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CITY OF OAKLAND

## AGENDA REPORT

**TO: HENRY L. GARDNER**  
**INTERIM CITY ADMINISTRATOR**

**FROM: Sean Whent**

**SUBJECT: Report on Oakland's Anti-Prostitution**  
**(Anti-Human Trafficking) Strategy**

**DATE: August 25, 2014**

City Administrator  
Approval

Date

9-3-14

**COUNCIL DISTRICT: City-Wide**

### **RECOMMENDATION**

The Oakland Police Department (OPD) requests the City Council accept this report on efforts to eliminate ongoing prostitution (human trafficking) in the City of Oakland and provide recommendations for additional actions or policies.

### **EXECUTIVE SUMMARY**

This report provides an update on the Anti-Human Trafficking Strategy currently in effect city-wide, as well as historical efforts OPD has implemented over the past 15 years.

The OPD has evolved its Anti-Human Trafficking efforts through training, coordination with other law enforcement agencies, and established close working relationships with rape advocates and other service support providers. While these efforts have demonstrated limited success insofar as addressing the visible street-level problem, many gains have been made in rescuing victims of human trafficking and bringing about an educational awareness to this ever growing problem. In addition, OPD's efforts, and those of the Federal Bureau of Investigation (FBI), resulted in the "take-down" of a major social media provider, i.e., Redbook, which facilitated human trafficking in Oakland and other cities.

The Alameda County District Attorney's Office was recently acknowledged for having prosecuted nearly 43% of all Human Trafficking cases in the entire State of California; an overwhelming number of those cases were generated and investigated by the OPD.

Item: \_\_\_\_\_  
Public Safety Committee  
September 16, 2014

## **OUTCOME**

The continued support of the Anti-Human Trafficking Strategy will allow OPD and the community to continue its work in reducing the sex slave industry and the violence that surrounds it, while building more trust between OPD and “at risk” community members.

## **BACKGROUND/LEGISLATIVE HISTORY**

For more than a decade, the City of Oakland has had the unfortunate title of being the “hub of the West for underage prostitution.” It has been opined that this problem took root in Oakland for the following reasons:

1. Pre-existing prostitution problem which created a known “supply and demand” for a popular market;
2. Economic issues in various communities, coupled with substance abuse, facilitated the self-exploitation of individuals to survive and/or support their drug habits. This problem increased during the 1980s and 1990s during the height of the rock cocaine era;
3. Historical crime problems which oftentimes had connections, both directly and indirectly, with other criminal activities, e.g., drugs, robberies and assaults.

In the late 1990s, the OPD recognized the involvement of children engaging in prostitution activity. Initial analysis of this issue uncovered a range of reasons of why children were now being marked for sexprostitution:

1. Child victims came from abusive, dysfunctional and oftentimes violent households and were running from a problem as opposed to running to one;
2. Child victims suffered from learning disabilities or mental health issues;
3. Exploiters, i.e., pimps, were opportunists looking to garner additional money by any means. It remains easier for these predators to manipulate children than adults;
4. Past and current drug dealers ventured into the prostitution market due to:
  - Profitable, if not more so, than selling drug – either way, it was viable income;
  - Reduced risk of law enforcement involvement or arrest, i.e., traditionally law enforcement would arrest those prostituting and not pay much attention to those responsible for the exploitation, i.e., the pimp;
  - Child prostitutes are considered a reusable commodity and, sadly there is no shortage of “at risk” young girls and boys lured and/or forced into this modern day slavery.

### *History of Efforts*

In 1998, the OPD established the Child Exploitation Unit under the Youth Services Division (YSD) to address this problem. Investigators networked with other law enforcement agencies, social services and the District Attorney's (DA's) Office to develop protocols to respond to the issue of child prostitution. While OPD experienced limited success in these early days, the problem continued to expand and worsen, developing into a more sophisticated and financially profitable enterprise.

In 2004, OPD combined its Vice Unit and Child Exploitation Unit into one organizational operation under YSD. This afforded a more comprehensive response to the prostitution problem and enhanced the overall effectiveness of the unit. At the same time, the combined unit developed a more multi-skilled and experienced investigator; one able to investigate and conduct street level operations. During this time period, the term "human trafficking" began being used - mainly to address the international trafficking of persons for labor, indentured servitude and the sex industry. In these early days, human trafficking primarily emphasized the international component of the problem.

From late 2004 to the present, OPD has sought and obtained several Federal and State sponsored Anti-Human Trafficking Grants. In each grant, OPD was listed as the lead-agency of the East Bay Anti-Human Trafficking Task Force. On paper, the task force consisted of numerous local law enforcement agencies, various Federal agencies, e.g., U.S. Attorney's Office, Department of Labor, Immigration and Customs Enforcement (ICE), the DA's Office and select non-governmental organizations (NGOs) to provide victim advocacy and support. The working task force consisted of OPD, the FBI, Bay Area Women Against Rape (BAWAR) and the Alameda County District Attorney's Office.

For nearly two years after being awarded these grants, little effort was made to tackle the international human trafficking issue in Oakland, primarily due to the lack of community reporting and law enforcement detection; subsequently, several of the grant's performance mandates were not achieved.

In mid-2006, the OPD changed gears and began to focus its efforts on domestic human trafficking. Based upon statistical data and positive results, OPD caused the Federal and State grant providers, i.e., DOJ, to recognize that the most prevalent human trafficking incidents taking place in the Bay Area were not those from other countries being forced to come here and work (be exploited), but U.S. citizens, namely children.

In the years to follow, OPD continued to seek Federal and State funding to run human trafficking operations. While there was still a mandate to pursue and investigate international human trafficking cases, it was apparent local efforts needed to focus on local trafficking problems.



In 2007, the OPD set-up the first Bay Area-wide human trafficking operation entitled "Operation Strike-Out." This three (3) day operation involved multiple local, state and federal agencies targeting various human trafficking issues in the region. It was titled "Operation Strike-Out" because it took place while the City of San Francisco was hosting Major League Baseball's All Star Game. It was a huge success, so much so that the FBI held a press conference on the operation and adopted the strategy for what is now an annual nation-wide program entitled Operation Cross Country.

## **ANALYSIS**

As a "hub" for underage prostitution, certain areas within Oakland have reputations for specific types of prostitution / human trafficking:

### ***West Oakland (the area west of Lake Merritt and north to the Berkeley boarder) in Police Areas One and Two:***

- 15<sup>th</sup>-16<sup>th</sup> and MLK: Transgender prostitutions
- 20's and 60's streets of San Pablo Avenue – older female prostitutes
- W. MacArthur Motels: A combination of older females who work the streets and younger girls who work on-line dates.

### ***Central Oakland (1<sup>st</sup> Ave to High Street along International Blvd.) in Police Areas Three and Four:***

- The "20's" Avenues - Highest concentration of younger prostitutes "working the streets" along with on-line dates at motels along Embarcadero.

### ***East Oakland (High Street along International and MacArthur Blvd.) in Police Area Five:***

- Much like West Oakland – normally older prostitutes; however, in the very late evenings/early mornings an influx of younger prostitutes occupy the high 40's along International Boulevard.

In addition, various motels along MacArthur Boulevard in Areas Three, Four and Five, along with a few on Embarcadero in Area Three, are also associated with Human Trafficking.

Intelligence gathering suggests that International Boulevard, and in particular the 20's, is the primary "hot spot" for street level prostitution. OPD believes this is due to a combination of historic "reputation," which has been enhanced by electronic social media and those who use it, to track, monitor and discuss such matters, i.e., "Hobbyists."

It is vital to recognize that Human Trafficking takes place in every area of the City. It is not restricted to one street, one neighborhood or one community, but exists everywhere. With the

dawning of cell phones and the use of social media, Human Trafficking is now just a few phone or computer clicks away.

### ***Current Response***

At present, the status of OPD's efforts are enhanced from previous years of experience, coupled with the influx of a significant amount of intelligence gathering and analysis, which engages other operational units, e.g., Intake Unit and 290 (Registrant Sex Offender) Enforcement Team, as well as the use of various tip lines and community outreach efforts. With the assistance of each Area Commander, a closer partnership has developed with Patrol, in particular the Problem Solving Officers (PSOs) and Crime Reduction Team (CRT) squads, who serve as the arrest teams. In addition, these squads have begun to send officers to the Police Officer Standards and Training (POST) Vice Enforcement and Undercover Officer Course – furthering the overall knowledge base in Patrol on the issue of Human Trafficking.

In 2013, the OPD's in-service training for both officers and sergeants contained a 2-hour block of instruction on Human Trafficking training; mandated by law, under Prop. 35 (CASE Act – Citizens Against Sexual Exploitation). In addition, since October 2013, the Special Victims Section (SVS); formally YSD, has presented the following POST Certified trainings:

- (3) Prostitution Enforcement and Undercover Course (20-hours) – 30 officers/sergeants trained;
- (2) Child Abuse (including child sexual exploitation) (40-hours) – 43 officers/sergeants trained.

In further coordinating efforts with Patrol – SVS sends out a monthly SOAP (Stay Out of Area Prostitute) list to all field units. This tool allows field officers to arrest known prostitutes who are in violation of the conditions of their probation.

In 2014, SVS enhanced its efforts by developing an aggressive action plan, which consisted of a more holistic approach, targeting offenders while changing the street culture in those areas plagued with this problem, making them, and Oakland, a “harder target” for exploiters and traffickers (*Attachment A*).

A distinct and direct connection exists between human trafficking and other violent crime. As part of OPD's investigative operations, trained and experienced investigators conduct detailed interviews with subjects detained and/or arrested. These interviews pertain to criminal issues that include, but are not limited to, human trafficking, murders, shootings, robberies and other crimes of violence. At the completion of each investigative operation, the designated interviewer prepares an intelligence report which is shared with other investigative units at the OPD as well as its other partners [Alameda County Sheriff's Office (ASO), the Federal Bureau of Investigation (FBI), et al]. In addition, the report is reviewed by each unit supervisor of the SVS to determine possible connectivity to any open/active investigations.

Item: \_\_\_\_\_  
Public Safety Committee  
September 16, 2014

Evaluating the impact and the potential positive effects of trafficking interdiction efforts has been and remains a challenge. Basing "success" only on the number of arrests made or investigations opened does not provide an accurate illustration of whether the situation is improving. Human Trafficking is not just prostitution. Human Trafficking is the exploitation of a person, normally through sexual means, to gain financial or other such reward. It is OPD's experience that the overwhelming numbers of Human Trafficking victims were and are victims of sexual assault; debunking the sobriquet that prostitution is a victimless crime.

OPD's SVS investigates all of its cases from a "victim centered/driven" approach; meaning that the victim/survivor and not the crime is the number one priority. It is for this reason that oftentimes arrestees, during the course of investigative operations, will disclose their abuse to staff, which generates a secondary investigation of the alleged perpetrator. Historically, this has caused the occasional "spike" in reported sexual assaults, which drives up crime statistics for those areas experiencing the impacts of Human Trafficking. *Attachment B* provides statistical data for the Vice / Child Exploitation Unit (Vice/CEU) over the past five years.

### PUBLIC OUTREACH/INTEREST

Decreasing human trafficking and the crimes associated with this violent act is of utmost importance to the citizens of Oakland. Many community members, faith-based groups and members of the City Council have expressed interest in working with OPD to reduce and eliminate this problem.

To that end, in the past 12 - months, OPD has presented training and or informational seminars on five (5) occasions to 82 community and clergy members.

### COORDINATION

The Budget Office and the City Attorney's Office were consulted in preparation of this report.

### COST SUMMARY/IMPLICATIONS

This is an information report. Costs provided for discussion purposes only. On average, an operation costs between \$2,700 and \$3,800, depending on the number of transportation wagons and arrest teams that work on "straight time."

Item: \_\_\_\_\_  
Public Safety Committee  
September 16, 2014



Frequency of Operations	Yearly Cost	Implications
One (1) per week (52)	\$140,400 to \$197,600	Limited impact. Only one to two target areas per operation
Three (3) per week (78)	\$210,600 to \$296,400	Affords multiple locations and ability to conduct in-depth follow-up investigative operations.

**SOURCE OF FUNDING:**

***Grants***

At present, the majority of expenses to support this strategy are paid from OPD’s General Fund or the California Office of Emergency Services (CA OES) Anti-Human Trafficking Grant (Resolution No. 84562 C.M.S., dated July 11, 2013) Project: 1.2999; Organization Code: 102350; Grant No. 403620; and Fund: PS03.

The current grant was scheduled to expire June 30, 2014; however, OPD was given an additional one-year extension; however, no additional funding was awarded. OPD is close to exhausting the remaining funds. SVS is actively searching for additional grant opportunities but, as of this time, none have been identified.

**Note:** The grant was budgeted to complete a total of 18 investigative operations. However, due to Area Commander staffing assistance, along with their approval to use limited Area funding (see below) OPD has been able to conduct 61 operations.

***OPD Funding***

For the past three to four months, Area Commanders have approved limited operational funding from their Area budgets, i.e., General Purpose Fund, to run operations in their districts on a twice-monthly basis. The costs associated with this approved Area overtime funding were:

Area	No. Ops	Approx. Cost
One	0	\$0
Two	0	\$0
Three	6	\$21,425
Four	3	\$10,665
Five	0	\$0

In an attempt to keep costs down, OPD uses as many on-duty/straight time personnel as possible. Overtime expenses are used to pay for SVS personnel to:

Item: \_\_\_\_\_  
 Public Safety Committee  
 September 16, 2014

1. Prepare for the operation based upon section intelligence gathering and requests from other investigative units, e.g., OPD, FBI and other regional task forces.
2. Execute the operation (victim based and intelligence driven) – ensuring a smooth coordination between the enforcement and investigative components of the event.
3. Prepare and coordinate all follow-up investigations and the After Action Report(s) – This documentation is needed to satisfy current and future grant application requirements.

## **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

### *Evaluation of Efforts - Gains*

In terms of human trafficking in Oakland, short term gains include a brief period in which a geographical area was void of visible street level human trafficking which resulted in fewer community calls to OPD Communications and/or the Prostitution Tip Line. Unfortunately, within days, and sometimes hours, the problem can return.

Another gain was the recent “take down” of the social media site “Redbook,” which was a major facilitator of human trafficking in and around the City of Oakland. This effort was started by OPD’s Vice an Child Exploitation Unit (Vice/CEU), with the assistance and support of the Federal Bureau of Investigation (FBI). While it was a significant victory for law enforcement, it did not take long for exploiters and traffickers to locate and move to other social media sites to continue their criminal behavior.

Long term gains are mixed due to the complexity of the crime and the dynamics of the victimology of the situation. Recognizing that human trafficking is a victim centered crime, each arrest or subsequent rescue presents an opportunity to break the “cycle of exploitation and violence” for that one person. In conjunction with local victim advocate/support partners, e.g., Bay Area Women Against Rape (BAWAR), OPD provides a range of services that go far beyond a mere law enforcement response; thus each case is a potential longer term solution for one person who has been exploited and victimized.

OPD will continue to seek funding for future investigative operations through grant awards. SVS is confident that, based upon experience and an ability to discover, locate and rescue victims of prostitution (human trafficking), SVS will continue in its efforts; however, the overall impact is dependent upon the resources and funding made available, and in changing entrenched attitudes that permit such exploitation.



**SUSTAINABLE OPPORTUNITIES**

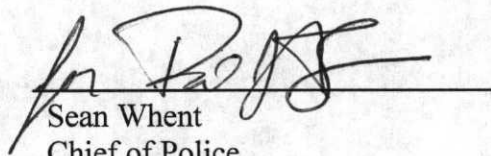
***Economic:*** As crime rates decrease, Oakland will become a more attractive market for business investment and home ownership. Both of these factors directly impact revenue and the City's general fund.

***Environmental:*** No environmental opportunities have been investigated.

***Social Equity:*** Certain parts of the City are disproportionately impacted by human trafficking. It is unethical to ignore these inequities that literally result in death or long-term incarceration for Oakland residents.

For questions regarding this report, please contact Kevin Wiley, Lieutenant of Police, at 510-238-3253.

Respectfully submitted,



Sean Whent  
Chief of Police  
Oakland Police Department

Prepared by:  
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Attachment A – Oakland Police Enforcement Operations and Investigations  
B – Vice / Child Exploitation Unit statistics 2009-2013

Item: \_\_\_\_\_  
Public Safety Committee  
September 16, 2014

## **I. Oakland Police Enforcement Operations and Investigations:**

In facilitating the law enforcement component of this strategy, the following action items were put into place with the Special Victims Section spearheading the effort:

- Intelligence driven operations, which include both pre and post intelligence analysis based on enhanced de-briefing of victims at operation staging area;
- Intelligence net-working in/out of OPD, e.g., Gangs, Ceasefire, 290 Team etc.;
- Use of OPD Servers (Controlled and restricted);
- Enhance training – investigative level and in the Bureau of Field Operations (BFO) – through in-house and line-up trainings;
- Increase enforcement efforts with a larger emphasis on:
  - Exploiter (pimp) identification and apprehension [Dedicated operations to include, but not limited to, surveillance, social media, search warrants, undercover stings, shared intelligence with other OPD units and Law Enforcement Agencies (LEAs)];
  - Buyers (Johns) – along with the impounding/seizure of their vehicles;
  - Rescuing of victims.
- Greater role for the newly formed Intake/Intelligence Unit and Missing Persons Unit:
  - Analyzing Tip Line info;
  - Analyzing Dear John info (refer to page 6 for details);
  - Conducting Database checks to include social media;
  - Coordinating with the 290 Enforcement Team;
  - Assisting with the preparation of Human Trafficking operations intelligence packets;
  - Assisting with the de-brief of victims and suspects during the operations;
  - Logging vital information (actionable intelligence) on the SVS server and sharing it with other OPD units;
  - Expanding the role of the Intake Unit to facilitate intelligence gathering, analyzing and reporting, e.g., use of expanded classification instrument;
  - Analyzing any connections to group homes or other youth projects that might be recruitment sites for exploiters;
  - Running the High Risk Victim Program (HRVP) out of the Missing Persons Unit
- Expanded Partnerships with other law enforcement agencies:
  - As of 19 Feb 14, the Alameda County Sheriff's Office (ASO) is participating with our investigative operations on a near weekly basis under their current \$4 million Transportation Grant. This assistance will greatly enhance our operational abilities and save us funds. These assigned deputies have attended our OPD POST Certified Prostitution Enforcement and Undercover Course.
  - In 2013, the FBI and OPD formed the Bay Area Child Exploitation Task Force (BACETF) which is housed at OPD (SVS) and consists of all active Vice/Child Exploitation personnel as well as one FBI Agent.

II. **Expansion of Community Partnerships** as a means to change the culture of Oakland and deter human trafficking activity in our communities by “shaming” those who would buy a person for sex, e.g.:

- **Dear John Letter Project** [Community driven reporting system which has citizen’s calling OPD on suspicious vehicles that are believed to be associated with human trafficking. In turn the SVS sends a letter to the registered owner of the listed vehicle, advising them their car was in an area known for prostitution]. This effort has now been expanded to “on-line” reporting via the City of Oakland’s - OPD Website.
- **Project Reveal** [We post the names and photographs of those we arrest and the District Attorney’s Office charges for any prostitution/human trafficking related offense] Postings are on the City of Oakland’s - OPD Website.

III. **Legislative Enhancements and Propositions**

These items have been presented and are currently under review at the legal levels of the City and State:

- Expansion of the DNA Collection Authority under Proposition 69– to include those arrested for prostitution related crimes;
- Operation Beat Feet (legal seizure and confiscation of the “John’s” vehicle) –
- No Prostitution Zones – (OMC 9.08.260) – Signage along known “Tracks”
- Expand the current SOAP (Stay Out of Area Prostitute) probation conditions to consistently include the prohibition for these individuals to use of social media
- Expand our training and enforcement efforts on Labor Trafficking matters by using existing business and tax laws/codes to apprehend those exploiting individuals in the massage parlor industry – Coordinating efforts with the DA’s Office

IV. **Other community Base Assistance and or Partnership Projects** (facilitated at all levels of the City):

- Prostitution Tip Line [510-238-2373 – System is in 5-different languages and is checked daily by Intake/Intelligence Unit staff – Items are logged in a report which is then forwarded to investigative units for follow-up]
- Surveillance Cameras; Many businesses have volunteer their services in this area but we have not yet had the resources to follow-up as of this report. This is a very important pending project.
- Coordination with Schools on prevention – OPD’s High Risk Victim Program (HRV).



The following chart outlines OPD's statistical data for the OPD's Vice / Child Exploitation Unit (Vice/CEU) over the past 5-years.

<b>Vice/Child Exploitation</b>					
	2009	2010	2011	2012	2013
No. of Investigators	6	4	4	3	2
Total Cases:	698	712	737	287	330
Total Cases Assigned:	698	712	662	287	330
Total Cases Not-Assigned (closed by administrative process)	0	0	0	0	0
Assigned Cases per Investigator:	116	178	166	96	165
<b>Cases Charged</b>					
	2009	2010	2011	2012	2013
Felony:	65	25	73	63	65
Misdemeanor:	481	391	339	259	388
Parole Violations:	6	5	6	8	11
Probation Violations:	14	37	15	51	73
<b>Other Information</b>					
	2009	2010	2011	2012	2013
Ramey/Arrest Warrants:	14	15	7	12	25
Search Warrants:	32	18	14	10	10
Admissions of Guilt:	40	35	35	n/a	2
Statements:	135	120	173	n/a	0
Human Trafficking Cases:	23	36	104	161	3
Call-Out Activations:	3	16	42	9	4
Surveillances:	65	68	42	0	6
<b>Investigative/Enforcement Operations</b>					
	2009	2010	2011	2012	2013
Total Operations:	63	48	36	21	25
No. Trolling (Male UC Ops):	5	2	14	17	10
No. Decoy (Female UC Ops):	1	0	2	2	2
Op Beat Feet:	0	0	0	n/a	0
Massage Parlor:	6	9	2	0	3
Internet Cases (Craig's List)	5	1	4	2	4
No. SOAP (Stay Out Area Prostitute):	46	36	14	0	6
<b>Operation Stats</b>					
Total Arrests:	318	640	464	363	339
Adult Males:	31	23	24	47	42
Adult Females:	263	546	391	267	262
Juveniles:	24	71	49	49	35
Citations:	0	6	11	32	18

*\*As of this report, the SVS's Vice/Child Exploitation Unit is currently staffed with two (2) investigators, each averaging 250+ open/active investigations. The unit has also conducted thirty-nine (39) investigation operations since January.*