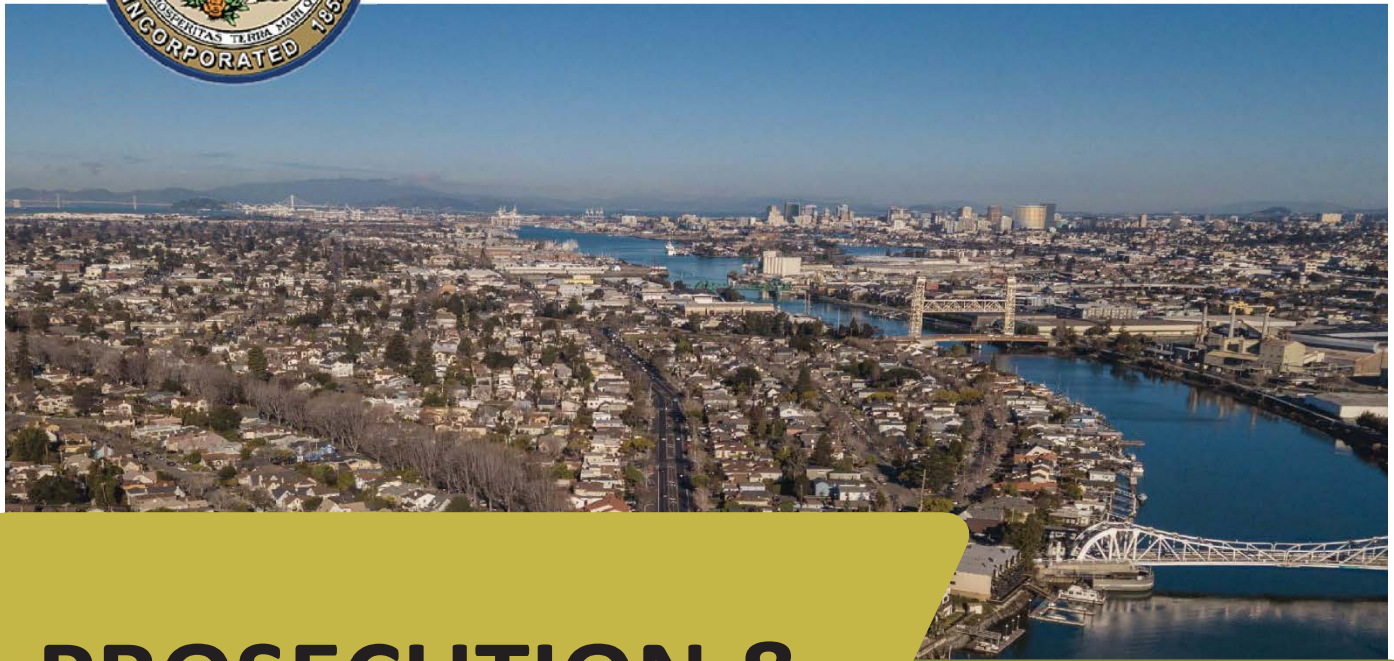




Presented by the City Attorney's Office
Yibin Shen - City Attorney
Julia Gonzales - Chief Assistant Prosecutor



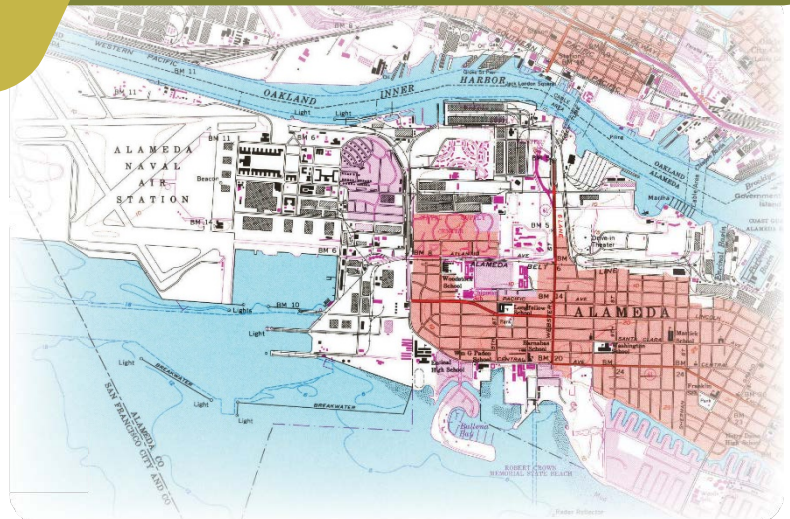
PROSECUTION & PUBLIC RIGHTS UNIT

Monthly Report

AUGUST
2023

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SUMMARY

- The Prosecution and Public Rights Unit of the Alameda City Attorney's Office represents the People of the State of California in misdemeanor criminal matters. The Unit is further charged with bringing affirmative litigation in response to violations of consumer protection and fair housing laws, and protecting consumers against fraud and unfair business practices. This report is to summarize the Prosecution and Public Rights Unit's activity for the month of August 2023.



CRIMINAL MATTERS

For the month of August 2023, the Alameda City Attorney's Prosecution and Public Rights Unit reviewed **30** requests for charges, **21** of which resulted in the filing of a criminal case:

CRIMES AGAINST PERSON/WEAPONS

	Weapons Brandishing	Battery	Child Abuse	Child Molestation	Domestic Violence	TOTALS
Aug 2023	0	2	2	1	5	10
YTD	3	18	2	1	11	35

CRIMES AGAINST PROPERTY

	Petty Theft	Criminal Trespass	Vandalism	Receiving Stolen Prop	False Personation	TOTALS
Aug 2023	1	4	0	0	0	5
YTD	48	29	14	8	1	100

CRIMES AGAINST STATE

	Driving without License	Driving Under the Influence/ Reckless Drive	Public Intoxication	Resisting Arrest	Poss of Drug Paraphernalia	TOTALS
Aug 2023	1	4	1	0	0	6
YTD	1	49	2	3	1	56

CRIMINAL MATTERS

9 of the 30 requests for charges in the month of August 2023 did not result in a filing of a new criminal case.

CHARGES DECLINED

	Aug 2023	YTD
Rejected in the Interest of Justice	5	83
Rejected for Statute of Limitations	0	4
Rejected for Insufficient Evidence	2	28
Rejected, Victim requests no Prosecution	0	19
Rejected, proceed other cts	1	6
Rejected, Jurisdiction Considerations	1	4
TOTALS	9	149

RESOLUTIONS

In the month of August 2023, 3 cases were resolved.

CONVICTIONS

	Aug 2023	YTD
Driving Under the Influence /Wet Reckless/ Reckless Driving	2	32
Disturbing the Peace	1	2
Engaging in Lewd Conduct	0	1
Domestic Violence	0	1
TOTALS	3	36

PROBATION VIOLATIONS

In August 2023 there was 1 admission to probation violations, bringing the year-to-date total to 34.

DISMISSALS

	Aug 2023	YTD
Global Resolution	3	23
Civil Compromise	0	2
Deferred Entry of Judgment	11	43
Court Dismissal	1	5
Max Custody Served	0	2
Insufficient Evidence	3	12
Interest of Justice	9	36
TOTALS	27	123



CIVIL MATTERS

CITIZEN INQUIRIES

	Electronic	Telephone	Walk-In	TOTALS
August 2023	19	37	1	57
Year-to-Date	166	307	9	481

CURRENT CASE LOAD

	NEW CASES		EXISTING CASES			RESOLVED	
	Housing	Consumer	Housing	Labor	Consumer	Housing	Consumer
August 2023	3	2	7	2	3	7	0
Year-to-Date	41	35				22	5

EXAMPLES OF NEW CASES OPENED

One case involving a Landlord and Tenant disagreement over an OMI (owner move-in) eviction. The tenant refuses to leave the unit as she alleges the OMI was done illegally, and further claims the OMI was likely out of retaliation for past complaints. The Landlord alleges the OMI was done correctly and claims they had always planned to remove the unit from the rental market so their family could move into it.

One case involving a tenant who claims she was the victim of a constructive eviction. The tenant alleges she was being harassed by her landlord, denied access to parking in front of her home and told she could not adjust the thermostat in her home. She alleges these actions were intentional and done so as a means to make her want to leave.

One case involving a tenant who complains their landlord has been entering their unit without following the required noticing procedures. The tenant further claims their Landlord has also allowed others, who are not owners or property managers, to enter the unit without proper notice, and continues to do so despite complaints to cease by the tenant.

CIVIL MATTERS



EXISTING CASE UPDATES

Two cases of alleged Labor Law violations; joint investigations with Labor Commissioner and counsel pending.

One case involving a customer who claims a recycling operator attempted to over-tare her after she asked a question about their taring policy.

One case involving a homeowner who states she recently purchased a home on bay farm, and discovered her house was listed "for rent" on various sites online. Someone called her wanting to rent her newly purchased home, and told her that they even paid a \$55 application fee to one of these companies who claimed to be the managing agents

One case involving a group of tenants who claim their new owners have been refusing to accept the rental payments, raising their rents, refusing to honor existing leasing contracts, and coercing them into signing new lease agreements.

CIVIL MATTERS

EXISTING CASE UPDATES cont...

One case involving a dispute between a landlord and his tenants. The landlord claims the tenants have failed to abide by the terms of their lease. The tenants claim they were effected by the pandemic and were unable to make rental payments.

One case involving a Tenant who alleges various harassing behaviors by their Landlord. They claim they have received various notices to vacate, harassing calls and texts, calls and texts to their family members, utility shut-offs, illegal entries and an illegal lockout.

One case involving a tenant whose unit was uninhabitable and was subsequently red-tagged by code enforcement. They allege their landlord began harassing them after the unit was red-tagged, entering their unit without notice, and failed to provide temporary relocation payments.

One case involving a tenant who complains of on-going harassment and illegal entries by her landlord. She also claims there are numerous habitability defects in her unit which have been cited by Code Enforcement, but her Landlord has failed to abate said defects despite citation.



CIVIL MATTERS

EXISTING CASE UPDATES cont...

One case involving a tenant who complains her landlord has been intentionally turning on a generator below her unit as a means to harass her, as the generator is very loud and shakes her entire apartment. She further alleges her landlord has been entering her unit without following proper noticing requirements, and then spraying chemicals in her unit and outside her front door.