their training program to fill vacant positions. (Council Member Jean Quan)

19. It has been said that we, as residents, must advocate for more Police Officers. Letting all our City officials know how we feel about this problem is important. How can we be effective in doing this? – Nick Vigilante

The immediate goal is to reach 803 and maintain that by always having academies in session to account for on-going attrition. Until that goal is achieved we can't clearly advocate for more police officers. The best thing the community can do is to continue to monitor our ability to respond to community priorities and emerging crime trends and assist us in our efforts to recruit and retain sworn personnel. (Deputy Chief David Kozicki)

20. *Is there anyone in the city that could provide us with numbers to represent just how much money is paid by Oakland hill tax payers that goes to the OPD? – Owen Rubin*

That type of data is not available at this time. (William Noland, Director of Finance & Management Agency, City of Oakland)

a. What are the City of Oakland's justifications for both collecting and spending Measure Y money and how do they justify it with the law? – Owen Rubin

The Courts overruled this position; the City is legally allowed to collect and spend Measure Y funds on the programs/services outlined in question 1 as long as 739 police officer positions are budgeted each year, which continues to be the case. We believe that by the time the next two Academies graduate their officers by late fall, all 739 positions will be filled (barring a low graduation rate and increases in retirements). (Council Member Jean Quan)

b. Was this law originally written for exactly what it is doing now, and simply misrepresented to the voters of Oakland? If so, who did that and what, if anything is being done about that?

The City is implementing the law as it was written. A Citizen's Oversight Committee ensures that the Measure Y funds are spent only for what was approved by the voters. (Council Member Jean Quan)

Is anything be done to change the use of this money to better align it with what the citizens of Oakland are asking for now, namely what they THOUGHT they were voting for?

See above.

21. *It has been suggested that the City of Oakland needs 1,100 officers to address a city of its size. Is the City going to accomplish this, and if so how? – Several people*

See #19

22. *With the murder of Chauncey Bailey by a member of the Your Black Muslim Bakery, how and when will Measure Y funds be directed away from this radical organization? – several people*

No Measure Y Funds go to your Black Muslim Bakery. (Anne Marks, Violence Prevention Coordinator)

23. *The City is sitting with \$8MM of our Measure Y money (40% of what they've collected) that was **earmarked for PATROLMEN** and which has not been spent. If they have spent it on crime prevention programs (to which another 40% went) then they have **MISPENT** the money approved by the voters. Please explain how the funds have been spent. – Helen Danhakl*

In accordance with Measure Y, 40% of new hires are assigned to Community Policing. The other 40% goes to crime prevention programs, as approved by voters. (Deputy Chief David Kozicki)

24. *As for the big wave of police retirements: someone in this group cited a recent California law sponsored by Wilma Chan that is partially responsible for financially-attractive early police retirement. If this is the case please explain how and why this is so in light of our urgent need for more police officers. – Sandra Pohutsky*

OPD and the OPOA are not aware of any such legislation or benefit. Our contract has been in place for over four years. Therefore, any recent legislation (if it exists) does not apply to Oakland officers. (Deputy Chief David Kozicki)