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RAINS LUCIA STERN, PC
Attorneys and Counselors at Law

Report of the Urban Strategies Council

People of the State of California vs. Johannes Mehserle

EXHIBIT 10



Homicides in Oakland®

2008 Homicide Report: An Analysis of Homicides in Oakland from January through December, 2008

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Prepared By:

Steve Spiker

John Garvey

Kenyatta Arnold

Junious Williams

Urban Strategies Council
www.UrbanStrategies.org

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For additional copies or permission to reprint, please contact:

Urban Strategies Council • 672 13th Street • Oakland, CA 94612

Phone (510) 893-2404 • Fax (510) 893-6657

E-mail: admin@urbanstrategies.org

www.urbanstrategies.org

Online version available at: http://www.urbanstrategies.org/programs/infotech/oak_homicides.php

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Introduction

In past years, Urban Strategies Council has produced quarterly or biannual reports on homicides in Oakland using detailed data provided by the Oakland Police Department's Homicide Section. Last year, the Oakland Police Department (OPD) declined to provide these detailed data to the Council, citing staffing shortages. As a result, starting with the *2007 Homicide Report*, data have been collected from local media sources and from the OPD's official homicide report. Using the available data, we have created this report on the characteristics of the 125 homicides that occurred in Oakland from January 1 through December 31, 2008. This report presents annual data from 2008 and shows how characteristics of homicides in Oakland changed from 2007 to 2008 and how 2008 homicides compare with the five-year averages from 2004-2008.

The focus of the data analysis in this report is twofold. First, to summarize and clearly present available information such as victim demographic characteristics (suspect details are less complete and less precise), locations, and times of the incidents. And second, to provide context to the numbers by comparing the data across a five-year time period. This type of analysis provides useful context for discussions about the effectiveness of efforts to curb Oakland's murder rate and helps identify emerging trends for further research.

This year's report will not include information relating to suspects. According to the OPD's annual homicide report, there are only 35 identified suspects for the 125 murders. This number is too low to report upon since the findings cannot accurately portray the characteristics of suspects and may lead to false assumptions about certain groups. Even though there is limited information on murder suspects, the number of homicides solved by the police department over the past five years has remained consistent at slightly higher than 50 percent.

KEY FINDINGS

City Wide: Homicides Declined in 2008, But Remain High

In 2008, we lost 125 people from our community to murder. This figure is down by 1.6 percent from the 2007 total of 127. This year, although better than the previous two years, remains 7.7 percent higher than the five-year average of 116.4 homicides. Over this five-year time period, this city has lost 582 people.

Homicide Remains Concentrated in Certain Neighborhoods

2008 homicide numbers reinforce the disparate realities experienced by residents in the different neighborhoods of Oakland. Homicides remain disproportionately concentrated: 72 percent occurred in three City Council Districts (District 3 (West Oakland), Districts 6 and 7 (East Oakland) even though these districts combined account for only 44 percent of the city's population (Census 2000). Within these districts, homicide is further concentrated into certain patrol beats. In 2008, 33 percent of homicides citywide occurred in patrol beats 27 and 29 (in District 6), and in patrol beat 35 in District 7; roughly 11 percent of the city's residents live in these areas.

African-Americans Are Disproportionately the Victims

Out of the 125 people lost in 2008, 99 (79 percent) were African-Americans. In 2000, African-Americans composed 35.7 percent of the city's population¹. The number of African-American lives lost in 2008 is substantially higher than in previous years.

Handgun Crimes on the Rise

In 2008, murders committed with handguns reached a 10-year high. During the two most recent years, twice as many homicides were committed with handguns than in the preceding three years.

Stats at a Glance

- **One person is killed every three days (on average)**
- **MALE: 9 out of 10 murdered were male**
- **UNDER 30: 2 out of 3 lost were under the age of 30**
- **AFRICAN-AMERICAN: 8 out of 10 murdered were African-American**
- **BY FIREARMS: 9 out of 10 people were shot by some type of firearm**
- **ON THE STREETS: 3 out of 4 people were killed on a public street**
- **DISTRICTS 3, 6 AND 7: 7 out of 10 people were killed in Council Districts 3, 6, and 7**

¹ This number represents those people counted in Census 2000 and who reported as single race-Black.

SUMMARY BY CATEGORY

Total Number of Homicides

There were 125 homicides in Oakland in 2008, exceeding the average of 116 homicides in the years from 2004 to 2008. Although higher than the five-year average, this is the second year of declining murders since 2006.

Table 1: Count of Homicides in Oakland 2004 – 2008 and Five-year Average

Total Homicides	2008	2007	2006	2005	2004	5-Year Average
582	125	127	148	94	88	116

Gender of Victims

Men and boys continue to be disproportionately the victims of murder. In the case of homicides involving women, there are significant differences between ethnic groups; on average, 13 percent of African-American victims were women, whereas only one percent of victims among all other ethnic groups were women.

Table 2: Proportion Homicide by Gender

Year	Female	Male	Not Given
2004	15%	85%	
2005	6%	94%	
2006	15%	84%	1%
2007	14%	86%	
2008	14%	86%	
Average	13%	86%	0%

Age of Victims

In 2008, one in three people killed was a young adult between the ages of 18 and 25. One in ten victims was under the age of 18. Sadly, these numbers are consistent with those over the last five-year period during which we lost 59 children.

Table 3: Percentage of Murder Victims (2004 - 2008) by Age

Age (Years)	2008 (%)	2007 (%)	2006 (%)	2005 (%)	2004 (%)	Average (%)
Less than 5	1.6	1.6	0.7	0.0	3.4	1.4
6 to 11	0.0	0.0	0.0	0.0	0.0	0.0
12 to 17	8.0	7.1	12.8	5.3	9.1	8.8
18 to 25	26.8	26.2	24.8	24.0	23.1	25.1
26 to 35	26.4	26.0	24.3	30.9	31.8	27.3
36 to 45	16.0	15.7	12.8	21.3	5.7	14.4
46 to 55	6.4	7.1	8.1	4.3	10.2	7.2
56 to 65	4.0	5.5	2.7	2.1	3.4	3.6
66 and Over	0.8	0.8	0.0	2.1	2.3	1.0
Unknown	0.0	0.0	0.7	0.0	0.0	0.2

Race of Victims

Over the five-year period of this study, our greatest losses in the African-American community occurred during 2008. Eight out of ten murder victims were African-American, a significant increase over prior years. Ninety-nine (99) African-American men, women, boys and girls lost their lives, the highest number in the past 10 years.

Other ethnic groups have seen declines in both the count and proportional share of homicides. The percentage of Hispanic victims in 2008 was 15.2 percent, down from a high of 21.6 percent in 2006.

Table 4: Percentage of Murders by Race

Race of Victim	2008	2007	2006	2005	2004	AVERAGE
African-American		71.7%		66.0%		71.8%
Hispanic		20.5%		26.6%		19.6%
White		4.7%		1.1%		3.8%
Asian		0.8%		3.2%		2.1%
Unknown		2.4%		3.2%		2.7%

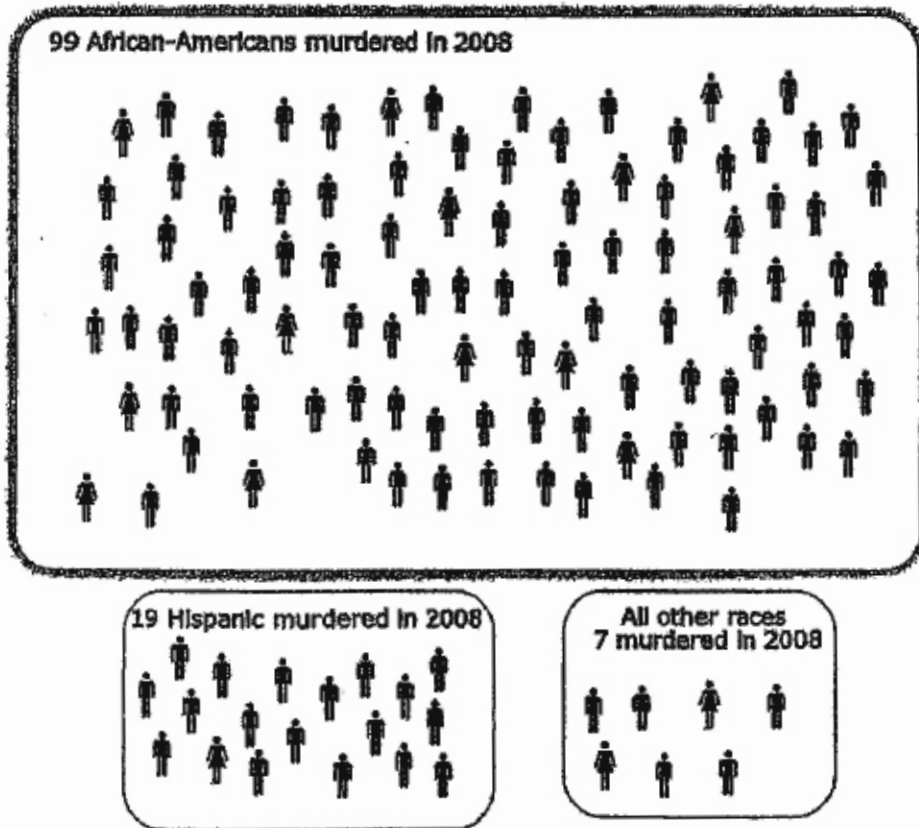


Figure 1 Murder Count by Race

Parole and Probation Status of Victims

Oakland continues to play a large role in housing people who are either on parole or probation; for parolees as a result of the "return to the county of offense" policy active in California. In 2008, 48 of the people killed were under criminal justice supervision (probation or parole). Although this number represents a continuing decline over the five-year time period, it still indicates a disproportionate impact of homicide on this population. 38.4 percent of murder victims were on parole or probation, while this population represents only 2.5 percent of the city's total population.²

Table 5: Probation and Parole Status of Victims 2008, 2007, and Five-year Average

Parole/Probation Status of Victim	2008		2007		5 Year	
	Count	Percent of Total	Count	Percent of Total	Average	Percent of Total
Neither	176	60.8	73	57.5	66.8	58.6
Either						
Parole/Probation		38.4	51	40.2	45.8	40.2
Parole Only		15.8	20	15.7	13.0	11.4
Probation Only		22.6	31	24.4	29.4	28.8
Both		1.0	0	0.0	3.4	3.0
Unknown		0.8	3	2.4	1.4	1.2

² City of Oakland population data were obtained from the U.S. Census Bureau's 2007 American Community Survey, while parole and probation populations reflect 2008 numbers.

Month of Incident

In 2008, the highest number of homicides (18) occurred in the month of February, followed by May and August with 15 murders each. The trend over the last five years shows an increase in murders during the late summer and early fall. 2008 was different with a spike in murders occurring in February, followed by a relatively consistent rate of murders occurring throughout the summer and into early fall.

Table 6: Murder count and proportion by month: 2008, 2007, and average for 2004- 2008

Month of Incident	2008		2007		2004 - 2008	
	Count	Percent of Total	Count	Percent of Total	Average	Percent of Total
January	8	6	10	7.9	9	8
February	18	12.8	4	2.7	7.8	7
March	11	7.9	8	6.3	9.2	8
April	4	3	8	6.3	8	7
May	15	10.7	11	8.7	9.6	8
June	11	7.9	17	13.4	10.6	9
July	12	9	14	11	11	9
August	15	10.7	18	14.2	12.8	11
September	12	9	16	12.6	14	12
October	5	4	3	2.4	6.6	6
November	6	5	4	3.1	7.8	7
December	8	6	14	11	9.8	8

Time of Day When Murders Occurred

The deadliest hours in Oakland in 2008 were at night between 8:00 PM and 4:00 AM with 66.5 percent of homicides occurring during this 8-hour period.

Time of Incident	Count	%
12:00 AM - 3:59 AM	42	34%
4:00 AM - 7:59 AM	10	8%
8:00 AM - 11:59 AM	9	7%
12:00 PM - 3:59 PM	12	10%
4:00 PM - 7:59 PM	12	10%
8:00 PM - 11:59 PM	40	32%

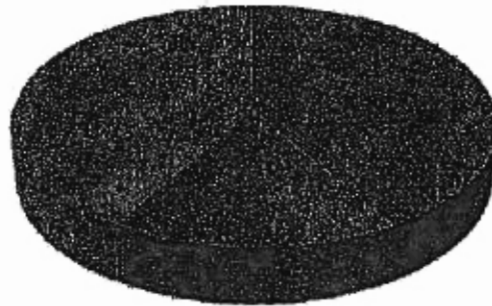


Figure 2 Percent Homicides by Time of Day




Weapon Used in Homicides

There was a spike in the number of murders committed with guns during 2008; nine out of ten homicides were carried out with some type of firearm. This proportion is higher than the five-year average of 8 out of 10. A disturbing trend which continues from last year is the extremely high number of murders being committed with handguns. The last two years have seen a doubling of handgun murders compared with the prior three years.

Table 7 Murder Weapon Used

Weapon/Means	Count	%
Handgun	98	78
Rifle	0	0
Assault Rifle	14	11
Shotgun	0	0
Drug/Poison	0	0
Blunt Trauma	4	3
Strangulation/Drowning	0	0
Suffocation/Fire	0	0
Vehicle	0	0
Stabbing/Cutting Weapon	5	4
Bludgeoning	2	2
Unknown	2	2

Table 8: Types of Firearm Used as Murder Weapon 2004 - 2008

WEAPON	TREND	2004	2005	2006	2007	2008
Assault Rifle		12	9	13	6	14
Handgun		44	48	48	89	98
Shotgun		3	4	5	4	0

Location of Homicides

93 of the homicide victims were killed on a public street (74 percent) while another 19 people were killed in private residences.

Table 9: Location of Oakland Homicides

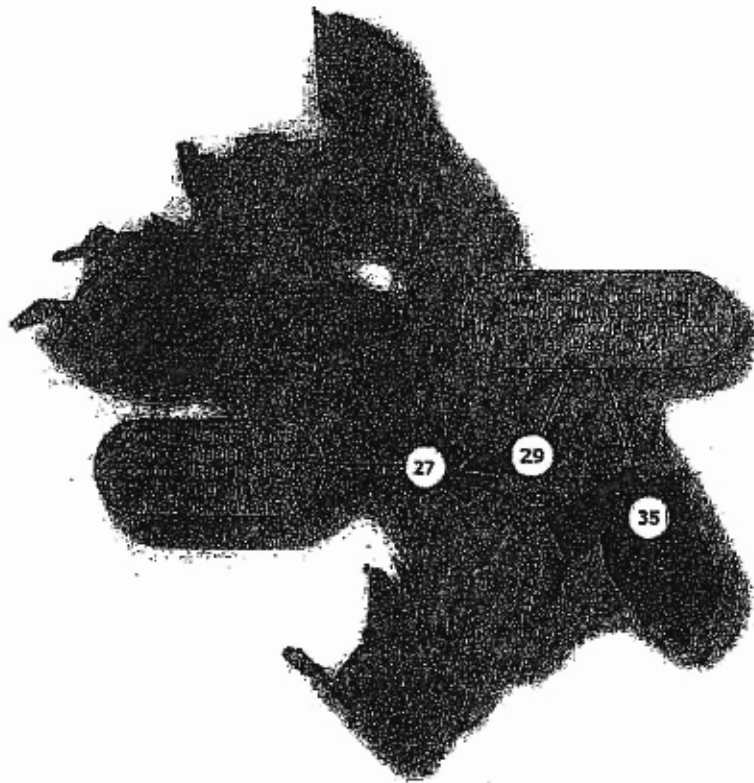
Premises	Count	%
Residence	19	15
IFO/IRO Residence	2	2
Business	2	2
Bar/Club	0	0
Street/Sidewalk	93	74
Parking Lot/Lot	5	4
Secluded Area	3	3
Other	0	0

Police Patrol Beats Where Homicides Occurred

The highest number of homicides in 2008 occurred in Patrol Beat 27 (16 murders). Over the past five years, this beat has endured the highest murder counts in the city. In 2008 there was a wave of murders (12) in beat 29, which only had one murder during the previous year. Patrol beat 35 also saw a dramatic increase in murders, doubling its prior year total.

Figure 3 Patrol Beats with High Proportion of Murders

Patrol Beat	2008
1	0%
2	7%
3	2%
4	1%
5	0%
6	7%
7	5%
8	0%
10	2%
11	1%
12	0%
13	0%
14	0%
17	1%
18	2%
19	0%
20	2%
21	2%
22	2%
23	3%
24	3%
25	2%
26	6%
27	16%
28	1%
29	12%
30	4%
31	1%
32	4%
33	3%
34	3%
35	7%



How the OPD is Organized to Serve the City
 Oakland is divided into three large command areas each with a captain. The city is further divided into 35 patrol beats where beat officers are assigned by command area captains during their shifts. For community policing, patrol beats are further split into community policing beats with each of these beats assigned a problem-solving officer who interacts directly with residents.

MAP GALLERY

**Almost 7 out of 10 murders
in Oakland occurred in
these 13 patrol beats**

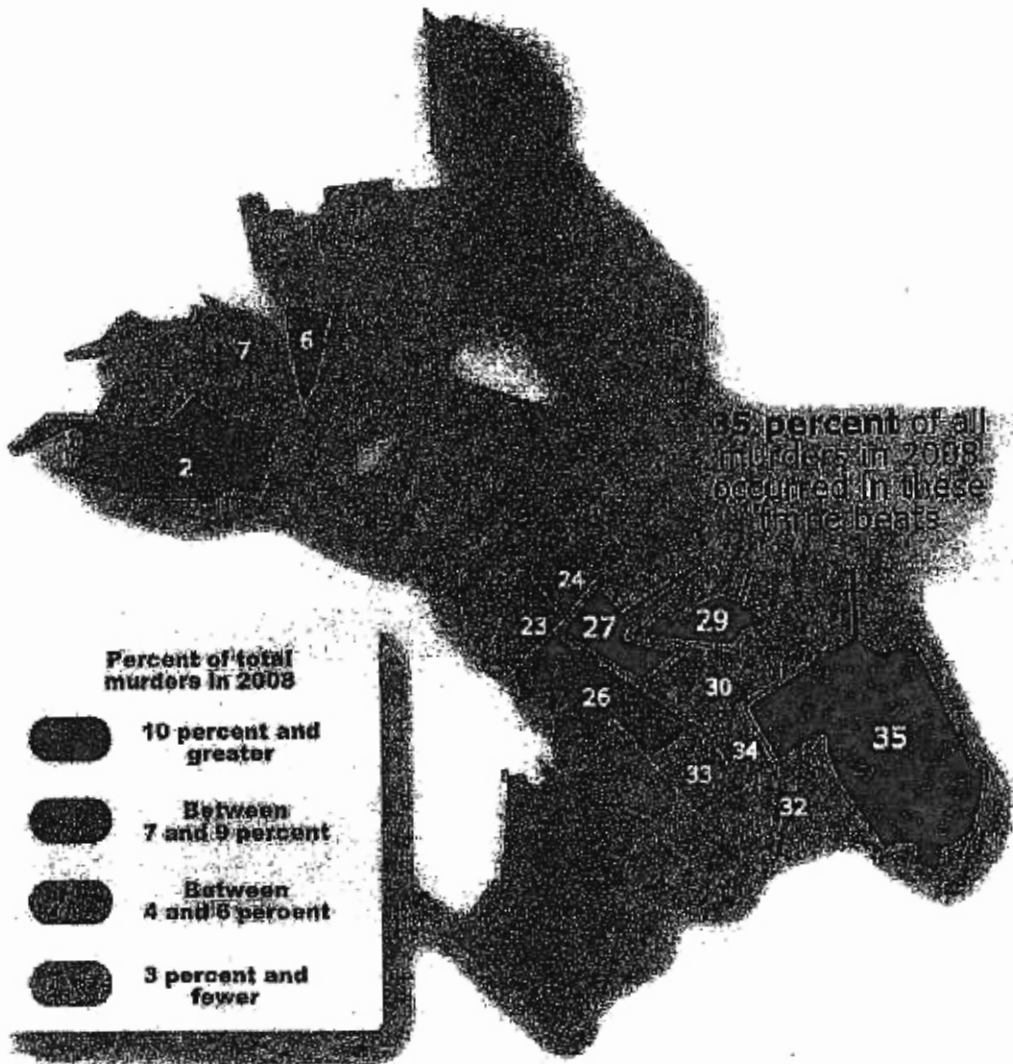


Figure 4 Highest Percentage of Murders by Patrol Beat

Homicides by City Council District in 2008

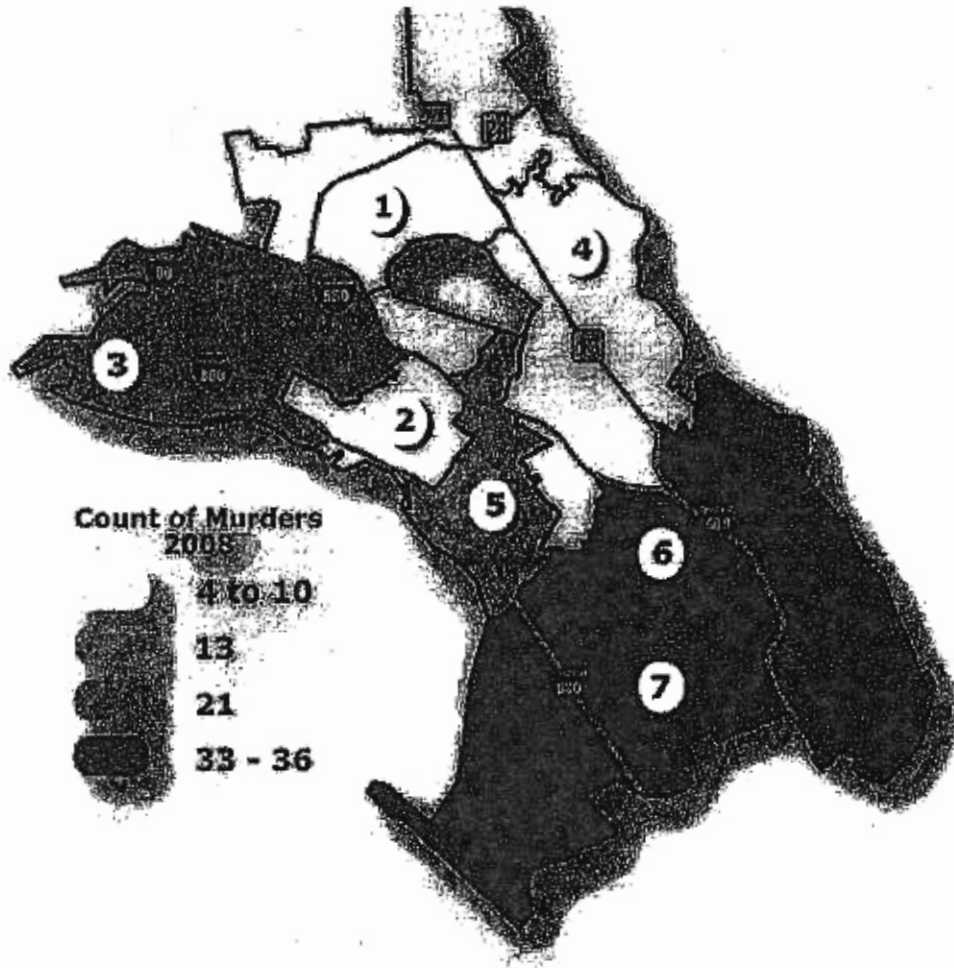


Figure 5 2008 Murder Count by City Council District

Table 10 2008 Murder Count by City Council District

City Council District	2008	2007	2006	2005	2004	AVE.
1	6	12	13	25	21	8.2
2	17	21	21	6	6	7.0
3	2	3	2	2	2	4.4
4	1	1	1	1	1	1.0
5	18	19	25	17	18	17.1
6	16	22	35	21	11	20.0
7	1	1	3	2	2	2.0
Unknown				0		0.0
Total	125	127	148	94	88	116.4

Change in Homicide Concentrations

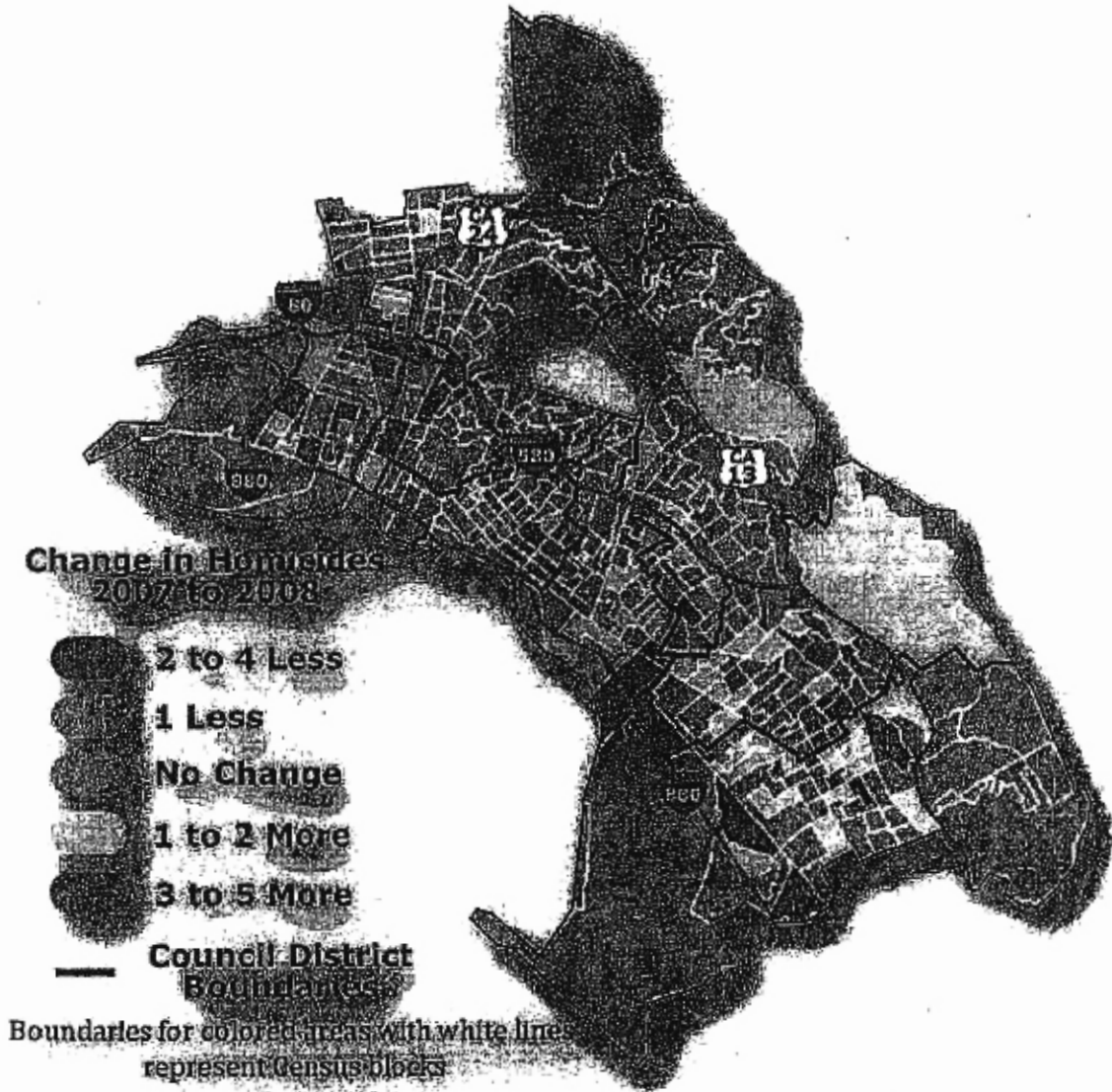
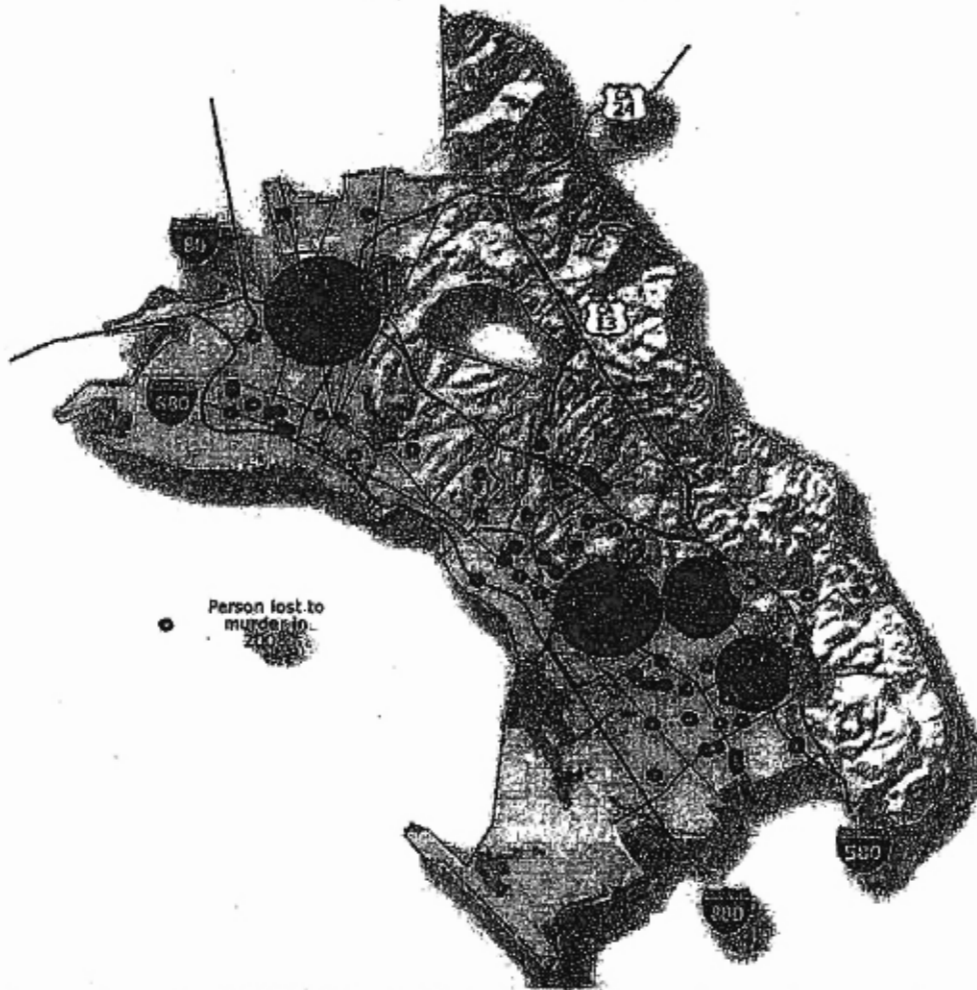


Figure 6 Change in Homicides 2007 to 2008

Half of all 2008 Murders in Oakland Occurred in These Four Areas



- 1 West Oakland continues to endure losses in their community to murder. 15 people were killed in this area including a young woman and her unborn child and a teenage boy. 13 of these people were shot. Combined with last year, 26 people have been lost from these neighborhoods.
- 2 22 men and 1 woman were shot in this area. This is the densest cluster of murders in the city and represents almost 2 out of every 10 murders in 2008.
- 3 12 people were killed in this neighborhood on the southeast corner of Mills College. This is compared to 1 murder committed in this area last year.
- 4 In a 120 acre area surrounding Castlemont High School. 15 people were shot this year, 1 person every eight acres.

Figure 7 Areas of High Murder Concentrations in 2008

2008 Homicide Rate

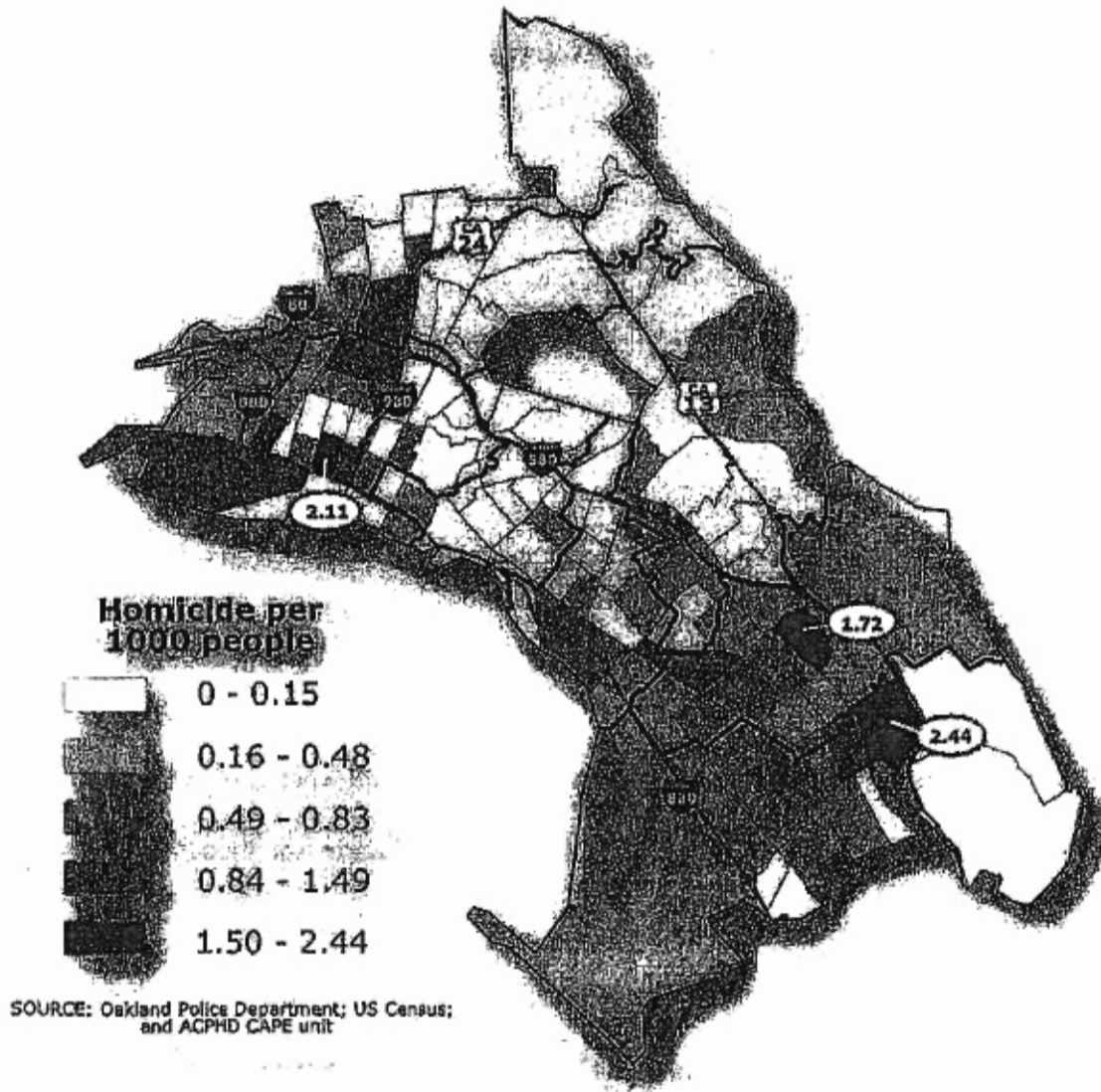


Figure 8 Rate of Homicide per 1000 people by Community Police Beat

Sources

1. Oakland Police Department
 - a. 2004 - 2006 data provided by the Homicide Division of the Oakland Police Department.
 - b. 2008 Victim data from official OPD report: *Homicide Statistical Report December 2008 (year end)*
2. 2007 - 2008 Homicide Data compiled from local media sources
3. Map Boundaries
 - a. United States Census TIGER boundary files
 - b. ESRI base maps