



FILED
OFFICE OF THE CLERK
OAKLAND
2015 MAR 12 PM 10:05

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Sean Whent

SUBJECT: Santa Rita Jail Initiative

DATE: February 20, 2015

City Administrator
Approval

Date

2/10/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution authorizing the City Administrator or designee to sign a memorandum of understanding (MOU) with the Alameda County Sheriff's Office (ACSO) for up to two (2) years, financed by fifty thousand dollars (\$50,000) of Oakland's previously appropriated Federal Fiscal Year (FFY) 2014 U.S. Department of Justice Byrne Justice Assistance grant Local Program Funds by Resolution No. 84641, for operating the Santa Rita Jail Intelligence Initiative, for the purpose of assisting the Oakland Police Department with investigations and crime reduction in Oakland, for the period of April 1, 2015 to March 30, 2017.

OUTCOME

The approval of this resolution will authorize the City Administrator or designee to sign the MOU between the City of Oakland and ACSO to operate the Santa Rita Jail Intelligence Initiative (SRJII) program for up to two years, and authorize the financing of the SRJII program through \$50,000 in JAG financing. The JAG funds shall be allocated from the FFY 2014 award already received from the U.S. Department of Justice, and approved by the City Council.

BACKGROUND / LEGISLATIVE HISTORY

The Santa Rita Jail Intelligence Initiative (SRJII) was started in 2010 by the Alameda County Sheriff's Office (ACSO) and the Oakland Police Department (OPD) with the Federal Bureau of Investigation (FBI) joining the initiative in 2012. The program consists of interviewing individuals held in the Santa Rita Jail who choose to collaborate on investigations. Inmates who participate do so voluntarily and are chosen by OPD personnel because of their connections to cases and investigations. The overall goal of the SRJII is to reduce the level of homicides and other violent crime in Oakland and the East Bay. Such homicides and other violent crimes are often related to retaliations and other past crimes. The Oakland Police Department develops

Item: _____
Public Safety Committee
March 24, 2015

actionable and confidential human source intelligence and the SRJII has proven successful in gathering such intelligence.

ANALYSIS

The Oakland Police Department is not seeking General Purpose Fund financing for this program. Funding for the SRJII will come from FY 2014 JAG funds. On October 1, 2013, the City Council approved Resolution No. 84641, which authorized the acceptance and appropriation of \$500,200 for FY 2013 and FY 2014 JAG funds. The U.S. Department of Justice awards JAG funds for the purpose of supporting local governments in their efforts to reduce crime and improve public safety. The City of Oakland has entered into a memorandum of understanding with ACSO since 2005 for the purpose of administering JAG grant funds.

The Alameda County Sheriff's Office requires funding to continue operating the Santa Rita Jail Intelligence Initiative (SRJII). The funding is used for ACSO personnel to manage the interviews with jail inmates and communicate with OPD's investigative units. Funding for this program has been allocated from OPD's FY 2014 JAG local grant award. The Oakland Police Department will allocate \$50,000 from the FY 2014 grant award, as part of the MOU, to finance the SRJII for two years (\$25,000 per year), for the period of April 1, 2015 to March 30, 2017. The Federal Bureau of Investigation has agreed to allocate the remaining \$21,600 annual cost directly to ACSO. The total \$46,600 in annual SRJII cost provides for 832 interview hours per year to gather actionable and confidential intelligence. This intelligence is critical in helping OPD reduce homicide and other violent crime in Oakland.

PUBLIC OUTREACH/INTEREST

Resources will be utilized to strengthen and expand existing enforcement operations and for targeting violent crime throughout the jurisdiction.

COORDINATION

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

COST SUMMARY/IMPLICATIONS

The approval of this resolution will not have any new fiscal impacts for the City of Oakland as the appropriation of \$50,000 in FY 2014 US DOJ JAG funds has already been authorized.

Item: _____
Public Safety Committee
March 24, 2015

SUSTAINABLE OPPORTUNITIES

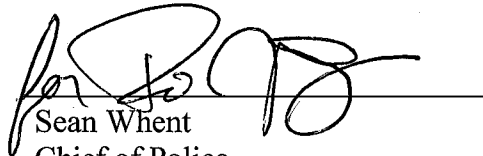
Economic: There are no economic opportunities identified in this report.

Environmental: No environmental opportunities have been identified.

Social Equity: The Santa Rita Jail Intelligence Initiative (SRJII) will help the Oakland Police Department address violent crime, including homicide, in Oakland through the acquisition of investigative intelligence. This will improve the quality of life of all Oakland residents who suffer the direct and indirect consequences of crime in Oakland.

For questions regarding this report, please contact Bruce Stoffmacher, Management Assistant, OPD Research and Planning, at (510) 238-6976.

Respectfully submitted,



Sean Whent
Chief of Police
Oakland Police Department

Prepared by:

Serge Babka
Sergeant of Police
Intelligence Unit
Oakland Police Department

Item: _____
Public Safety Committee
March 24, 2015

2015 MAR 12 PM 10:09

Approved as to Form and Legality

OAKLAND CITY COUNCIL

DRAFT

City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ALAMEDA COUNTY SHERIFF'S OFFICE (ACSO) FOR UP TO TWO (2) YEARS, FINANCED BY FIFTY THOUSAND DOLLARS (\$50,000) OF OAKLAND'S PREVIOUSLY APPROPRIATED FFY 2014 U.S. DEPARTMENT OF JUSTICE BYRNE JUSTICE ASSISTANCE GRANT (JAG) LOCAL PROGRAM FUNDS BY RESOLUTION No. 84641, FOR OPERATING THE SANTA RITA JAIL INTELIGENCE INITIATIVE (SRJI), FOR THE PURPOSE OF ASSISTING THE OAKLAND POLICE DEPARTMENT (OPD) WITH INVESTIGATIONS AND CRIME REDUCTION IN OAKLAND, FOR THE PERIOD OF APRIL 1, 2015 TO MARCH 30, 2017

WHEREAS, the SRJI started in 2010 by the ACSO and OPD with the Federal Bureau of Investigation (FBI) joining the initiative in 2012; and

WHEREAS, a high level of homicides and violent crime related to retaliations and past crimes occur in Oakland each year; and

WHEREAS, the SRJI program helps to reduce level of homicides and violent crime in Oakland and the East Bay related to retaliations and past crimes, by helping OPD gather actionable and confidential human source intelligence through the strategic debriefings of inmates incarcerated in the Santa Rita County Jail regarding criminal threats; and

WHEREAS, the interviews and inmate debriefings are completely voluntary on the part of the inmates, as they are in no way compelled to cooperate with the interviewer, and inmates are able to speak freely in providing critical information; and

WHEREAS, the maximum total amount of the MOU between Oakland and ACSO will be \$46,600 per year, of which OPD will contribute \$25,000 for each of two years, for a total of \$50,000 expense to the City of Oakland; and

WHEREAS, on October 1, 2013, the City Council approved Resolution No. 84641, which authorized the City Administrator or designee to accept and appropriate Edward Byrne Memorial Justice Assistance Grant (JAG) Local Program Funds in an amount not to exceed five hundred thousand, two hundred dollars (\$500,200) for the 2013 and 2014 Federal Fiscal Year

(FFY), in addition to also authorizing an agreement between Oakland and Alameda County to apply for Federal Office of Justice Programs, Bureau of Justice; and

WHEREAS, this annual grant from the U.S. Department of Justice (USDOJ), Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant (JAG) Local Program for frontline policing provides funding through the JAG program to units of local government for the purpose of reducing crime and improving public safety; and

WHEREAS, the City of Oakland has entered into an MOU with Alameda County since 2005 for the purpose of administering JAG grant funds; and

WHEREAS, the Government Code requires that OPD request the local jurisdiction's legislative body to appropriate said funds solely for front line law enforcement services in accordance with OPD's spending plan; and

WHEREAS, OPD will utilize \$50,000 from its FY 2014 U.S. Department of Justice (DOJ) Byrne Justice Assistance Grant (JAG) Local Program Funds, previously approved by the City Council and appropriated by OPD, and

WHEREAS, OPD will directly allocate and transfer \$50,000 to ACSO for FY 2014, as provided in the Narrative and Budget Detail section of the MOU within forty-five (45) days of the execution of the MOU; and

WHEREAS, per the Memorandum of Understanding (MOU) between OPD and ACSO that defines the agreements and parameters of the joint SRJII program, OPD will be allowed eight hundred and thirty two (832) hours of interviewing per fiscal year; and

WHEREAS, per the MOU, both OPD and ACSO agree that each party is responsible for the negligent and wrongful acts and omissions by its employees and that this MOU shall be governed by the laws of the state of California and nothing herein should be construed as supplanting any applicable statute, rule, or regulation; and

WHEREAS, per Oakland Municipal Code section 504(1), the City Council must approve intergovernmental MOUS, and authorize the City Administrator to represent the City in all related negotiations, among other things; now, therefore be it

RESOLVED: that City Council does hereby authorize the City Administrator or his designee to extend the MOU with the ACSO for up to two (2) years, equivalent eight hundred and thirty two (832) interview hours per year, to be financed by fifty thousand dollars (\$50,000) of Oakland's already appropriated FFY 2014 U.S. Department of Justice Byrne Justice Assistance Grant (JAG) Local Program funds, and that these funds shall be allocated to ACSO, for operating the Santa Rita Jail Intelligence Initiative (SRJII), for the purpose of gathering actionable intelligence regarding criminal threats, which will assist OPD with investigations and reducing crime in Oakland, for the period of April 1, 2015 to March 30, 2017; and be it

FURTHER RESOLVED: that the City Administrator is authorized to conduct all ongoing negotiations, execute and submit all documents, including but not limited to amendments, modifications and related actions which may be necessary to carry out the basic purpose of this resolution, without increasing the amount of the grant funds; and be it

FURTHER RESOLVED: That said MOU shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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