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| **To:** | Gallo, Noel; Kaplan, Rebecca |
| **Cc:** | Schaaf, Libby; Overman, Jason; rcoiwan@oaklandnet.com; harmon@oaklandnet.com; Brooks, Desley |
| **Subject:** | Why the Oakland City Council must pull back and not move forward on any Domain Awareness Center policy OK or contracting arrangements..... |
| **Date:** | Tuesday, February 18, 2014 5:11:10 PM |

In the event that I and my various joint replacements cannot hand in there long enough to testify on this agenda item this evening, I wanted to share with you my very grave, public safety concerns about the Council making any policy or fiscal commitment to DAC. Each of these concerns is additional to the core and very important constitutional and privacy concerns that will be expressed to you by many of other members of the community testifying tonight.

The basis for my concerns comes from two long term experiences and one more recent. The first of the long term-experiences is my work towards obtaining lasting, post NSA oversight and a proactive and pro-constitutional policing and community policing culture in the OPD in unity with Oaklanders. The second the lack of public safety in my own Glenview neighborhood and surrounding neighborhoods (lower East Fruitvale, Redwood Heights/Dimond and San Antonio) where some of my closest friends have directly experienced live home invasion robberies, street robberies of (particularly) older shoppers and neighborhood restaurant customers, gang, prostitution and gun play on a weekly basis. In every instance, as reflected in the 2012-13 press articles referring, for example, to Oakland having 13,000 burglaries, none of them solved, the neighsbors and victims have tried to follow up with OPD and/or are community policing activists, but the crimes go nsolved and OPD says nothing more can be done. My third experrience is recent and DAC-focused, first partickpating in a DAC-education meeting sponsored by the League of Women voters, then a Glenview neighs DAC self-discussion group and subsequent meeting with Council member Gallo.

From the aforesaid three experience, I urge you to exercise real public safety leadership and refrain from any contracting or moving-forward with DAC decision, until you can at least do further study on each of the following issues:

1) **The possible adverse impact on complying with the NSA and DAC:** To get to NSA compliance, greater trust is going to have to be built between the community and OPD. I cannot see that happening, no matter how hard the OPD tries and the Court staff tries, if the City launches a ***community surveillance*** program. If you adopt DAC so, the City will undoubtedly encounter both foreseen and unforeseen costs that will hamper if not endanger OPD's ability to maintain let alone improve its investigative and community policing capacity and programs such as Cease Fire. The recent OPD employee morale survey troubled me deeply on two fronts. The first, less relevant this evening, is the number of OPD employees who expressed the view that constitutional policing and police officers making Oakland safer were incompatible or even mutually exclusive objectives. The second was that OPD officers still do not have anything near the basic infrastructure (working radios and telephones and police vehicles they need to do their jobs. Fixing the OPD

infrastructure has to be done before the City even considers investing in an additional public safety strategy; fixing OPD infrastructure is way way up many Oaklanders' public safety agenda's above starting a DAC.

2) **Adopting DAC now will endanger the renewal of Measure Y by the Voters:** I and many of my friends and Neighbors see effective community policing and violence prevention programs as Oakland's best hope, others worry about insufficient fiscal oversight and insufficient testing of the results of all the Measure Y programs, struggle to pay the additional taxes or oppose the Measure Y tax, period. I believe you will send the wrong message to Oakland voters if you pivot to allocate more funds in the long and short term, for a different crime fighting strategy, with two outside partners (the federal government and the Port) who have divergent interests from Oakland residents whose neighborhood crime and public safety and community-OPD relations issues. And Oakland will not be safer, either without community policing officers & civilian employees and violence prevention programs....Nor will it be safer if every other City program from public works to parks to libraries is gutted or discobntinued to mke up for the loss of Measure Y revenue. Therefore any action of the Council that threatens funding for community policing, fiscally or politically, should be off the table.

3) **Use fully what you have now before buying something different:** The Council did the right thing last year voting to hire civilian evidence-gathering employees. Unfortunately, the City Administrator has yet to fill those positions. We have huge rape kit and crime lab test backlogs. Hire those new employees and hire more if needed. Don't tie up more money/divert money to the DAC. Last year the Federal Court and OPD did the right thing by reorganizing beats and police detectives and OPD did the right thing by ceading reassignment of community policing officers. Meanwhile, OPD too often says they can't do more and neighborhoods have residents reporting crime, residents working on crime prevention councils and forgin relationships with their beat officers, as well a residential streets with increasing numbers of surveillance camera purchased by residents and merchants. A common experience is for OPD officers to tell residents they don't have the resources to follow up, at worst, or to struggle to follow up and bring incremental improvements. In other words, between cameras. reporting victims, witnesses, evidence that makes it to the crime labs and community policing, OPD has a lot of resourcs for 'surveillance' and 'investigation' that it needs to tap more fully and effectively before the Mayor and Council make the decision to adopt a new form of surveillance (with its attendant costs), in the name of making Oakland safer.

4) Lastly, remember history, particular the 'return the Raiders' deal. Largely male/power broker officials told everyone we needed to have the Raiders back, everything would work out and to trust them, not the critics, who just didn't appreciate the Raiders and Raider fans enough. Well, the Raiders came back, the City's business plan for the construction and ticket sales didn't work, the A's were virtually constructively evicted from the Coliseum, the Raiders sued the City and we are all still paying the "Raiders tax". Sometimes resdents who say the unpopular thing can be right.

So please listen carefully and at minimum, vote to do a procedural freeze or pull back until you and the residents of Oakland know more about what we will gain, what we will sacrifice and what other 'good' public safety choices might have to be given up for now to accomodate a DAC..

Mary Vail