

**CITY OF OAKLAND**  
AGENDA REPORT

2010 APR 15 PM 5: 15

**To:** Office of the City Administrator  
**Attn:** Dan Lindheim  
**From:** Oakland Police Department  
**Date:** April 27, 2010

**Re: A Report And Proposed Resolution Authorizing The City Administrator, Or His Designee To Accept And Appropriate Reimbursement Funds In An Amount Not-To-Exceed Fifty-Five Thousand Dollars (\$55,000) in Federal Funds From The Department Of Justice, United States Drug Enforcement Administration (USDEA) To The Oakland Police Department (OPD) In Overtime Costs For (1) Lieutenant, (1) Sergeant, and (8) Police Officers, And Rental Vehicle Expenses For The Period Of March 18, 2010, Through December 31, 2010 For Work Associated With The USDEA San Francisco Metro Task Force (DEA Task Force) for a Narcotic Investigation**

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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 (USDOJ), Drug Enforcement Administration (USDEA), and San Francisco Metro Task Force (DEA Task Force). These funds will be allocated to the Oakland Police Department (OPD) in an amount not to exceed \$35,000 in overtime reimbursement funds for the participation of one lieutenant, one sergeant, and eight police officers in task force operations related to the DEA Task Force, and rental vehicle expenses in an amount not to exceed \$20,000 for the period of March 18, 2010 through December 31, 2010. This will total the amount to \$55,000 in reimbursable funds for this DEA Task Force Operations during this time period.

**FISCAL IMPACT**

Approval of this resolution will authorize the City Administrator to accept reimbursement funds from the Organized Crime Drug Enforcement Task Force (OCDETF) for overtime expenditures and rental vehicle expenditures incurred by the Police Department as result of officers working with the OCDETF during the period of March 18, 2010 through December 31, 2010, and appropriate said funds to the Oakland Police Department. Overtime reimbursement funds shall be appropriated and receipts posted to the Police Grant Fund (2995), Intelligence Division Organization (101140), Sworn Overtime Account (51214), Special Operation Program (PS12) and Project number to be determined. Officers assigned to this OCDETF investigation are funded through the Police Department's baseline budget. Sgt. M. Reilly is the program manager.

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## **BACKGROUND**

The Oakland Police Department has a long history of cooperating with Federal Law Enforcement Agencies during criminal investigations which impact the quality of life for the citizens of Oakland. Two recent examples are the 2008 “Nutcracker” investigation which resulted in the prosecution of over fifty violent gang members and the seizure of dozens of weapons. In 2007, Operation “Peace Out” conducted jointly by the OPD, FBI and DEA resulted in over thirty federal prosecutions, the seizure of over four pounds of heroin and the dismantling of a Drug Trafficking Organization (DTO) that was importing nearly 100 pounds of heroin into Oakland on a monthly basis.

## **KEY ISSUES AND IMPACTS**

The OCDETF investigations have been effective in eliminating narcotic trafficking organizations gangs by using undercover officers, informants, surveillance and wire tap resources. The OCDETF investigations have been effective in developing probable cause for arrests of known gang members and securing longer sentences by securing federal prosecutions in the City of Oakland and throughout the country.

## **PROGRAM DESCRIPTION**

The DEA is conducting a narcotics related investigation into a DTO operating within the City of Oakland, and has requested the assistance of Oakland Police Officers who are experienced in narcotics investigations and enforcement. The DEA received authorization from the United States Department of Justice to conduct the investigation utilizing the OCDETF, which pays overtime for local law enforcement officers, and shares in asset forfeiture with participating agencies. While participating in this OCDETF investigation, local law enforcement officers may be deputized as federal agents, extending their jurisdiction and allowing for federal prosecution.

This DEA sponsored OCDETF investigation is designed to investigate all aspects of a DTO operating within the City of Oakland. Anticipated results include the arrest and prosecution of narcotics traffickers, narcotics and asset seizures, and the disbandment of the drug trafficking organization.

In addition to crime reduction, the Department’s participation in this OCDETF allows the City to share in the forfeiture of drug related proceeds including U.S. currency, vehicles, and property.

## **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**

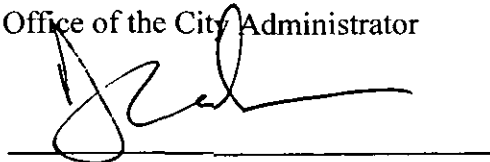
Staff recommends acceptance of this report and approval of the proposed resolution authorizing the City Administrator, or his designee to accept and appropriate reimbursement funds in an amount not-to-exceed \$55,000 in federal funds from the Department of Justice, United States Drug Enforcement Administration (USDA) to the Oakland Police Department (OPD) in overtime costs for one lieutenant, one sergeant, eight police officers, and vehicle rental expenses for the time period of March 18, 2010 through December 31, 2010 for work associated with the USDEA San Francisco Metro Task Force.

**ACTION REQUESTED OF THE COUNCIL**

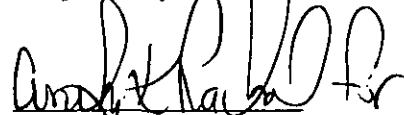
Staff requests acceptance of this report and approval of this resolution.

APPROVED AND FORWARDED TO  
THE PUBLIC SAFETY COMMITTEE:

Office of the City Administrator



Respectfully submitted,



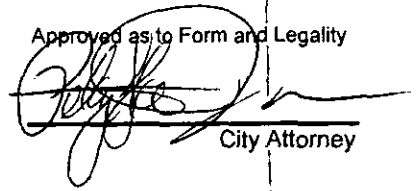
Anthony W. Batts  
Chief of Police

Prepared by:  
Richard Vass  
Police Officer  
Oakland Police Department

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2010 APR 15 PM 5:15 RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE TO ACCEPT AND APPROPRIATE REIMBURSEMENT FUNDS IN AN AMOUNT NOT-TO-EXCEED FIFTY-FIVE THOUSAND DOLLARS (\$55,000) IN FEDERAL FUNDS FROM THE DEPARTMENT OF JUSTICE, UNITED STATES DRUG ENFORCEMENT ADMINISTRATION (USDEA) TO THE OAKLAND POLICE DEPARTMENT (OPD) IN OVERTIME COSTS FOR (1) LIEUTENANT, (1) SERGEANT, AND (8) POLICE OFFICERS, AND RENTAL VEHICLE EXPENSES FOR THE PERIOD OF MARCH 18, 2010, THROUGH DECEMBER 31, 2010 FOR WORK ASSOCIATED WITH THE USDEA SAN FRANCISCO METRO TASK FORCE (DEA TASK FORCE) FOR A NARCOTIC INVESTIGATION**

**WHEREAS**, the Department of Justice (DOJ), Drug Enforcement Administration (DEA) is sponsoring a Organized Crime Drug Enforcement Task Forces (OCDETF) investigation of a drug trafficking organization (DTO) operating in the City of Oakland; and

**WHEREAS**, the DEA has requested the assistance of the Oakland Police Department (OPD) in supplying one lieutenant, one police sergeant, and eight police officers who are experienced in narcotic investigations; and

**WHEREAS**, OPD has participated in joint investigations with the DEA in previous years in order to improve its crime fighting efforts involving drug gangs; and

**WHEREAS**, the OCDETF agrees to reimburse the City for the overtime costs incurred by the officers assigned to the narcotic investigation, in an amount not-to-exceed \$55,000 for the period March 18, 2010 through December 31, 2010; and

**WHEREAS**, the OCDETF 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 \$55,000 from the Organized Crime Drug Enforcement Task Forces to the Oakland Police Department for the overtime costs of one police lieutenant, one sergeant, and eight police officers assigned to the investigation for the period March 18, 2010 through December 31, 2010; and be it

**FURTHER RESOLVED:** That Overtime reimbursement funds shall be appropriated and receipts posted to the Police Grant Fund (2995), Intelligence Division Organization (101140), Sworn Overtime Account (51214), Special Operation 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.

**PASSED BY THE FOLLOWING VOTE:**

- 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