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## AGENDA REPORT

TO: Sabrina B. Landreth

City Administrator

FROM:

Anne E. Kirkpatrick

Chief of Police

**SUBJECT:** Second Supplemental Report on

Immigration Policy, Partnerships, and

**Data Sharing** 

DATE:

October 30, 2017

City Administrator

Approval

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Date

#### RECOMMENDATION

Staff Recommends That The City Council Receive This Second Supplemental Report From the Oakland Police Department (OPD) On To What Extent The City of Oakland's Existing Law Enforcement Policies And Rules Align With The American Civil Liberties Union's (ACLU's) Freedom Cities Nine Model State And Local Law **Enforcement Policies And Rules.** 

#### REASON FOR THE SUPPLEMENTAL REPORT

On July 11, 2017, staff presented the original report to the Public Safety Committee. In response, the committee requested additional information including a focus on what law enforcement partners have access to which databases. The Committee expressed a concern about what law enforcement partners who have access to OPD data are using the data and if they are using the data to determine immigration status.

On October 10, 2017, staff presented the first supplemental report to the Public Safety Committee. In response, the committee requested another supplemental report with more information about what kind of access Immigration and Customs Enforcement (ICE) has to data provided by OPD.

In response to this request, OPD staff contacted several stakeholders and collaborated on two meetings with Councilmember Guillen. The October 17, 2017 meeting provided an understanding of the Alameda County CRIMS (Consolidated Records InfoRmation System), the data collected, and the necessity for the data collected. The October 27, 2017 meeting provided an understanding of NCRIC (Northern California Regional Intelligence Center) and the information provided to ICE by NCRIC. Key findings are as follows:

Much of the information included in the CRIMS eProcess template (Attachment A) is required for booking arrestees into Alameda County jails per California Department of Justice regulations.

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The two data fields of greatest concern in the information accessible by CRIMS law
enforcement agencies are "Birth Place" and "Citizen" (*Attachment B*). Only one of these
two data fields is provided by OPD – Birth Place is coded as "POB Loc" in *Attachment*A and is a mandatory entry for booking an arrestee into an Alameda County jail.

 ICE ERO (Enforcement and Removal Operations) has no ability to access CRIMS data through NCRIC. ICE ERO is not a criminal law enforcement entity and therefore not entitled to the same information as criminal law enforcement entities.

Although the Alameda County Sheriff's Office mandates completion of the Birth Place field whenever an individual is booked into an Alameda County jail facility, it is unknown if this field is also required by the California Department of Justice. The Alameda County Sheriff's Office completes the Citizenship field but it is unknown if this field is required by the California Department of Justice. OPD will continue to work with the Alameda County Sheriff's Office and will contact the California Department of Justice to determine if either of these fields is mandated by the California Department of Justice.

OPD staff will continue to work with the Privacy Advisory Commission and graduate students from the UC Berkeley School of Information on database transparency and accountability. The focus of the project will be substance as well as process, with CRIMS serving as the first database examined.

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### **ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE**

Staff Recommends That The City Council Receive This Second Supplemental Report From the Oakland Police Department (OPD) On To What Extent The City of Oakland's Existing Law Enforcement Policies And Rules Align With The American Civil Liberties Union's (ACLU's) Freedom Cities Nine Model State And Local Law Enforcement Policies And Rules.

For questions regarding this report, please contact Police Services Manager I Timothy Birch, Research and Planning, at (510) 238-6443.

Respectfully submitted,

Anne E. Kirkpatrick Chief of Police

Oakland Police Department

Prepared by:

Timothy Birch, Police Services Manager I OPD, Research and Planning, OCOP

Attachments (2)

A: CRIMS eProcess Input Template

B: CRIMS Event Detail Redacted Example

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# Consolidated Records Information Management System

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The CRIMS web site is best viewed in internet Explorer version 9.0 or later for Windows. Click the following link to download the latest internet browser version: Microsoft Internet Explorer

Copyright @ 2017 Alameda County

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