

**CITY OF OAKLAND**  
*AGENDA REPORT*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2007 NOV -1 PH 3: 31

**To:** Office of the City Administrator  
**Attn:** Deborah A. Edgerly  
**From:** Oakland Police Department  
**Date:** November 13, 2007

**Re: A Report And Proposed Resolution Authorizing The City Administrator, Or Her Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifteen Thousand Eight Hundred Fifty-Five Dollars and Twenty-Five Cents (\$15,854.25) In Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For One Police Officer For The Period Of October 1, 2007 Through September 30, 2008, And Thirteen Thousand Dollars (\$13,000) In Rental Car Reimbursement Costs For The Period Of October 1, 2007 Through September 30, 2008, And One Thousand Two Hundred Dollars (\$1,200) In Cellular Phone Reimbursement For The Period Of October 1, 2007 Through September 30, 2008, For Work Associated With The USDEA Greater East Bay Area Task Force (DEA Task Force)**

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**SUMMARY**

Staff has prepared a report and proposed resolution authorizing the City Administrator to accept and appropriate funds from the U.S. Department of Justice, Drug Enforcement Administration Greater East Bay Area Task Force (DEA Task Force) to the Oakland Police Department (OPD) in an amount not-to-exceed \$15,854.25 in overtime reimbursement funds for the participation of one police officer in task force operations, \$13,000 for rental car reimbursement costs and \$1,200 for cellular phone reimbursement costs related to the DEA Task Force for the period of October 1, 2007 through September 30, 2008, for a total reimbursement amount not-to-exceed \$30,054.25.

**FISCAL IMPACT**

Approval of this resolution will authorize the City to accept and appropriate reimbursement by the USDEA for overtime expenditures incurred by the Police Department as result of an officer being assigned to the DEA Task Force during the period of October 1, 2007 to September 30, 2008. The officer assigned to the DEA Task Force is funded through the Police Department's baseline budget. Overtime reimbursement funds shall be deposited into the General Fund (1010), Special Operations Section Organization (102810), Program (PS12) and Project number to be determined. Rental car reimbursement funds shall be deposited into General Fund (1010), Special Operations Section Organization (102810), Program (PS12) and Project number to be determined. Cellular phone reimbursement funds shall be deposited into General Fund (1010),

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Special Operations Section Organization (102810), Program (PS12) and Project number to be determined.

## **BACKGROUND**

The DEA Task Force Program coordinates drug enforcement efforts among the DEA, state and local law enforcement agencies. In the program, local law enforcement officers are deputized as Federal Agents extending their jurisdiction and allowing for federal prosecution. In the late 1990s, the Greater East Bay Area Task Force was assembled. Currently, its members include representatives from the USDEA, the Concord Police Department and the Oakland Police Department. OPD has participated in a DEA Task Force in the past.

The DEA pays overtime for local law enforcement officers and shares in asset forfeiture with participating agencies. Investigative expenses (undercover vehicles, cell phones, etc.) are paid for through the High Intensity Drug Trafficking Areas (HIDTA) Program. High Intensity Drug Trafficking Areas (HIDTA) are designated areas within the United States which exhibit serious drug trafficking problems and harmfully impact other areas of the country. In 1997, the Northern California area was designated as a HIDTA.

## **KEY ISSUES AND IMPACTS**

The City of Oakland and other areas of the East Bay face a variety of challenges in drug law enforcement, which encompass almost every aspect of narcotic trafficking. This area is a source, distribution, and transit zone for various illicit drugs, and includes one of the largest commercial seaports in the western United States. The distribution of crack cocaine, methamphetamine, and black tar heroin in Alameda and Contra Costa Counties continues to be the foundation for the establishment of Drug Trafficking Organizations (DTO) in the East Bay.

The DEA Greater East Bay Area Task Force has been effective in eliminating drug traffickers by using undercover officers, informants, surveillance and wire tap resources. DEA Task Force investigations have been successful in developing probable cause for arrests of known drug traffickers and securing longer sentences by charging and trying offenders under Federal statutes in the City of Oakland and throughout the country. In 2006, the DEA Bay Area Task Force recovered the following contraband:

<b>Contraband</b>	<b>Amount</b>
Cocaine	8.2 pounds
Methamphetamines	58.5 pounds
Heroin	.25 pounds
Marijuana	23,140.9 pounds
Ecstasy	77,734 units
Hashish	1.5 pounds
Firearms	19

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In 2006, the DEA Bay Area Task Force seized the following assets:

Asset Seizures	Amount	Value
Vehicles	14	\$456,990
Real Property	5	\$139,390,134
Other Property	294	\$855,939
U.S. Currency	-----	\$3,708,942

## PROGRAM DESCRIPTION

The DEA Task Force is designed to encourage cooperation and coordination of drug enforcement efforts among U.S. Drug Enforcement Agency field office personnel and state/local law enforcement agencies in the East Bay Area. The local DEA Task Force provides several advantages to participating agencies which include:

- Sharing resources (equipment, technology, etc.) with state and local officers to combat drug trafficking;
- Increasing investigative strategies by deputizing state and local officers as federal drug agents, extending their jurisdiction;
- Providing state and local participating agencies with a share of forfeited drug proceeds; and
- Paying overtime and investigative expenses for state and local agency participation.

The USDEA has agreed to reimburse the Police Department for the direct overtime expenses of one police officer assigned to the Greater East Bay Area Task Force, the rental car costs related to work associated with the Task Force and cellular phone costs related to work associated with the Task Force. The maximum allowable amount of reimbursement for overtime based on the agreement between the Department and the United States Drug Enforcement Agency shall not exceed \$15, 854.25 for the period of September 30, 2007 through September 30, 2008. The maximum allowable amount of reimbursement for rental car costs shall not exceed \$13,000 for the period of September 30, 2007 through September 30, 2008. The maximum allowable amount of reimbursement for cellular phone costs shall not exceed \$1,200 for the period of September 30, 2007 through September 30, 2008.

## SUSTAINABLE OPPORTUNITIES

*Economic:* Proactive crime prevention activities will enhance the City's efforts to reduce crime, increase the quality of life, and provide a climate in which economic development can flourish.

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

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*Social Equity:* A large percentage of crime in the City is related to illegal narcotic activity. Enforcement efforts that address narcotics traffickers can increase public safety, improving the quality of life of the citizens of Oakland.

#### **DISABILITY AND SENIOR CITIZEN ACCESS**

There are no ADA or senior citizen issues associated with this report.

#### **RECOMMENDATION / RATIONALE**

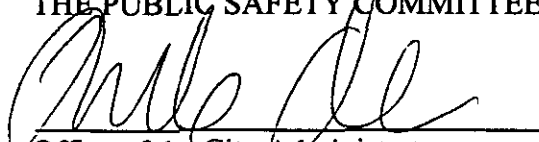
The narcotic activity in the East Bay contributes to the violent crime in Oakland; the DEA Task Force targets DTOs and individuals responsible for importing, manufacturing, and distributing narcotics in the East Bay. The DEA Task Force strives to reduce the supply of illicit narcotics to the East Bay through its enforcement efforts. By coordinating with local law enforcement and using Federal assets, the DEA Task Force can disrupt narcotic trafficking and thereby impact violent crime in Oakland.

In addition to crime reduction, participation in the DEA Task Force allows the City to share in the forfeiture of drug proceeds including US currency, vehicles, and property.

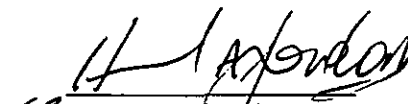
#### **ACTION REQUESTED OF THE COUNCIL**

Staff recommends acceptance of this report and approval of the proposed resolution authorizing the City Administrator to accept and appropriate funds from the U.S. Department of Justice, DEA Greater East Bay Area Task Force (DEA Task Force) to the Oakland Police Department (OPD) in an amount not-to-exceed \$15,854.25 in overtime reimbursement funds for the participation of one police officer in task force operations, \$13,000 for rental car reimbursement costs and \$1,200 for cellular phone reimbursement costs related to the DEA Task Force for the period of October 1, 2007 through September 30, 2008.

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:

  
Office of the City Administrator

Respectfully submitted,

  
Wayne G. Tucker  
Chief of Police

Reviewed by:  
Ms. Cynthia Perkins, Legislative Analyst  
Bureau of Administration

Prepared by:  
Lieutenant Darren Allison  
Special Operations Section

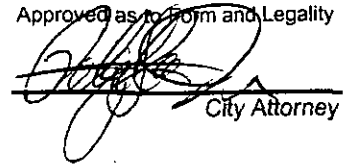
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# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, ON BEHALF OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE REIMBURSEMENT FUNDS IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND EIGHT HUNDRED FIFTY FOUR DOLLARS AND TWENTY FIVE CENTS (\$15,854.25) IN FEDERAL FUNDS FROM THE DEPARTMENT OF JUSTICE, UNITED STATES DRUG ENFORCEMENT ADMINISTRATION (USDEA) TO THE OAKLAND POLICE DEPARTMENT (OPD) IN OVERTIME COSTS FOR ONE POLICE OFFICER FOR THE PERIOD OF OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008, AND THIRTEEN THOUSAND DOLLARS (\$13,000.00) IN RENTAL CAR REIMBURSEMENT COSTS FOR THE PERIOD OF OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008, AND ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) IN CELLULAR PHONE REIMBURSEMENT FOR THE PERIOD OF OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008, FOR WORK ASSOCIATED WITH THE USDEA GREATER EAST BAY AREA TASK FORCE (DEA TASK FORCE)**

**WHEREAS**, the Department of Justice, United States Drug Enforcement Administration (hereinafter "USDEA") has formed the Greater East Bay Area Task Force (hereinafter "DEA Task Force") to provide coordinated USDEA field office and local/state law enforcement agency crime fighting efforts tasked with investigating, locating, arresting, and prosecuting drug traffickers; and

**WHEREAS**, the Oakland Police Department has participated in DEA Task Force operations in the past in order to improve its crime fighting efforts involving drug offenders; and

**WHEREAS**, the Oakland Police Department has designated one police officer to participate in the DEA Task Force for the period of October 1, 2007 through September 30, 2008; and

**WHEREAS**, the USDEA agrees to reimburse the City for the overtime costs incurred by the officer assigned to the DEA Task Force, in an amount not-to-exceed \$15,854.25, and reimburse the City for the rental car cost related to work with the DEA Task Force in an amount not-to-exceed \$13,000, and reimburse the City for cellular phone costs related to work with the DEA Task Force in an amount not-to-exceed \$1,200, for the period of October 1, 2007 through September 30, 2008; and

**WHEREAS**, the USDEA will not reimburse the City for any indirect costs related to the performance of overtime service; now, therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator to accept and appropriate reimbursement funds in an amount not-to-exceed \$15,854.25 from the United States Drug Enforcement Administration to the Oakland Police Department for overtime costs of one police officer assigned to the DEA Task Force, \$13,000 for rental car costs, and \$1,200 for cellular phone costs related to work with the DEA Task Force for the period of October 1, 2007 through September 30, 2008; and be it

**FURTHER RESOLVED:** That overtime reimbursement funds shall be deposited in General Fund (1010), Special Operations Section Organization Code (102810), Program (PS12), and Project number to be determined, rental car cost reimbursement funds shall be deposited in General Fund (1010), Special Operations Section Organization Code (102810), Program (PS12), and Project number to be determined, and cellular phone cost reimbursement funds shall be deposited in General Fund (1010), Special Operations Section Organization Code (102810), Program (PS12), and Project number to be determined; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to execute any further documents, contracts and agreements in order to implement the appropriation and allocation of these funds to the City.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California