

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
CARRANO

2005 MAY 11 PM 12:34

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Police Department
DATE: April 26, 2005

RE: A Report and Proposed Resolution authorizing the City Administrator to Accept and Appropriate Federal Grant Funds in the Amount of Four Hundred Fifty Thousand Dollars (\$450,000) from the United States Department of Justice, Office of Justice Programs, Law Enforcement Response to Human Trafficking Grant and Authorizing a Professional Services Agreement in an amount not to exceed One Hundred Nineteen Thousand Five Hundred Dollars (\$119,500) with Cross-Sector Solutions, LLC for Consulting and Technical Services to the Oakland Police Department and the East Bay Task Force on Human Trafficking

SUMMARY

A resolution has been prepared authorizing the City Administrator to accept and appropriate \$450,000 in grant funds from the US DOJ, Office of Justice Programs, Office for Victims of Crime, "Law Enforcement Response to Human Trafficking Grant" and to authorize a three-year, professional services agreement in a total amount not to exceed \$119,500 for consulting services, technical assistance, meeting facilitation, and training to the Oakland Police Department and the East Bay Task Force on Human Trafficking.

The goals of this program will be to increase: (1) the identification of trafficking victims through the development of proactive law enforcement tactics, (2) the rescue of trafficking victims and the provision of needed services, and (3) the successful prosecution of human traffickers.

FISCAL IMPACT

The City will receive \$450,000 in Federal funds from the Office of Justice Programs, Law Enforcement Response to Human Trafficking Grant. Funds will be appropriated to Federal Grant Fund 2112, in Organization 102350, Criminal Investigations Program PS03, in a Project number to be assigned. The required in-kind match of \$112,500 (25%) will be provided in the form of current salary costs for the Special Victims supervisor, two special victims enforcement officers and administrative support training from Cross-Sector Solutions. The term of the grant runs from December 1, 2004 through November 30, 2007. The Commander of the Special Victims Section shall be the program administrator. The Department of Justice approved budget is detailed in Table A. This grant is subject to all financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide. Funds which have been properly obligated by the end of the award period will have 90 days in which to

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be liquidated (expended). Indirect costs, including central service overhead of 17.77 percent and the contract assessment fee of 3% are not approved for this grant. A waiver of \$35,895 in Central Service Overhead on \$202,000 in salary costs over three years and \$3,585 (3%) of the \$119,500 cost in the professional services agreement is requested.

BACKGROUND

In 2004, the U.S. Government released demographic and regional breakdowns of trafficking victims. The estimates broke down global demographics of victims by sex, age, and type of exploitation, as well as by the flow of victims among six geographical regions (Africa, East Asia and the Pacific, Europe and Eurasia, Near East, South Asia, and the Western Hemisphere) and the United States.

The following are some notable statistics:

- Approximately 80 percent of the victims are female, 70 percent of whom are trafficked for the commercial sex industry.
- Roughly two-thirds of the global victims are trafficked intra-regionally within East Asia and the Pacific (260,000 to 280,000 people) and Europe and Eurasia (170,000 to 210,000 people).
- The largest number of people trafficked into the United States come from East Asia and the Pacific (5,000 to 7,000). The next highest numbers come from Latin America and from Europe and Eurasia, at between 3,500 and 5,500 victims from each.

In October 2004, the Oakland Police Department submitted an application to the US DOJ, Office of Justice Programs, Office for Victims of Crime, for the FY 2004 Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant. The Police Department was awarded \$450,000 in grant award funds for the period December 1, 2004 to November 30, 2007.

KEY ISSUES AND IMPACTS

Human trafficking refers, in part, to the recruitment, harboring and transportation of adults and youths through the use of force, fraud, or coercion for the purpose of commercial sexual activity, sexual exploitation, sweatshop labor, involuntary servitude, and other criminal activity.

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Not restrained by boundaries or jurisdiction, human trafficking requires a coordinated, multi-jurisdictional response by law enforcement and non-government organizations. The funds received will be used to assist local communities in the development of sustainable and effective project coordination among federal, state, and local law enforcement, and with prosecutors and victim service providers.

The City of Oakland has seen increased incidents of human trafficking in two areas:

- The prostitution of minors by pimps. A survey by OPD in 2002 identified over 218 minors actively being prostituted. By September 2004, the number had doubled. The average age of these minors is between 12 and 17 years of age.
- Women, mostly Asian, being trafficked to different "massage parlors" throughout the Oakland / Bay Area. Undercover operation, surveillance and intelligence information received by OPD indicate approximately 70% of the massage parlors in the Oakland area are involved in criminal activity. During the past year, the majority of persons arrested from massage parlors fit a similar profile: Asian females, speaking no English, possessing no passport and/or other form of face identification. Many of these women were being held hostage - - to work off debts, by way of prostitution.

To a lesser extent, OPD personnel have also found persons (mostly female) being exploited in the restaurant industry, the garment industry, and the domestic labor market.

PROGRAM DESCRIPTION

The Oakland Police Department will serve as the lead agency for grant administration and project coordination of an East Bay Task Force on Human Trafficking. The following local government agencies have agreed to partner with OPD in the Task Force: Alameda County Office of the District Attorney, Alameda County Sheriff's Department, and the following police departments: Alameda, Albany, Berkeley, Emeryville, Fremont, Hayward, Livermore, Newark, and San Leandro. Non-government partner organizations on the Task Force will be: Asian Pacific Islander Legal Outreach, SAGE (Standing Against Global Exploitation) Project, Asian Women's Shelter, API (Asian Pacific Islander) Legal Outreach, Cameron House, Lawyer's Committee for Civil Rights, Narika (serving women who trace their origins to Bangladesh, Bhutan, India, Nepal, Pakistan, Sri Lanka and communities such as Fiji and the Caribbean), and Next Door Solutions.

The goals of the East Bay Task Force on Human Trafficking are:

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- Increase public awareness and knowledge of the crime of human trafficking and its relationship to:
 - prostitution and other commercial sexual activity
 - sexual exploitation
 - sweatshops
 - domestic servitude
 - other criminal activity, and the impact on local communities
- Identify and rescue victims and neutralize criminal human trafficking enterprises.
- Facilitate the development of service protocols by developing and implementing training in the identification of trafficking victims
- Prosecute traffickers
- Ensure the safety and security of victims, through receipt of social services, for successful reentry to the community

In anticipation of the grant, the Police Department, in cooperation with the Task Force on Teen Prostitution, Councilmember Jean Quan, Dream Catchers, Scotlan Center, Cal-Pep, the Alameda County District Attorney's Office, and others, developed the Sexually Exploited Minors Network, also known as the SEM Network. The Network was established to dialogue on minors in prostitution issues, which led to the identification of short and long term goals. In the short term, consolidation of information and resources for rescued teen sex workers has been established between the participants. As the Network expands these resources will be readily available to teen sex workers throughout Alameda County.

The grant funds will be used to provide training and education to law enforcement, non-government organizations, emergency first responders, junior high and high school teachers, administrators and students. The training and education component will foster a stronger intelligence network in the Bay Area. This intelligence will aid Task Force members in identifying lesser known forms of human trafficking, such as involuntary servitude as a domestic, sweatshop worker, janitor, restaurant worker, migrant farm worker and hotel/tourist trade worker.

Task Force law enforcement activity and operations will seek to discover, identify, and respond to the primary stages of human trafficking: Recruitment, control and transporting, and exploitation of victims. Operations will include undercover, surveillance, and decoy operations, Internet investigations and exercise of regulatory control practices on sex industry establishments and on those enterprises likely to exploit victims through other forms of labor.

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Personnel assigned will maintain a local / community based approach and operate in the context of a crime that has international implications. Acknowledging the nexus of human trafficking to other criminal activity, such as street gang activity, drugs, weapons, fraud and theft, will foster open communication and cooperation with other federal and local task forces operating to combat these types of crimes.

Several non-profit organizations, including the Asian Pacific Islander Legal Outreach, SAGE (Standing Against Global Exploitation) Project, Asian Women's Shelter, API (Asian Pacific Islander) Legal Outreach, Cameron House, Lawyer's Committee for Civil Rights, Narika (serving women who trace their origins to Bangladesh, Bhutan, India, Nepal, Pakistan, Sri Lanka and communities such as Fiji and the Caribbean), and Next Door Solutions, have dedicated their personnel to assist with channeling resources and advocacy to victims of human trafficking in the massage parlor, restaurant, garment and domestic/farm labor arenas, much in the same way as the SEM Network. These organization have already established working relationships through a series of meetings with the U.S. Attorney's Office.

The long term goal of the Sexually Exploited Minors Network is to develop a "safe house" for rescued teen sex workers. The safe house, modeled after Children of the Night, a Southern California non-profit organization, will provide comprehensive services to rescued teens, including medical and psychological examination, counseling, drug treatment, education and life skills training. The safe house will be an isolated and secure place for teens to reside while they rehabilitate.

Table 1: East Bay Task Force on Human Trafficking Expenditures

Description	Year 1	Year 2	Year 3	Total
Contract Project Coordinator - Cross-Sector Solutions, LLC *	41,500	34,000	34,000	119,500
Police Officer & Investigator overtime	45,000	78,500	78,500	202,000
Printing and Supplies	17,000	18,500	18,500	54,000
External Training & Conferences	8,000	4,000	4,000	16,000
Surveillance Equipment, computers, software	27,500	8,000	8,000	43,500
Translation Services	5,000	5,000	5,000	15,000
TOTAL	\$144,000	\$153,000	\$153,000	\$450,000

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Project Coordinator: Contract Services with Cross-Sector Solutions, LLC

On the recommendation of the U.S. Attorney's Office, Mr. Nicholas A. Sensley, MBA, will provide consulting services, technical assistance, meeting facilitation and training to the Oakland Police Department and to the East Bay Task Force on Human Trafficking. Cross-Sector Solutions LLC is a company of international renown for providing qualitative and practical assistance to government and non-government organizations in combating human trafficking. Mr. Nicholas Sensley has worked to combat human trafficking domestically and internationally since June of 2001. He has developed an innovative collaborative problem-solving model to enable an efficient process for anti-trafficking responses through multi-disciplinary collaborative work groups. The model, know as the "CARE Model" (Attachment A), has been very successful as the foundation for New York City's law enforcement and Non Governmental Organizations (NGO) anti-trafficking working group (www.nyc-crt.org). The CARE Model is considered the foundation model for the implementation of anti-trafficking working groups. Mr. Sensley is acknowledged as an international expert on problem-solving human trafficking by the US Department of Justice, the US Department of State, the Organization for Security and Co-operation in Europe, the International Centre for Migration Policy Development, and other international governments and organizations.

SUSTAINABLE OPPORTUNITIES

Economic

Crime prevention activities funded by this grant will have a positive impact on property values and business opportunities. Reducing human trafficking activities will improve the City's image as a safe place in which to conduct business, social and recreational activities. All equipment included in the spending plan will, whenever possible, be purchased locally.

Environmental

No environmental opportunities are anticipated.

Social Equity

A significant tool for controlling victims of trafficking is in the traffickers' ability to convince the victims that no help is available and that they are criminals and not victims. Trafficking victims often fear law enforcement, are unable to communicate their circumstances, and are unaware of available services. The outreach efforts of the Task Force will seek to disseminate

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information to vulnerable populations and districts - - to put materials, "pocket items," and other resources within reach of potential victims in order to alert them that help is available.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no American with Disabilities Act (ADA) or senior access issues contained in this report.

RECOMMENDATION

Approve the proposed resolution accepting \$450,000 in funds from the US DOJ, Office of Justice Programs, Law Enforcement Response to Human Trafficking Grant, appropriating said funds to the Police Department and approve the Spending Plan submitted by the Chief of Police.

Respectfully submitted,


Wayne G. Tucker
Chief of Police

Attachment A: CARE Model

Prepared by: Lieutenant Michael Yoell
Criminal Investigations Division
Special Victims Section

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

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The CARE Model

In 2001, Cross-Sector Solutions, LLC developed this model as a strategic and collaborative methodology for problem-solving the human trafficking tragedy. Since then the model has been effectively instituted in anti-trafficking workgroups in the US and internationally. Most notably, the CARE Model is the foundation model of the successful New York City Community Response to Trafficking. Through the use of an acronym found in four of the five stages of the model, the model was labeled the "CARE Model." Not just an acronym, the word "CARE" is also indicative and symbolic of the standard of interest applied to fighting against the contemporary form of slavery commonly referred to as human trafficking.

Following the initial Discovery stage, implementation of the model involves:

- Custody, Safety and Services
- Analysis and Investigation
- Response
- Evaluation

Combating human trafficking is a problem that demands a unified, multifaceted and multidisciplinary response to the needs of the victim and to the resources necessary to conduct a comprehensive criminal investigation. The application of this collaborative problem-solving model demands a progressive environment that values and utilizes the differences in perspectives, the various levels of expertise, common resource limitations, and the span of authority of those persons working against human trafficking.

The CARE Model strongly emphasizes strategic partnerships in all phases of the response to trafficking, including the investigation stage. The model seeks to ensure that responders to the human trafficking problem are:

1. Informed, prepared, equipped, trained, and pro-active in identifying victims of this crime. **(Discovery)**
2. Equipped to respond to and be sensitive to the physical and psychological safety of the victims and are capable of meeting the control and care needs of victims and of perpetrators. **(Custody, Safety and Services)**
3. Committed to an exhaustive criminal investigation and thorough analysis of the enabling conditions of the problem within the community. **(Analysis and Investigation)**
4. Conducting all stages of this community response to human trafficking through the efforts of a strategic and multidisciplinary collaborative effort. **(Response)**
5. Maintaining ongoing evaluations of the response and of the evolving dynamics of the crime. **(Evaluation)**

The concept of law enforcement collaboration (a formal and sustained commitment to work with other entities to accomplish a common mission) to identify, analyze and investigate, respond to, and evaluate problems is proving to be critical for police agencies around the world. Traditionally, the law enforcement officer has played the role of the expert who is expected to perform all of the steps necessary to solve crime problems. In the collaborative problem-solving process, officers are able to facilitate and discover solutions through expanded resources found among committed community resources. To adequately address the growing and pervasive tragedy of human trafficking, strategic collaborative partnerships are indispensable to the effort.

CITY OF OAKLAND

CONSULTING AND PROFESSIONAL SERVICES CONTRACTORS SCOPE OF WORK/OUTLINE OF SERVICES TO BE PERFORMED

The services to be performed by Consultant shall consist of services requested by the Project Manager or a designated representative, including (but not limited to) the following:

CONTRACTOR NAME: **Cross-Sector Solutions, LLC**

CONTRACT PERIOD

DOLLAR ESTIMATE

From: 4/1/05 - 11/30/07

\$ 119,500

Task(s)

Scope of Services

A. Program Specific Consultation Services

Cross-Sector Solutions, LLC (CSS-LLC) will provide consultation to the City of Oakland Police Department (OPD) on successfully developing and implementing its East Bay Task Force on Human Trafficking.

B. Project Coordination Assistance

CSS-LLC will provide assistance to the OPD in the overall coordination of the East Bay Task Force on Human Trafficking. Coordination shall include assistance in implementing program goals as designated in the program submitted to and approved by the Department of Justice and as necessarily amended by the OPD.

C. Working Group Meeting Facilitation

CSS-LLC will serve as meeting facilitator for all East Bay Task Force on Human Trafficking meetings convened and conducted by the OPD.

D. Anti-Trafficking Enforcement Technical Advice

CSS-LLC will provide technical advice to the OPD on the investigation and enforcement of human trafficking laws.

E. Anti-Trafficking Training

CSS-LLC trainers will provide anti-trafficking training to members of the OPD, its invitees and collaborating partners.

F. CSS-LLC In-kind Services

CSS-LLC will provide \$33,500 in in-kind administrative support to the Project Coordinator, Comprehensive Collaboration Training and Regional Training on Investigative Techniques as budgeted in the grant spending plan.

DRAFT

CONTRACTOR'S SIGNATURE

DEPARTMENT HEAD SIGNATURE

DATE: _____

DATE: _____

OAKLAND CITY COUNCIL

Rocio V. Gerson
City Attorney

OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____

C.M.S.

2005 MAY 11 PM 12:34

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE FEDERAL GRANT FUNDS IN THE AMOUNT OF FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, LAW ENFORCEMENT RESPONSE TO HUMAN TRAFFICKING GRANT AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETEEN THOUSAND FIVE HUNDRED DOLLARS (\$119,500) WITH CROSS-SECTOR SOLUTIONS, LLC FOR CONSULTING AND TECHNICAL SERVICES TO THE OAKLAND POLICE DEPARTMENT AND THE EAST BAY TASK FORCE ON HUMAN TRAFFICKING

WHEREAS, the United States Department of Justice (USDOJ), Office of Justice Programs, Office for Victims of Crime, has advised that the City of Oakland has been awarded a Law Enforcement Response to Human Trafficking grant in the amount of \$450,000 for the period December 1, 2004 through November 30, 2007; and

WHEREAS, the United States Attorney's Office recommends and the Police Department desires to enter into a three-year, Professional Services Agreement with Cross-Sector Solutions, LLC in an amount not to exceed \$119,500 for consulting and technical services to the Oakland Police Department and the East Bay Task Force on Human Trafficking, to be funded by the grant; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement with Cross-Sector Solutions, LLC authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds the agreement with Cross-Sector Solutions, LLC shall not result in a loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the proposed grant does not cover the Contract Compliance assessment rate of 3%, or \$ 3,585; and

WHEREAS, the proposed grant does not cover Central Services Overhead charges in the amount of \$35,895 (17.77%); and

WHEREAS, the grant funds will be used in support of the formation and activities of the East Bay Task Force on Human Trafficking; and

WHEREAS, human trafficking refers, in part, to the recruitment, harboring and transportation of adults and youths through the use of force, fraud, or coercion for the purpose of commercial sexual activity, sexual exploitation, sweatshop labor, involuntary servitude, and other criminal activity; and

WHEREAS, the City of Oakland has experienced increased incidents of human trafficking in two main areas - - the prostitution of minors by pimps and the exploitation of women purportedly “employed” as “massage therapists”; and

WHEREAS, traffickers are not restrained by boundaries or jurisdiction, thereby requiring a coordinated, multi-jurisdictional response by law enforcement and non-governmental organizations; now, therefore be it

RESOLVED: That the City Council authorizes the City Administrator or her designee to accept and appropriate to the Police Department federal grant funds in the amount of \$450,000; and be it

FURTHER RESOLVED: That the monies shall be placed in Federal Department of Justice Grant Fund Number 2112, in Organization 102350, Criminal Investigations Program PS03, in a Project number to be assigned; and be it

FURTHER RESOLVED: That the Contact Compliance assessment of \$3,585 (3%) is hereby waived; and be it

FURTHER RESOLVED: That City Central Services Overhead costs of \$35,895 (17.77%) are hereby waived; and be it

FURTHER RESOLVED: That the City Administrator or her designee is further authorized to execute all agreements and other documents necessary in connection with the grant and complete any negotiations, certifications and documentation required to accept, modify, extend, or amend the grant award provided no additional funds will be allocated without prior Council approval.

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with Cross-Sector Solutions, LLC and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Interim City Clerk and Interim Clerk of the
Council of the City of Oakland, California