



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Susan E. Manheimer
Interim Chief of Police

SUBJECT: OPD FBI Joint Terrorism Task Force
(JTTF) MOU

DATE: October 2, 2020

City Administrator
Approval

Date

Oct 8, 2020

RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Enter Into A Three-Year Memorandum Of Understanding (MOU) With The United States Department Of Justice, Federal Bureau Of Investigation (FBI) To Authorize The Oakland Police Department (OPD) To Participate In The San Francisco Bay Area (SF) FBI Joint Terrorism Task Force (JTTF) To Fight Terrorism And Support Anti-Terrorism Investigations, Which May Occur In, Or Relate To, The City Of Oakland.

EXECUTIVE SUMMARY

The United States and local cities including Oakland have experienced different forms of terrorist activity. The JTTF serves as an information hub for JTTF members and other agencies that have a right to know and need to know about sensitive information that could save lives from future terrorist activity

The proposed resolution would allow OPD personnel assigned to the SF FBI JTTF to support anti-terrorism investigations related to the City of Oakland. The MOU has been reviewed by the City's Privacy Advisory Commission (PAC), as required by the City's Transparency and Accountability for City Participation in Federal Surveillance Operations Ordinance (No. 13457 C.M.S.).

Members of the public expressed concern that the FBI targets individuals based on their ethnic or religious background, and/or participates in federal immigration policies. OPD personnel explained during multiple public and ad-hoc meetings that the MOU and resolution to authorize the MOU contain strict language such that OPD personnel are always held to OPD polices as well as local and state laws.

Despite presentations explaining the public safety value as well as reassurances that OPD officers would always be accountable to local policies, the PAC voted at the December 5, 2019 PAC meeting to recommend to the City Council that OPD not participate in the FBI JTTF. OPD still hoped to negotiate an agreement between OPD and the FBI and PAC Commissioners attended one additional meeting in June 2020 to discuss this possibility. Ultimately, the PAC

Public Safety Committee
October 13, 2020

voted to no longer consider changes to the OPD FBI JTTF MOU, and would continue to recommend that OPD not be allowed to participate in the FBI SF JTTF.

The newer FBI JTTF MOU document (**Attachment B**) clearly explains that each JTTF member from a participating agency (such as OPD) will be subject to the personnel rules, guidelines, regulations, state laws, city ordinances, and policies applicable to the Participating Agency.

BACKGROUND AND LEGISLATIVE HISTORY

The FBI¹ defines international terrorism as violence “perpetrated by individuals and/or groups inspired by or associated with designated foreign terrorist organizations or nations (state-sponsored).” The FBI defines domestic terrorism as “perpetrated by individuals and/or groups inspired by or associated with primarily United States (U.S.)-based movements that espouse extremist ideologies of a political, religious, social, racial, or environmental nature.” The New York Times², after the October 1, 2017 Las Vegas mass shooting, wrote that terrorism generally “requires that the violence have a political, ideological or religious motive.

The FBI has created multiple regional JTTFs to embody the objectives of U.S. counterterrorism efforts. According to the FBI³, the designated mission for each JTTF is to leverage the collective resources of the member agencies for the prevention, preemption, deterrence and investigation of terrorist acts that affect the United States interests, and to disrupt and prevent terrorist acts and apprehend individual who may commit or plan to commit such acts. The JTTF serves as an information hub for JTTF members. All JTTF operational and investigative activity, including the collection, retention and dissemination of personal information, will be conducted in a manner that protects and preserves the constitutional rights and civil liberties of all person in the United States (see “Transparency and Accountability for City Participation in Federal Surveillance Operations Ordinance” Section below). The FBI is authorized to coordinate an intelligence, investigative, and operation response to terrorism, and by virtue of that same authority pursuant to numerous federal statutes⁴. The FBI formed JTTFs composed of other federal, state, local, and tribal law enforcement agencies acting in support of the above listed statutory and regulatory provisions.

Rationale for Oakland / San Francisco Bay Area (SF) JTTF

The San Francisco Bay Area is an internationally famous area, and therefore a more likely locale in which terrorist activity may be targeted. The Bay Area contains iconic landmarks like the Golden Gate Bridge and the San Francisco-Oakland Bay Bridge. The area also contains numerous professional sports teams and venues, such as the Oakland Coliseum and Oracle Arena, which may realistically be attractive targets for terrorist attacks. Silicon Valley, with its many famous companies, may also be a location for a terrorist attack.

¹ <https://www.fbi.gov/investigate/terrorism>

² <https://www.nytimes.com/2017/11/01/reader-center/readers-debate-what-is-or-isnt-terrorism.html>

³ <https://www.fbi.gov/investigate/terrorism/joint-terrorism-task-forces>

⁴ 28 U.S.C. § 533, 28 C.F.R. § 0.85, Executive Order 12333, Presidential Decision Directives (PDD) 39, PDD 62, National Security Presidential Directive (NSPD) 46, and Homeland Security Presidential Directive (HSPD) 15

Several large business and government organizations are in Oakland (e.g. Bay Area Rapid Transit (BART), Clorox, Kaiser, Pandora, Southwest Air, University of California Office of the President). Oakland is also home to the fifth busiest container port in the United States. All these sites are potential high-profile targets. Additionally, as high-profile targets became hardened or more secure, terrorist actors may change their tactics and aim for softer targets such as event spaces, museums, theatres and restaurants. Oakland is also home to several venues that explicitly welcome communities frequently targeted by hate groups (e.g. the Lesbian, Gay, Bi-Sexual, Trans, and Queer community). Additionally, terrorist actors and hate groups that promulgate hate and terrorist activity have been known to target houses of faith and religious worship. Oakland contains such targets throughout all parts of the City.

The table below shows that Oakland saw 24 hate crime incidents in 2018; 19 in 2019. The most common type of hate crime that occurred over these two years is “violate civil rights by force or threat of force,” PC422.6(A)⁵. There were also three incidents of vandalism of places of worship. This type of data, combined with the terrorist planning and incidents which have occurred in the San Francisco Bay Area in recent years (see pages 5,6 below), lead OPD to see future local terrorist acts as very possible.

Table I: Oakland Hate Crimes: 2018-19

Year	Total
2018	24
2019	19

Mass transit has been a target of terrorism throughout the world. Oakland houses an international airport in addition to the Port of Oakland. The City also has BART and Amtrak which passes through all parts of our city. In other words, the Oakland has a significant number of potential targets. OPD does not have enough resources to address the threat of terrorism to these numerous potential sites. Therefore, the residents and visitors of Oakland are best served when Oakland can collaborate with local, state, and federal partners to proactively try to prevent terrorism. The JTTF provides OPD with critical additional resources, knowledge, and experience to protect all our residents, employees and visitors against the threats of terrorism.

Recent National Cases of U.S. Domestic Terrorism

The following list highlights recent national examples of domestic terrorism:

1. Boston Marathon Bombing⁶ - On April 15, 2013, Tamerlan Tsarnaev and younger brother Dzhokhar Tsarnaev both Russian immigrants of Chechen ethnicity, detonated bombs near the finish line of the Boston Marathon, killing 3 and injuring more than 180 people. Dzhokhar stated that he and his brother were motivated by opposition to the U.S. involvement in Iraq and Afghanistan.

⁵ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=422.&lawCode=PEN

⁶ <http://edition.cnn.com/2013/04/18/us/boston-marathon-things-we-know>

2. 2013 Los Angeles International Airport shooting⁷ - On November 1, 2013, Paul Anthony Ciancia entered the checkpoint at the Los Angeles International Airport and killed a Transportation Security Administration (TSA) Officer and injured six others with a rifle. Mr. Ciancia later expressed to authorities his hatred towards TSA officers.
3. Charleston Church Shooting⁸ - On June 17, 2015, 21-year old Dylann Roof entered Emanuel African Methodist Episcopal Church in downtown Charleston, South Carolina, shot 10 people and killing nine of them. Mr. Roof claimed he committed the shooting to initiate a race war.
4. Orlando Nightclub Shooting⁹ - On June 12, 2016, Omar Mateen, a 29-year-old security guard, killed 49 people and wounded 58 others at Pulse, a gay nightclub in Orlando, Florida. Mateen swore allegiance to the leader of the Islamic State of Iraq and the Levant (ISIL) during the shooting in a 9-1-1 call. During the stand-off in which he was later killed by local Special Weapons And Tactics (SWAT) officers, he claimed the shooting was in retaliation for the U.S. involvement in Iraq and Syria.
5. 2017 Las Vegas Shooting¹⁰ - On October 1, 2017, 64-year-old Stephen Paddock of Mesquite, Nevada, fired more than 1,100 rounds from a hotel into a crowd of 22,000 people, killing 58 people and injuring 546 people. He was found dead in his room from a self-inflicted gunshot wound, and his motives are unknown.

ANALYSIS AND POLICY ALTERNATIVES

JTTFs cannot possibly deter all acts of terrorism. The United States is a free and open society; the public only supports limited amounts and types of surveillance and investigations. Staff believes that OPD's participation in the JTTF allows for critical inter-agency law enforcement information exchange and investigative capacity - without abuse to the public's right to privacy.

The JTTF is comprised of numerous agencies partnering with the FBI to fight terrorism. Local JTTF cells work together to assess threats, investigate leads, gather evidence, and make arrests. JTTFs gather and share intelligence and conduct outreach and training. JTTFs are organized to deploy resources at a moment's notice for threats or major incidents; the JTTF also can provide resources for security at special events. The JTTF establishes a relationship and familiarity between investigators and managers of numerous agencies before a crisis occurs. JTTFs pool talents, skills, and knowledge from across the law enforcement and intelligence communities into a single team that responds together to potential terrorist threats.

⁷ <http://www.latimes.com/local/lanow/la-me-ln-lax-shooting-slain-tsa-agent-identified-as-gerardo-i-hernandez-20131101-story.html#axzz2jQAO3Gla>

⁸ <https://www.nytimes.com/2015/06/18/us/the-charleston-shooting-what-happened.html>

⁹ <http://www.cnn.com/2016/06/12/us/orlando-nightclub-shooting/index.html>

¹⁰ https://www.washingtonpost.com/news/morning-mix/wp/2017/10/02/police-shut-down-part-of-las-vegas-strip-due-to-shooting/?utm_term=.67853d8ec043

The SF JTTF is comprised of numerous agencies throughout the Bay Area:

- United States Secret Service (USSS);
- United States Department of Homeland Security (DHS);
- United States Marshals Service (USMS);
- California Highway Patrol (CHP)
- Alameda County Sheriff's Office (ACSO);
- Bay Area Rapid Transit Police Department (BART PD);
- Santa Clara County Sheriff's Office (SCCSO);
- San Mateo County Sheriff's Office (SMCSO);
- Fremont Police Department (FPD);
- Oakland Police Department; and
- San Jose Police Department (SJPD).

These partner agencies are committed to work with the FBI to fight terrorism. OPD believes in working with these local, state, and federal agencies and the FBI to assess threats, investigate leads, gather evidence, and where warranted – to make arrests. In addition, the JTTF gathers and shares intelligence, and conducts outreach to both law enforcement and local community organizations. The FBI communicates with schools, rail service providers (such as BART PD) and religious institutions (regardless of denomination) and provides training on homegrown violent extremists (HVE), active shooters and other issues of concern.

The primary meeting location of the Oakland / San Francisco-based JTTF is the downtown Oakland FBI office. Only the OPD TF Officer will have access to the investigation data at this location; the TF Officer, however, can share summary information regarding TF activity.

SF Bay Area JTTF Anti-Terrorism Investigation Examples

The following examples illustrate recent examples of terrorist plots which occurred in the San Francisco Bay Area.

1. 2020 Boogaloo Killings - May 29, 2020, a security officer contracted with the Federal Protective Service was killed and another was shot in front of the Oakland Federal Building. This attack occurred during local protests. One week later on June 6, 2020, Santa Cruz County sheriff's deputies were shot at and also attacked with improvised explosive devices; one of the deputies later died as a result of this attack. U.S. Air Force sergeant Steven Carrillo was arrested in connection with the shooting attacks, and a second suspect, Robert Justus, later surrendered to FBI agents.. The FBI has pointed to evidence – some obtained by OPD and shared with the FBI through JTTF participation - that connects Carrillo with the “Boogaloo” movement, which is organized and associated with a far-right extremist ideology with connections to support for military-grade weapons, anti-government beliefs, and racial animosity.
2. Pipe Bomb Investigation - October 2018 pipe bomb investigation in which Bay Area politicians and members of the media received pipe bombs in the mail. OPD was concerned that local figures in Oakland were also targeted. The OPD JTTF Officer coordinated with the Task Force on investigations (the Task Force determined that no

Oakland based officials were targeted, and this information was relayed to City officials)¹¹

3. Oakland ISIS Sympathizer¹² - Berkeley High School graduate Amer Sinan Alhaggagi, 22, was indicted in July 2017, for attempting to provide support to the terrorist group ISIS. Federal prosecutors say that Alhaggagi planned to kill thousands of people by bombing gay night clubs, planting bombs on UC Berkeley's campus, and selling drugs laced with poison. He applied for a job as a police officer with OPD and exchanged bomb-making materials with undercover FBI agents. The FBI and JTTF investigations led to his arrest.
4. FBI Thwarts Oakland Bank Bombing¹³ - A mentally disturbed man who said he believed in violent jihad and hoped to start a civil war in the United States was arrested February 8, 2013 in the process of trying to detonate a bomb at a bank in Oakland. Matthew Aaron Llana, 28, of San Jose believed he was triggering a cell phone-activated bomb at a crowded Bank of America branch. An undercover FBI agent posed as a go-between with the Taliban in Afghanistan. The FBI created a faux-bomb for Mr. Llana after repeated declarations of wanting to kill Americans, and after past arrest on weapons charges.
5. Pier 39 Christmas Plot¹⁴ - Everitt Aaron Jameson, a 26-year old former U.S. Marine from Northern California was arrested December 22, 2017 for allegedly offering to carry out a terrorist attack on Christmas Day in San Francisco at the Pier 39. He is charged with attempting to provide material support to a foreign terrorist organization (ISIS). He had been investigated by the FBI, according to the unsealed criminal complaint, for espousing "radical jihadi beliefs, including authoring social media posts that are supportive of terrorism, communicating with people he believes share his jihadi views and offering to provide services to such people ..." Jameson had allegedly shared plans for a terrorist attack (involving use of firearms and explosives) with undercover FBI agents.

Value of FBI JTTF for OPD and City of Oakland

OPD and the City of Oakland benefit from the JTTF partnership in several ways:

- Participation allows OPD access to critical information. As presented in the "JTTF Anti-Terrorism Investigation Examples" section above, the FBI notifies OPD via the JTTF Taskforce when credible threats emerge. The 2018 pipe bomb investigation, OPD had reason to be concerned that local figures in Oakland were being targeted.
- Through the JTTF, local agencies can combine different skills and capacities in support of different intelligence gathering efforts) across the law enforcement and intelligence communities and blends them into a single team that can respond as one unit.
- The JTTF agencies, through mutual collaboration, can deploy resources more quickly to respond to threats or during major critical incidents.

¹¹ This case occurred before 2018 (the year of this annual report). OPD is including this past information because 2018 is the first reporting year; past information is provided for context as to relevant work related to the JTTF TF.

¹² <https://www.nbcbayarea.com/news/local/Feds-Oakland-ISIS-Sympathizer-Wanted-to-Kill-Thousands-in-String-of-Bay-Area-Terror-Attacks-436633853.html>

¹³ <http://www.sfgate.com/crime/article/FBI-thwarts-Oakland-bank-bombing-4263660.php>

¹⁴ <http://sanfrancisco.cbslocal.com/2017/12/22/fbi-pier-39-christmas-day-terror-plot-arrest/>

- The JTTF can provide essential security resources at special events. Through mutual collaboration, agencies like OPD are prepared - **before a crisis occurs.**

As noted in the 2018 OPD – FBI 2018 Joint Terrorism Taskforce (JTTF) Annual Report (see **Attachment C**), the duties and reporting responsibilities of the officer currently assigned to OPD's Intelligence Unit (and the taskforce) depend upon whether there is any active counter-terrorism investigation as well as the current needs and priorities of the OPD Intelligence Unit.

OPD FBI JTTF Participation Protocols

The supervisor of the Oakland / San Francisco-based JTTF is the FBI Special Agent in Charge (SAIC) or Assistant Director in Charge (ADIC) from the FBI San Francisco Division. OPD personnel participating in the JTTF are subject to all OPD policies and procedures and agree to adhere to the FBI's ethical standards. OPD personnel assigned to the JTTF are subject to the Supplemental Standards of Ethical Conduct for employees of the United States Department of Justice. Whichever standard or requirement that provides the greatest restrictions will apply where this is a conflict between the standards or requirements of OPD and the FBI.

Participating OPD personnel remain OPD employees and all other JTTF participating personnel remain employees of their respective agencies. Any OPD personnel participating in the JTTF shall be held responsible for adhering to all OPD policies including Use of Force and City of Oakland and State of California immigration-specific policies. OPD personnel participating in the JTTF shall also adhere to the FBI Top Secret/Sensitive Compartmented Information Security Clearance process.

OPD participation in the Oakland / SF-based JTTF does not require OPD to lose autonomy. Only an OPD TF officer who has been deputized to participate in the JTTF receives detailed investigative information. However, the OPD TF officer can share summary case information with their OPD supervising sergeant such that the sergeant can ensure compliance with OPD policies. Additionally, the FBI SAIC understands that each participating agency has its own policies that govern the behavior and protocols of participating personnel. OPD taskforce officers are trained in all OPD policies and must report to their OPD sergeant / supervisor regarding overall JTTF activity. Ultimately, OPD would end its participation in the JTTF if an OPD officer was ever asked to participate in activity that violates State of California, City of Oakland, or OPD policies (e.g. SB 54 – California Values ACT, Oakland Police Departmental General Order M-19) – see **Compliance with State of California, City of Oakland, OPD Laws and Policies Section** below. Furthermore, OPD is researching the possibility of OPD executive team members receiving clearance to receive access to TF information.

Both OPD and the FBI will maintain responsibility for all costs related to normal staffing and operation costs. There is no promise or guarantee of funding for participation in the JTTF, except that the FBI may pay for travel costs for OPD personnel participating in the JTTF when investigations require travel outside of Oakland. OPD personnel participating in the JTTF may be permitted to drive FBI-owned or leased vehicles for official JTTF use and in accordance with applicable FBI rules and regulations. Any civil liability arising from the use of an FBI owned or leased vehicle by OPD personnel, other than for official duties related to the JTTF, shall be the responsibility of OPD.

Transparency and Accountability for City Participation in Federal Surveillance Operations Ordinance

The City Council passed Ordinance No. 13457 C.M.S. (Transparency and Accountability for City Participation in Federal Surveillance Operations) on October 3, 2017. This ordinance added Chapter 9.72.010 to Chapter 9 of the Oakland Municipal Code (OMC) to ensure greater transparency and establish a protocol for city participation in federal law enforcement surveillance operations. OMC 9.72.010 requires that, before execution of any Memorandum of Understanding or other written agreement, contract or arrangement (collectively, "MOU") between the Oakland Police Department and the FBI, or other federal law enforcement agency, regarding the Police Department's participation on the JTTF or other federal law enforcement agency task force, or any amendment to any such existing MOU, the Chief of Police shall submit the proposed MOU and any orders, policies, and procedures relevant to the subject matter of the MOU for discussion and public comment at an open meeting of the PAC.

The ordinance also requires that OPD provide to the PAC and City Council an annual report covering the annual activity of each MOU-defined federal partnership. Therefore, the PAC and City Council maintain a built-in method of accountability and oversight.

OPD began presenting the FBI JTTF MOU with the PAC in March 2019 when first presenting the required 2018 annual report. PAC Commissioners as well as several community advocates expressed strong concern with OPD participation in the FBI SF JTTF. Representatives of the Asian Pacific Law Caucus and Council on Islamic Relations, expressed concern that the FBI JTTF has and continues to target members of the Muslim community. Commissioners and community advocates also spoke about ways in which the FBI allegedly targeted civil rights advocates during the 1960s as well as later periods. There was also discussion that the JTTF may be used to enforce immigration policies. OPD personnel repeatedly expressed to PAC Commissioners that OPD participation is strictly focused on keeping open lines of communication for confronting actual terrorist activity and planning – so that both organizations can better protect Oakland residents and visitors.

Through several PAC meetings, ad-hoc meetings, and coordinated meetings with PAC commissioners, FBI representatives, and OPD personnel throughout 2019, OPD believed that OPD and the PAC could find a compromise proposal for recommending the FBI JTTF MOU to the City Council. A prior version of the resolution to authorize the MOU was presented to the PAC for consideration, which contained the following language (still in this resolution **Attachment A**) that, "OPD personnel participating in the OPD FBI JTTF shall remain subject to all OPD policies and procedures." Despite presentations explaining the public safety value as well as reassurances that OPD officers would always be accountable to local policies, the PAC voted at the December 5, 2019 PAC meeting to recommend to the City Council that OPD not participate in the FBI JTTF.

OPD and the City's Chief Privacy Officer delayed bringing the PAC motion (recommending no OPD participation in the JTTF) to the City Council as ongoing communications promised the possibility of negotiation a policy compromise. PAC Commissioners attended a meeting with OPD and FBI personnel at the Police Administration Building on June 15, 2020. At this meeting the FBI shared that they were updating the outdated MOU document. Subsequent to this meeting the PAC Chair sent to OPD and the FBI specific language for incorporation into a new

MOU. FBI personnel explained to the PAC Chair that the FBI would incorporate new language into the MOU that addressed civil liberties concerns while not incorporating every aspect sought by the PAC subsequent to the June 15, 2020 meeting. The PAC Chair then communicated to OPD and the FBI that the PAC would no longer consider changes to the OPD FBI JTTF MOU, and would continue to recommend that OPD not be allowed to participate in the FBI SF JTTF.

The newer FBI JTTF MOU document (**Attachment B**) includes the following language: “each JTTF member from participating agency detailed to the SF FBI JTTF will be subject to the personnel rules, guidelines, regulations, state laws, city ordinances, and policies applicable to the Participating Agency. Participating Agency employees assigned to the SF FBI JTTF will only participate in activities of the SF FBI JTTF that are consistent with the laws of the State of California, local city ordinances, Participating Agency policies, guidelines, procedures, and orders (collectively referred to Participating Agency Guidelines”). If during the participating [tion] in a JTTF activity, there is an actual or perceived conflict between the investigative guidance in sub-paragraph V(c) and applicable Participating Agency guidelines, the Participating JTTF member will decline participation in JTTF activity. OPD staff believe this language articulates a clear understanding of the overlapping and separate policies to which FBI and OPD personnel must follow while collaborating through the JTTF partnership.

OPD personnel participating in the JTTF shall remain subject to all OPD policies and procedures, including compliance with OPD Departmental General Order (DGO) M-17¹⁵, Section V “Professional Standards” and DGO M-19¹⁶, Sections III and VIII (A, C); as well as the following California and City of Oakland laws:

- California Sanctuary Law or “California Values Act” (Senate Bill (SB) B54) signed into law as California Government Code §7284 et seq., which requires that local and state law enforcement authorities not use resources, including personnel or facilities, to investigate or arrest people for federal immigration enforcement purposes;
- California Religious Freedom Act (SB 31), signed into law as California Government Code §8310.3 et seq., which prohibits a state agency from including a question regarding an applicant’s race, sex, marital status, or religion in any application form for employment;
- Oakland Sanctuary City / Anti-Immigrant Intimidation Resolution No. 86498 (November 29, 2016).

Staff recommends City Council adoption of the resolution (Attachment A) which will authorize the city administrator Or Designee To Enter Into a three-year MOU with the FBI, to authorize OPD participation in the SF FBI JTTF. The JTTF provides OPD with a mechanism to fight terrorism and support anti-terrorism investigations. Adoption of the resolution and signing the MOU with the FBI will require OPD to bring annual reports of OPD JTTF activity to the PAC and City Council for ongoing oversight. OPD will need to come back to the City Council after the three-year City Council approval term, if an additional MOU term is desired.

¹⁵ DGO M-17 found here:

<http://www2.oaklandnet.com/oakca1/groups/police/documents/webcontent/oak063011.pdf>

¹⁶ DGO M-19 found here:

<http://www2.oaklandnet.com/oakca1/groups/police/documents/webcontent/oak032293.pdf>

PUBLIC OUTREACH / INTEREST

The PAC reviewed the FBI JTTF MOU at numerous public PAC meetings between March and December 2019. The PAC voted at the regular December 2019 meeting to recommend to the City Council that OPD not participate in the SF FBI JTTF.

COORDINATION

OPD consulted the Office of the City Attorney in the development of this report and accompanying resolution.

FISCAL IMPACT

There are no personnel or other costs to OPD associated with membership in the FBI JTTF. OPD will designate one or more officers already employed through OPD's operating budget. OPD is responsible for providing the salary, benefits and overtime payments for its assigned personnel.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Race and Social Equity: OPD's collaboration with the FBI through the JTTF helps OPD better protect potential targets of domestic and international terrorism. Targets may be houses of worship, venues that support marginalized communities, and/or large institutions or infrastructure that are amenities to the entire Oakland community.

ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Enter Into A Three-Year Memorandum Of Understanding (MOU) With The United States Department Of Justice, Federal Bureau Of Investigation (FBI) To Authorize The Oakland Police Department (OPD) To Participate In The San Francisco Bay Area (SF) FBI Joint Terrorism Task Force (JTTF) To Fight Terrorism And Support Anti-Terrorism Investigations, Which May Occur In, Or Relate To, The City Of Oakland.

For questions regarding this report, please contact Kathryn (KC) Jones, Sergeant of Police, OPD, Intelligence Unit, Office of the Chief of Police, at (510) 238-3573.

Respectfully submitted,



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Attachments (4)

A: *Authorizing Resolution*

B: *FBI-OPD JTTF MOU*

C: *OPD – FBI 2018 Joint Terrorism Taskforce (JTTF) Annual Report*

D: *OPD – FBI 2019 Joint Terrorism Taskforce (JTTF) Annual Report*