

2009 APR 30 PM 6:49

**CITY OF OAKLAND**  
**AGENDA REPORT**

**To:** Office of the City Administrator  
**Attn:** Daniel Lindheim  
**From:** Oakland Police Department  
**Date:** May 12, 2009

**Re: A Report And Two Proposed Resolutions: 1) An Agency Resolution Authorizing the Contribution of Coliseum Redevelopment Funds in an Amount Not to Exceed One Hundred Thousand Dollars (\$100,000) to the City, under the Agency/City Cooperation Agreement, to Conduct Police Operations Against Human Trafficking on International Boulevard in the Coliseum Redevelopment Project Area; and 2) A City Resolution Authorizing the Acceptance and Appropriation of Redevelopment Agency Funds in An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000), Under the Agency/City Cooperation Agreement, to Conduct Police Operations Against Human Trafficking on International Boulevard in the Coliseum Redevelopment Project Area**

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**SUMMARY**

Staff has prepared a report and two proposed resolutions: 1) an Agency Resolution authorizing the contribution of Coliseum Redevelopment Funds in an amount not to exceed \$100,000 to the City, under the Agency/City Cooperation Agreement, to conduct police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area; and 2) a City Resolution authorizing the acceptance and appropriation of Redevelopment Agency funds in an amount not to exceed \$100,000, under the Agency/City Cooperation Agreement, to conduct police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area.

**FISCAL IMPACT**

Redevelopment Agency funds in the amount of \$100,000 are available in the Coliseum Operations Fund (9450), Coliseum Redevelopment Organization (88659), Coliseum-Staff Project (S82600) for Oakland Police Department human trafficking investigations in the Coliseum Redevelopment Area. These Redevelopment Agency funds will be appropriated to the Oakland Redevelopment Agency Projects Fund (7780), Family Services Division Organization (102350), Coliseum Project (C82620).

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The following information is a cost analysis of overtime expenses associated with continuing enforcement/investigative efforts until the end of FY 2008/2009:

	<i>Approximate Cost Per Operation</i>	x10 weekly operations
Overtime*	<b>\$9,182.40</b>	\$ 91,824

\*As of October 29, 2008

**Overtime Cost Breakdown**

No.	Position	Pay rate	Total for Operation
1	Lieutenant	\$94.41/hr x8	\$ 755.28
1	Police Service Tech II	\$41.27/hr x8	\$ 330.16
2	Sergeants	\$81.62/hr x16	\$1,305.92
12	Officers (top step)	\$70.74/hr x96	\$6,791.04
			<b>\$9,182.40</b>

While funding for these operations is estimated at \$ 91,824 for 10 operations, staff is requesting an amount not to exceed \$100,000 due to possible equipment needs and/or additional incidental needs that may be required while conducting these operations.

The Police Department’s Bureau of Investigation has identified funds to cover 10 to 12 operations throughout the City between May 12 and June 30, 2009. The funding requested in this report will be used to execute 10 separate supplemental operations (i.e., one – two a week) along International Blvd. within the Coliseum Redevelopment Project area, where previous incidents of child sexual exploitation have previously occurred.

**BACKGROUND**

Crime rates within the City of Oakland have created a need for the City and Redevelopment Agency to increase financial and staff resources to pay for public safety services in redevelopment project areas. Increased public safety services in the commercial corridors of project areas will encourage business attraction and retention efforts by reducing crime.

Enforcing security in a redevelopment project area to promote business activity and investment is considered a valid use of redevelopment funds. In 1996, the City Attorney’s Office issued a legal opinion concluding that the use of redevelopment tax increment monies to fund crime prevention and supplemental police services in the Coliseum redevelopment project area (though not specifically authorized by redevelopment law) was legally defensible, given the nexus between crime reduction and community revitalization. The blight study that was performed for the Coliseum area when the redevelopment plan was adopted documents a strong link between high crime and physical and economic blight in the project area and draws a connection between crime prevention, the elimination of blight, and the successful redevelopment of the project area.

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On July 1, 2004, the Agency and the City of Oakland entered into a Cooperation Agreement, which governs the provision of assistance and the payment of funds between the two agencies, including City staff services to the Agency.

The current Coliseum Area Redevelopment Project Five-Year Implementation Plan includes the improvement of security in the project area as a strategy to reduce blight. The connection between high crime and blight conditions in Oakland's redevelopment project areas is strong. Additionally, high crime rates reduce property values and contribute to economic blight. Enhanced public safety will encourage business retention and attraction, financial investment and developer interest in the project area. Enhanced public safety is therefore necessary for a successful redevelopment program.

In December of 2008, the Business Development Division of the Community Economic Development Agency (CEDA) conducted an online survey of Oakland commercial real estate brokers, developers, and business and property owners. This survey identified public safety as the most important factor influencing business location decisions - more important than taxes, fees, real estate costs, access to transportation, and economic incentives.

The relationship between crime and blight in the Coliseum Redevelopment Project Area is described in the blight study performed in 1995 as follows:

High crime rates significantly affect the image of an area and are a serious disincentive to any residential or business investment in the area. The fear for personal safety is a major criterion in the decision of any household or business to locate in an area. Within commercial areas, in particular, crimes against persons and property discourage patronage and add to the cost of doing business in the form of vandalism, burglary, theft, etc. When these crimes are disproportionately high, patrons, tenants and businesses relocate elsewhere. In residential areas, crimes have the effect of devaluating property, and discouraging sales and reinvestment....Local business sources agree that fear for personal safety is one of the most serious impediments to investment in the Study Area. ["Coliseum Area Redevelopment Plan Report to Council," July 1995, pp. II-109 to II-110]

Specifically, Redevelopment Agency staff has received numerous complaints and requests for help from merchants along International Boulevard concerning child prostitution and human trafficking, particularly in the blocks between High street and Seminary Avenue. When individuals involved in kidnapping and prostituting children engage in child prostitution on the street, it creates an extremely threatening environment for families and discourages patronage of neighborhood businesses. City of Oakland Neighborhood Services Coordinators (NSC) report that human trafficking is a priority for Neighborhood Crime Prevention Councils (NCPC) on all beats along International Boulevard, and that this issue was raised at the March, 2009 23X NCPC meeting.

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The segment of International Boulevard within the Coliseum Area has been referred to by the Oakland Police Department (OPD) as one of the most problematic, challenging areas in Oakland (See Table 1).

**Table 1**  
**FY 2007-08 Coliseum Enhanced Patrol Target Areas**  
**High Crime Areas on International Boulevard**

<b>Key Segments on Intl. Blvd.</b>	<b>Common Crimes</b>
35th Ave. - 38th Ave.	Drug Trafficking, Loitering
45th Ave. - 48th Ave.	Prostitution
82nd Ave. - 84th Ave.	Loitering, Teen Nuisance
89th Ave. - 90th Ave.	Drug Dealing
94th Ave. - 96th Ave.	Loitering, Robberies

***Existing Redevelopment Agency Funding for Public Safety in the Coliseum Area***

In the Coliseum Redevelopment Project Area, the 4L18 Security Enhancement Program (now known as 8L18), adopted in the mid-1990s, funds overtime costs on a volunteer basis for extra police patrols around the Hegenberger commercial corridor on nights and weekends. For FY 2008-09, the Coliseum area contributed \$150,000 to the 8L18 Program. The Agency has also adopted a Public Safety and Police Services Program (Agency Resolution No. 2007-0075 C.M.S.) for five project areas, including the Coliseum area, which funds the Neighborhood Enforcement Team (NET) enhanced OPD police patrols in those areas. Additionally, the City Council will consider legislation on May 5, 2009 (Legislative File No. 09-0290-1) that would allocate \$60,000 in Coliseum Redevelopment Area funds for OPD overtime walking patrols to primarily target International Boulevard from 23<sup>rd</sup> Avenue to the City of San Leandro border.

The proposed overtime enforcement and investigative operations against human trafficking will supplement existing resources available through the Oakland Police Department. The operations will complement the efforts of the sergeant and the eight officers assigned to patrol the commercial corridors in the Central City East (CCE) and the Coliseum Redevelopment Project Areas through the NET program, and also will complement the proposed daytime walking patrols of International Boulevard.

***Oakland Police Department Operations Targeting Human Trafficking and Child Prostitution***

Since 1999, the Police Department has made significant efforts to address the growing number of children (runaways in particular) being arrested for prostitution in the City of Oakland. Recent legislative successes have provided law enforcement with the ability to identify these children as victims instead of offenders, thereby allowing these cases to be

investigated as sexual exploitation violations and investigated by a team of experienced and dedicated investigators who handle all child sexual exploitation investigations. These efforts are enhanced by a coordinated collaboration with various service providers, particularly the Sexually Exploited Minors (SEM) Network which is partially funded through the Measure Y initiative.

The information below reflects statistics of previous human trafficking operations.

	Number of Operations	Total Arrests	Children Arrested/Rescued	Offenders Charged under Human Trafficking Laws
2005*	0	0	0	0
2006	47	660	67	20
2007	35	531	29	20
2008	29	318	26	17

\*2005: funding was awarded this year but not used beyond limited training until 2006.

The reduction in arrests is a direct result of the elimination of operation Beat Feet<sup>1</sup>. The repeal of this local law, in response to a California Supreme Court decision, removed a major deterrent to this illegal activity, resulting in an increase in the number of “Johns” coming into the City to solicit prostitutes.

In 2004, and 2007, the Police Department was collectively awarded funds in the amount of \$700,000 (Resolution No. 792575 C.M.S. and Resolution No. 80893 C.M.S.) from the U.S. Department of Justice Human Trafficking Grant. These funds were used to purchase necessary investigative equipment, provide training on regional and local levels to law enforcement personnel and the community, and to conduct human trafficking operations/investigations in the City. Unfortunately, grant funds allocated to run such operations will soon be exhausted, which will negatively impact the Department’s ability to continue its human trafficking operations.

As grant funding was expended, the number and size of operations decreased; however, the number of follow-up investigations *increased* and became more involved and complex as pimps (predators) changed their tactics to elude police efforts. Fortunately, Police Department investigative staffing levels are being increased and will enhance the capability to conduct these follow-up investigations.

<sup>1</sup> O.M.C. section 9.56 Nuisance Vehicle Forfeiture declaring vehicles used to solicit an act of prostitution or to illegally acquire a controlled substance to be public nuisances and authorized the seizure and forfeiture of said vehicles.

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## KEY ISSUES AND IMPACTS

### *Strategies and Efforts*

Over the past three years, the Police Department's new strategies and actions have had a dramatic impact in the area of domestic human trafficking, particularly child prostitution and child sexual exploitation.

From 2005-2008, the Police Department conducted two major human trafficking conferences, nearly 100 community outreach sessions, and numerous "in-house" awareness / training courses with police personnel. In addition, the Department became an active participant of Alameda County's Sexually Exploited Minor's (SEMs) Network – whose origins began with the Police Department in 2002.

The Department took lead in shifting its human trafficking focus from international cases to domestic cases. By doing this, the Police Department brought to the table more resources, including community-based outreach organizations and personnel, to address this problem. This effort provided an opportunity for other agencies (e.g., the Alameda County District Attorney's Office and various service providers) to increase their own awareness and services to the crisis of child sexual exploitation. At present, the Police Department is the primary "front end" loader of the SEM system. The SEM system attempts to provide victims with aid and assistance while ensuring offender prosecution.

Most evident, however, to the Police Department's efforts in addressing human trafficking has been its impact on law enforcement:

- Since 2006, child exploitation investigators have regularly participated in nationwide enforcement and investigative efforts. Some of these events include Reno, Nevada's *Hot August Nights* where Oakland investigators worked with Reno Police and the FBI on potential federal human trafficking cases that have a direct connection with Oakland.
- In 2007, the Police Department formulated a Bay Area-wide Child Prostitution Operation which the FBI adopted and named "Operation Strike Out." Since then, the FBI has expanded this operation to be conducted nationwide, renaming it "Operation Cross Country I and II." This operation has been conducted twice (2007 and 2008.). In both instances, the FBI acknowledged the Police Department's concept and formula for these operations and investigations.
- In September of 2008, staff from the Child Exploitation Unit was invited to testify in front of the Georgia State Senate on the efforts, strategies, and successes of the Police Department's domestic human trafficking efforts. Collectively, both federal and state

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agencies acknowledge that the Oakland Police Department's strategies are now being adopted nation-wide and used as the model for successfully combating domestic human trafficking.

## **PROGRAM DESCRIPTION**

With additional funding, the Department will continue its enforcement and investigative operations by executing 10 separate operations to address domestic human trafficking along International Boulevard in the Coliseum Redevelopment Area. These operations will build upon the successes of past operations and raise community awareness of the human trafficking problems in the City of Oakland.

Every six months a close analysis of citizen complaints, associated crimes, and calls for police service will be conducted to determine the program's effectiveness, and identify any needed strategic changes.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Businesses and commercial properties along International Boulevard are negatively impacted by crime. Revenues and sales tax generation have declined, and the City's efforts at business attraction and retention are hindered by increasing crime. The proposed OPD enforcement and investigation operations are designed to deter crime and improve the overall business environment in the CCE and Coliseum Redevelopment Areas. With the reduction of domestic human trafficking, particularly child prostitution, child sexual exploitation, and those crimes commonly associated with this activity, the physical atmosphere and the reputation of Oakland will improve; affording the City an opportunity for further financial growth.

***Environmental:*** Crime has been determined as a subcomponent of blight in the Coliseum Redevelopment Areas. The proposed OPD operations are anticipated to reduce crime which will make the commercial corridors within the CCE and Coliseum areas a safer, more peaceful and vibrant environment for residents and businesses.

***Social Equity:*** Removing the element of sexual predators from the streets of Oakland will improve public safety and the welfare of our children, making the City safer for all residents and property owners.

## **DISABILITY AND SENIOR ACCESS**

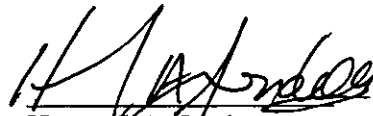
There are no ADA or senior citizen access issues identified in this report.

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**RECOMMENDATION / ACTION REQUESTED OF COUNCIL**


Staff recommends acceptance of this report and two proposed resolutions: 1) an Agency Resolution authorizing the contribution of Coliseum Redevelopment Funds in an amount not to exceed \$100,000 to the City under the cooperation agreement to conduct police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area; and 2) a City Resolution authorizing the acceptance and appropriation of redevelopment agency funds in an amount not to exceed \$100,000 under the cooperation agreement to conduct police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area.

Respectfully submitted,



Howard A. Jordan  
Acting Chief of Police

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:



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Office of the City Administrator

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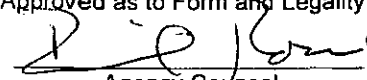
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OFFICE OF THE CITY CLERK  
OAKLAND

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Approved as to Form and Legality

  
Agency Counsel

## REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CONTRIBUTION OF COLISEUM REDEVELOPMENT FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000) TO THE CITY, UNDER THE AGENCY/CITY COOPERATION AGREEMENT, TO CONDUCT POLICE OPERATIONS AGAINST HUMAN TRAFFICKING ON INTERNATIONAL BOULEVARD IN THE COLISEUM REDEVELOPMENT PROJECT AREA**

**WHEREAS**, the Redevelopment Agency strives to prevent and reduce blight and encourage redevelopment activities and investment within the redevelopment project areas of Oakland; and

**WHEREAS**, Section 33031(b)(5) of the California Community Redevelopment Law (CRL) identifies a high crime rate that constitutes a serious threat to the public safety and health as an economic condition that causes blight; and

**WHEREAS**, there is a significant correlation between crime, blight conditions, and the lack of redevelopment within the Coliseum Redevelopment Project Area, and so a reduction in crime within the Project Area would be directly related to the prevention and elimination of blight conditions in and the successful redevelopment of the Project Area; and

**WHEREAS**, crime within the Project Area has steadily been rising; and

**WHEREAS**, child prostitution and human trafficking have an extremely harmful impact on the neighborhood environment for both area residents and businesses; and

**WHEREAS**, child prostitution and human trafficking act as strong deterrents for business owners to locate in the Project Area and for developers to invest in the Area; and

**WHEREAS**, child prostitution and human trafficking create a locus of criminal activity that increases the incidence of other crimes in the neighborhood; and

**WHEREAS**, fear of crime dissuades customers from patronizing retail businesses in the Project Area; and

**WHEREAS**, enhanced public safety is vital to a successful redevelopment program; and

**WHEREAS**, funding public safety enhancements and crime reduction programs will encourage business retention and attraction, financial investment, and developer interest in the Project Area; and

**WHEREAS**, surveys conducted by the Oakland Merchants' Leadership Forum in 2008 and 2009 of merchants in Oakland's commercial areas identified crime and safety as the top issue facing their businesses, with 84% to 93% of the surveyed businesses responding that crime and safety affect their businesses; and

**WHEREAS**, a survey conducted by City of Oakland staff of Oakland real estate brokers, property owners, and developers in 2008 identified public safety as the most important factor influencing business location decisions; and

**WHEREAS**, the Agency and the City of Oakland entered into a Cooperation Agreement on July 1, 2004, which governs the provision of assistance and the payment of funds between the two agencies, including City staff services to the Agency; now therefore be it

**RESOLVED:** That the Redevelopment Agency hereby contributes Agency funds in an amount not to exceed \$100,000 to the City under the Cooperation Agreement from the Coliseum Operations Fund (9450), Coliseum Redevelopment Organization (88659), Coliseum- Staff Project (S82600) for the Oakland Police Department to conduct supplemental police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area; and be it

**FURTHER RESOLVED:** That the Agency authorizes the Agency Administrator or his designee to take any action with respect to Agency funding for Oakland Police Department operations against human trafficking on International Boulevard consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - KERNIGHAN, NADEL, QUAN, DE LA FUENTE, BROOKS, REID, KAPLAN, AND  
CHAIRPERSON BRUNNER

NOES -

ABSENT -

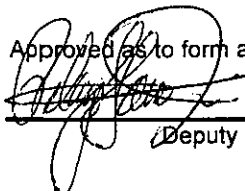
ABSTENTION -

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

LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

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Approved as to form and legality  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF REDEVELOPMENT AGENCY FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000), UNDER THE AGENCY/CITY COOPERATION AGREEMENT, TO CONDUCT POLICE OPERATIONS AGAINST HUMAN TRAFFICKING ON INTERNATIONAL BOULEVARD IN THE COLISEUM REDEVELOPMENT PROJECT AREA**

**WHEREAS**, in 2004, and in 2007, the Police Department was collectively awarded funds in the amount of \$700,000 (Resolution No. 792575 C.M.S. and Resolution No. 80893 C.M.S.) from the U.S. Department of Justice Human Trafficking Grant to purchase necessary investigative equipment, provide training on regional and local levels to law enforcement personnel and the community, and to conduct human trafficking operations/investigations in the City; and

**WHEREAS**, the Oakland Police Department has aggressively combated Domestic Human Trafficking, in particular, Child Prostitution for nearly four years due (in part) by the funding provided by a U.S. Department of Justice Human Trafficking Grant, which is now exhausted; and

**WHEREAS**, the Department's efforts to conduct investigative operations will be severely compromised as result of the depleted grant funding; and

**WHEREAS**, since 1999, the Police Department has made significant efforts to address the growing number of children (runaways in particular) being arrested for prostitution in the City of Oakland; and

**WHEREAS**, weekly human tracking investigative operations conducted throughout various targeted locations in the City have resulted in 122 children being rescued from exploiters and 57 offenders being arrested and charged with a range of felonies at both the state and federal levels; and

**WHEREAS**, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which governs the provision of assistance and the payment of funds between the two agencies, including Agency assistance to City services serving a redevelopment purpose; and

**WHEREAS**, the Redevelopment Agency has authorized a contribution of redevelopment funds in an amount not to exceed \$100,000 to the City under the Cooperation Agreement to conduct supplemental police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area; and

**WHEREAS**, funds are available in an amount not to exceed \$100,000 in the Coliseum Operations Fund (9450), Coliseum Redevelopment Organization (88659), Coliseum-Staff Project (S82600) for these operations to continue during the period of May 12, 2009 through June 30, 2009; and

**WHEREAS**, the requested funds would be used to conduct supplemental operations within the Coliseum Redevelopment Project Area; and

**WHEREAS**, the results of these operations will be documented in official Department "After Action" reports available to City and Department authorities; now, therefore be it

**RESOLVED:** That the City Council hereby accepts Redevelopment Agency funds in an amount not to exceed \$100,000 under the Cooperation Agreement to conduct supplemental police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area; and be it

**FURTHER RESOLVED:** That Council hereby appropriates \$100,000 of Coliseum Redevelopment Area funds to the Oakland Redevelopment Agency Projects Fund (7780), Family Services Division Organization (102350), Coliseum Project (C82620); and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is hereby authorized to take any action with respect to police operations against human trafficking on International Boulevard in the Coliseum Redevelopment Project Area consistent with this Resolution and its basic purposes.

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

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council,  
City of Oakland, California