



CITY OF
OAKLAND

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Declaration of a Local State of Emergency in Oakland, California
Pursuant to executive law – AB 1594 To Prevent Gun Violence

October 2, 2022

Dear California Governor Gavin Newsom and State Attorney General Rob Bonta,

The most fundamental responsibility of government is to provide for the safety and security of its people. Successful policing involves more than just a crime statistic, you must earn the trust of all residents, through professionally trained police officers governed by a clear set of rules, including the overall quality of life of a neighborhood. Making sure that our schools and streets are safe and clean, all come together to make a city safe.

Oakland has experienced and increase in gun violence that parallels the national trend viewed every day in news accounts that has caused great concern to the residents and businesses of Oakland. Gun violence has been characterized as an epidemic in Oakland for many years, deserving of an emergency public health response. Gunshot wounds have been a leading cause of death for young Oaklanders, especially Black and Latino youth, since at least the early 2000's. Since September 28th, eleven people were shot and killed in separate incidents over the past nine days in Oakland. Also, on September 28th, Oakland's mass shooting was one of the Bay Area's worst instances of school gun violence in recent memory. Amongst a 4-school complex with 800 children, two students, a school counselor, a security guard, and two members of a grounds crew were shot. Statistics compiled by the Oakland Police Department show that the rate of firearm murders in Oakland increases 40% in Oakland. Per Oakland chief of police, LeRonne Armstrong, as of September 28th, 450 shootings have occurred in Oakland this year. 137 are related to gang violence.

Oakland residents are living in fear and our children and families are traumatized and, on their behalf, I am appealing to receive further assistance by the State of California. I will also be requesting the immediate assistance of the federal government.

We are grateful for the recent passage of **AB 1594** but given the growth of public health crisis that Oakland is currently facing, we must ask that the state of California to further assist with immediate establishments of an action-oriented 90-day statewide taskforce to assist in the development and implementation of local, comprehensive violence reduction strategies focused on gun violence reduction. The guidance and resources of the state of California are desperately needing to help communities, like Oakland, to address the rapidly rising incidence of gun crime and violence.

We cannot resolve these issues alone. We are requesting that the State of California to make violence prevention a priority.

We propose that we join forces to create a 90-day taskforce on implementable strategies to prevent gun crime and violence through that development of a comprehensive strategy of education, enforcement, and prevention measures.

Prevention

Goal: Actionable goals to develop a State Violence Prevention Plan that local communities can follow so that there is a systemic approach and greater cooperation about the various law enforcement agencies. While we agree that successful violence prevention programs must include the community. We lack guidance on effective coordination.

Recommendation 1: The State of California should foster and provide funds for the development and implementation of community-based violence prevention programs that encourage and promote the involvement of family, churches, youth groups, senior citizens, and others.

Recommendation 2: The governor should appoint a working group consisting of business leaders, law enforcement, and municipal and/or county officials to assist in the implementation of that state violence prevention plan. This working group will also assist with the development of the comprehensive plan to promote the use of the bureau of Alcohol, Tobacco and Firearm's toll-free hotline in California. This effort should be coordinated by the office of criminal justice services and the special agent in charge of ATF in California. Any information obtained through this line will be distributed to local enforcement.

Recommendation 3: California must develop an aggressive media campaign directed toward the reduction of gun violence.

Recommendation 4: The office of Criminal Justice Services should serve as coordinator and facilities of violence prevention efforts in California and should monitor the implementation of the California task force on gun violence.

Education

Goal: Actionable recommendations directed towards education to make schools safer by establishing a zero tolerance for gun violence in the school setting. The taskforce should define ways to ensure that all school systems in California develop and implement a violence control plan. A key role of state of California could be establishment of sizable fund to provide security equipment to assist school districts to enhance security measures at all school sites. Funding to ensure staff training, adequate levels of security staff, and communication systems, also to ensure that all students and families receive information about violence and are aware of community resources to assist them.

Recommendation 1: Every California school district should determine its need for violence control measures and, if necessary, develop and implement a violence control plan.

Recommendation 2: The Office of Criminal Justice services, in conjunction with the California Department of Education and other knowledgeable parties, shall develop an appropriate process to disburse funds equitably through the School Security Equipment Program to school districts which have demonstrated need for enhanced security equipment.

Recommendation 3: The California Department of Education should promote encourage and support creativity in local school systems including alternative schooling programs for those suspended, expelled, as well as others at risk of becoming involved in violent behavior.

Enforcement

Goal: Actionable recommendations that immediately focus on strong measures to force greater cooperation among local, State, and Federal agencies to control gun violence especially in cities, like Oakland, whose police department that are under resourced and understaffed. Support with additional enforcement personnel is immediately needed. The state and federal expertise in supporting our local efforts that ability to provide Oakland residents be assured that 911 calls are responded to on a timelier basis, greater enforcement presence during this trying time can help lead to community trust and belief that we as elected officials are addressing their concerns about rise in violence is also attributing to safety concerns of traffic speeding, pedestrian safety, business safety, and damage, burglaries, racial hate crimes, prostitution, and the rise of drug and gang related activities.



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Recommendation 1: The current firearm specification should be amended to provide for an increased period of incarceration, from the current three-year term to a period of five-year incarceration. Concurrently, prosecutors and judges should be encouraged to utilize California's firearm specifications more comprehensively.

Recommendation 2: The Penalty for theft of a firearm or the receipt of a stolen firearm should be a felony of the third degree, regardless of its value.

Recommendation 3: The use of any altered or counterfeit identification card for the purchase of a firearm should be a fourth-degree felony.

Recommendation 4: Authority should be provided for the pretrial detention of defendants charged with serious offenses, and to authorize judges to order the detention, without bail, of defendants who are a potential danger to witnesses, victims, or the community at large.

Recommendations 5: State and local law enforcement and task forces should be encouraged to utilize the bureau of Alcohol, Tobacco and Firearms ceasefire projects which assists state and Local law enforcement in combatting firearms related violence crimes.

Recommendation 6: Schools, Colleges and Universities licensed by the State of California should be required to report and turn over local law enforcement all firearm that come into their custody. Local law enforcement should, in turn, be required to contact ATF for the purpose of conducting firearms traces. California colleges and universities containing law.

We need to enforce the laws preventing criminal and the mentally ill from getting guns. We are not interested in more ideological debate but actions to enforce the laws that will save lives. Thank you for your support and consideration. we look forward to working with you in making our cities and schools safe.

Thank you

Councilmember Noel Gallo