

# OAKLAND POLICE DEPARTMENT

## Alcohol Tobacco and Firearms (ATF)

### 2023 Annual Report

#### OPD ATF Taskforce

The OPD ATF Taskforce supports firearm related investigations. The firearm investigations are often associated with Crime Guns identified through the National Integrated Ballistic Information Network (NIBIN), unserialized firearms (Ghost Guns), Convicted Felons in possession of firearms and the tracing or tracking of firearms through E-Trace. The Taskforce also provides OPD CID with access to forensic resources to support investigations involving gun violence in Oakland. The Taskforce also provides resources to the OPD Crime Gun Intelligence Center (CGIC). OPD CGIC utilizes the National Integrated Ballistic Information Network (NIBIN), which provides crucial intelligence about firearms related crimes committed in Oakland and the San Francisco Bay Area. ATF Special Agents and OPD Taskforce Officer/s frequently respond to assist several Bay Area Law Enforcement Agencies and the Oakland Police Department to conduct investigations of individuals or groups who victimize Oakland residents. The Taskforce also supports the Ceasefire program in the adoption of State firearm cases involving repeated violent Felons identified through Ceasefire.

#### Staffing

- 1. Number of full and part time OPD officers assigned to ATF Task Force:** One full-time Officer. One full-time NIBIN analyst is currently assigned to OPD to assist with analytical data related to NIBIN Investigations.
- 2. Number of hours worked as ATF Task Force Officer:** Regular 40 hours per week. However, the current task force officer remains flexible and can be assigned to other OPD operations based on OPD needs and priorities and whether or not there are active investigations.
- 3. Funding source for ATF Task Force Officer salary:** OPD Budget – funded by OPD General Purpose Fund. Overtime related to ATF OPD Taskforce investigations are funded by the ATF.

#### Other Resources Provided

- 1. Communication equipment:** ATF handheld radio, cellular phone & laptop computer.
- 2. Surveillance equipment:** ATF owns and installs utility pole cameras which are utilized in some cases. A court order w/ judicial approval is required prior to any installation.
- 3. Clerical/administrative staff hours:** NIBIN Analyst: Regular 40 hours per week.
- 4. Funding sources for all the above:** ATF Budget.

## Cases

**1. Number of cases ATF Task Force Officer was assigned to:** Ten – a breakdown of these cases provided below:

- a) ATF was notified of a subject selling firearm. This subject utilizes social media as a means listing his firearms for sale. After a long thorough investigation, the subject was arrested.
- b) ATF investigated the trafficking of firearms. After several CI buy operations, it was determined that the firearms were being purchased and transported from Texas. The investigation led to several arrest.
- c) ATF became aware of a subject selling several firearms on social media. An operation was conducted to purchase firearms from said subjects. After the operation, several search warrants were conducted and executed throughout the bay area with several firearms being recovered.
- d) ATF Oakland assisted CHP with the execution of a search and arrest warrant of a subject selling firearms.
- e) ATF Oakland assisted CHP with a search warrant execution for a subject wanted for a firearm possession. This subject was located and arrested for her outstanding warrant.
- f) ATF Oakland and US Marshalls conducted surveillance and executed a search warrant for a murder suspect in Oakland.
- g) ATF Oakland assisted DEA with a CI buy operation for narcotics in west Oakland. The operation has not yielded to any arrest at the time but is continuing.
- h) ATF Oakland assisted OHAPD with a shooting investigation. ATF Oakland alongside with OHAPD executed a search warrant in east Oakland regarding the shooting investigation. No arrest or firearms located.
- i) A takeover robbery occurred at Heller Jewelers in the City of San Ramon. The sophisticated armed-robbery crew encompassed approximately 13 suspects, some of whom were masked, and armed with handguns. The Crew was very organized, with on-site hostage takers/kidnappers, window smashers, merchandise grabbers, and designated getaway vehicles. During the robbery, approximately 1.1 million dollars in high-end jewelry was stolen. ATF Oakland took lead and executed several arrest warrants throughout the bay area, many in the city of Oakland, with the assistance of several state, local, and federal agencies. The execution of the warrants led to recovery of several firearms, ammunition, and items taken from the robbery.
- j) Oakland ATF along with Ceasefire conducted an operation to locate and arrest two federal fugitives. The operation that day was unsuccessful, but the subjects were located and arrested on a separate date and time.
- k) CGIC notified the Oakland ATF office about a subject who was the primary aggressor in a shooting. A federal warrant was authored and executed. The subject was arrest under federal charges and is currently being held in federal custody.
- l) ATF along with Fremont Task force executed a federal search warrant for a subject involved in several robberies. The warrant led to the recovery of firearms at the residence in Oakland.
- m) Oakland ATF assisted with a non-fatal shooting investigation in a known gang area. OHAPD took lead and identified a shooter. With the collaboration between both agency the suspect was taken into custody.
- n) Oakland ATF assisted Ceasefire in the execution of a warrant in a known gang location. The operation itself was a success.
- o) Oakland ATF assisted the US Marshalls with the execution of a warrant. The well planned out operation led to the arrest of several subjects who were found hiding in a warehouse.
- p) CGIC, OHAPD and Oakland ATF collaborated in locating and arresting a subject who had been arrested several times this year in possession of a firearm. This same subject was now a person of interest in a recent shooting. Through the partnership, the suspect was located and arrested for his outstanding state warrant. While attempting to arrest the subject, a firearm was located, and federal charges were brought forward. The subject in this investigation is currently in federal custody.
- q) Oakland ATF is currently conducting operations in known narcotic areas. These areas have recently been victims of shootings and homicides. Oakland ATF goal is to locate these subjects armed with firearms and to find intelligence to assist OPD in solving their murder cases.

**2. Number of “duty to warn” cases:** None

**3. General types of cases:** Firearms investigations, NIBIN/CGIC investigations and Federally adopted State firearm cases.

**4. Number of times the ATF asked OPD to perform/OPD declined to perform:** None.

**a. Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

**Note: When criteria is met for federal charging, consideration is provided to ATF through task force or officer.**

### **Operations**

1. Number of times use of undercover officers were approved: 0
2. **Number of instances where OPD Task Force officer managed informants: 0**
3. **Number of cases involving informants that ATF Task Force Officer worked on:** All cases except adopted cases.
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
  - a. **Number of such requests that were denied:** N/A
  - b. **Reason for denial:** N/A
5. **Whether ATF Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

### **Training and Compliance**

1. **Description of training given to ATF Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the ATF Task Force follows all OPD policies and has received several trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the ATF Task Force MOU.
2. **Date of last training update:** Continuous Professional Training, 2023. Monthly training and quarterly training.
3. **Frequency with which ATF Task Force Officer briefs OPD supervisor on cases:** Weekly

### **Actual and Potential Violations of Local/State Law**

1. **Number of actual violations:** OPD will provide information on law and/or policy violations that are in connection with an officer's task force work, and subject to release under California's Public Records Act, Government Code section 6254 (the "PRA") and/or Cal. Penal Code 832.7. Disclosure of violations not connected to task force work is outside the scope of OMC 9.72. Disclosure of violations beyond those mandated or permitted by statute to be disclosed would violate the prohibition on disclosing personnel or other confidential records set forth in Cal. PC 832.7 & 832.8. OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
2. **Number of potential violations:** Same answer as above.
3. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

### **Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)**

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No
2. **Whether OPD officer receives SAR information:** No

### **Command Structure for OPD Task Force Officer**

- 1. Reports to whom at ATF?** Resident Agent in Charge (RAC) Chris Bailey.
- 2. Reports to whom at OPD?** Sergeant Dave Ernst and Lieutenant Steve Valle



# OAKLAND POLICE DEPARTMENT

## Drug Enforcement Agency (DEA) Task Force

### 2023 Annual Report

#### OPD DEA Task Force

The DEA State and Local Task Force combines federal leverage and the specialists available to the DEA with state and local officers' investigative talents and detailed knowledge of their jurisdiction to lead drug law enforcement investigations. The DEA shares resources with state and local officers, thereby increasing the investigative possibilities available to all. Participation in DEA Task Forces also allows the DEA to pay for the overtime and investigative expenses of participating police agencies.

#### Staffing

1. **Number of full and part time Oakland Police Department (OPD officers assigned to DEA Task Force:** One full-time officer
2. **Number of hours worked as DEA Task Force Officer:** Regular 40 hours per week.
3. **Funding source for DEA Task Force Officer salary:** OPD Budget

#### Other Resources Provided

1. **Communication equipment:** OPD handheld radio, cellular phone
2. **Surveillance equipment:** None.
3. **Clerical/administrative staff hours:** None
4. **Funding sources for all the above:** OPD Budget

#### Cases

1. **Number of cases DEA Task Force Officer was assigned to:** – case detail breakdown:

The goal of the Taskforce is to conduct targeted investigations into specific drug trafficking organizations (DTO) and the individuals within the DTOs who are engaged in high level narcotics distribution and trafficking. By conducting these longer federal investigations, the Taskforce is able to ensure entire DTO's are dismantled. Confronting and weakening DTOs closes off specific avenues in which drugs flow into the community. The Taskforce focuses primarily on heroin, methamphetamine, fentanyl, and cocaine trafficking; the Taskforce does not conduct any marijuana investigations.

**Below is a summary of the cases worked on in 2023:**

#### Investigation of the Maxfer PALMA DTO:

The DEA Oakland Resident Task Force Group, working in conjunction with the Oakland Police Department (OPD), arrested Maxfer PALMA in 2023, a fentanyl and methamphetamine dealer operating the San Francisco Tenderloin District of California. To this date, this investigation has seized approximately 963.6 gross grams of fentanyl, 1.5 pounds of methamphetamine, and one privately manufactured firearm.

#### OCDETF Operation: YAHUALICA

This investigation was initiated by the Drug Enforcement Administration (DEA) Oakland Resident Office Task Force Group (OTFG) into the drug trafficking activities of Julio Cesar PALAFOX, a Mexican-based drug trafficker that supplies several high-level poly-drug traffickers in Contra Costa County. PALAFOX is believed to coordinate distribution of pound quantities of narcotics from Yahuallica, Mexico to the Bay Area. The members within this organization are referred to as the YAHUALICA DTO, due to their connection to CJNG (Cartel Jalisco New Generation) and Yahuallica, Mexico. This investigation has resulted in the seizures of approximately 124 pounds of methamphetamine, 25 pounds of fentanyl, two (2) kilograms of cocaine, three (3) firearms, and \$37,540 USC. This investigation also has resulted in six (6) federal indictments and 10 pending federal indictments.

#### OCDETF Operation: COLOR WALK

This investigation was initiated by the Drug Enforcement Administration (DEA) Oakland Resident Office Task Force Group (OTFG) into the drug trafficking activities of the GALLARDO-CASTRO Drug Trafficking Organization (DTO), led by Yobani GALLARDO-CASTRO, a Mexican-based drug trafficker. Based on this investigation, the Sinaloa Cartel supplies the GALLARDO-CASTRO DTO with fentanyl from Tijuana, Mexico and Los Angeles, CA. The GALLARDO-CASTRO DTO receives high purity uncut fentanyl from the Sinaloa Cartel who then re-distributes to multiple distribution cells operated by Honduran nationals throughout the San Francisco and Seattle metropolitan areas. Due to poor weather climate, violence, and economic instability in Honduras, a large exodus of Honduran Nationals began to flee to Mexico. The Sinaloa Cartel saw an opportunity to exploit the fleeing Honduran Nationals by offering to smuggle them into the San Francisco and Seattle metropolitan areas to operate fentanyl distribution cells. In return, the Honduran national will repay the Sinaloa Cartel by selling fentanyl in these areas. These distribution cells utilize cutting agents such as mannitol to dilute the fentanyl for greater profit margin and easier consumption for their fentanyl users. The GALLARDO-CASTRO DTO utilizes corrupt employees from money service businesses to repatriate fentanyl proceeds to the Sinaloa Cartel in Mexico and family members in Honduras to build large luxury homes. Through the investigative collaborated efforts of 18 U.S. and foreign law enforcement agencies, that resulted in the dismantlement of the GALLARDO-CASTRO DTO. This investigation has resulted in the arrest of 17 fentanyl traffickers/money launderers, the seizure of approximately 21 pounds of fentanyl, one pound of cocaine, one pound of crystal methamphetamine, fourteen ounces of heroin, Marijuana, two (2) vehicles, \$7,000 of U.S. currency, and the dismantlement of the GALLARDO-CASTRO DTO.

2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Narcotics investigations and money laundering investigations
4. **Number of times the DEA asked OPD to perform/OPD declined to perform:** None
  - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

#### Operations

1. **Number of times OPD officers were involved in undercover investigations:** OPD personnel were assigned in plain clothes or undercover capacity to approximately six investigations.
2. **Number of instances where OPD Task Force officer managed informants:** 0
3. **Number of informant-involved cases in which the OPD DEA Task Force Officer actively participated:** All
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None
  - a. **Number of such requests that were denied:** N/A
  - b. **Reason for denial:** N/A

5. **Whether DEA Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No

### **Training and Compliance**

1. **Description of training given to DEA Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the DEA Task Force follows all OPD policies and has received several police trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the DEA Task Force MOU.
2. **Date of last training update:** Continuous professional training (CPT) (yearly).
3. **Frequency with which DEA Task Force Officer briefs OPD supervisor on cases:** Weekly

### **Actual and Potential Violations of Local/State Law**

1. **Number of actual violations:** OPD will provide information on law and/or policy violations that are in connection with an officer's task force work, and subject to release under California's Public Records Act, Government Code section 6254 (the "PRA") and/or Cal. Penal Code 832.7. Disclosure of violations not connected to task force work is outside the scope of OMC 9.72. Disclosure of violations beyond those mandated or permitted by statute to be disclosed would violate the prohibition on disclosing personnel or other confidential records set forth in Cal. PC 832.7 & 832.8. OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
2. **Actions taken to address actual or potential violations:** The officer follows OPD policies, except where DEA policies are more restrictive. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with State and Federal laws. Going forward, OPD will consult with Office of the City Attorney on a biannual basis.
3. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

### **Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)**

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
2. **Whether OPD officer receives SAR information:** No.

### **Command Structure for OPD Task Force Officer**

1. **Reports to whom at DEA?** HIDTA Task Force Group Supervisor Sammy Pang
2. **Reports to whom at OPD?** Lieutenant Steve Valle.





# OAKLAND POLICE DEPARTMENT

## FBI Child Exploitation Taskforce

### 2023 Annual Report

#### **OPD FBI Child Exploitation Taskforce Mission:**

The mission of the Child Exploitation and Human Trafficking Task Force (CEHTTF) is to provide a rapid, proactive, and intelligence-driven investigative response to the sexual victimization of children, other crimes against children, and human trafficking within the FBI's jurisdiction; to identify and rescue victims of child exploitation and human trafficking; to reduce the vulnerability of children and adults to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence-sharing, technical support, and investigative assistance.

The taskforce follows the following goals and priorities:

1. To rescue victims of sex trafficking that are being exploited on both city streets and through internet crimes.
2. To arrest those individuals who are in violation of prostituted related offenses including 647(a), 647(b), 653.23 P.C, 266 PC, 236.1 PC.
3. To gather intelligence and possibly initiate/pursue investigations on cases involving Human Trafficking or other criminal acts.
4. To assist OPD/FBI investigators on any open/active criminal case. Utilize Federal, state, and local resources to locate victims of Human Trafficking and Child Exploitation and look for opportunities to prosecute the subjects Federally.

The defined priority threats that are aligned with the mission of the CEHTTFs are:

1. Child Abductions (Non-Ransom and Ransom)
2. Production/Manufacturing of Child Pornography
3. Sextortion
4. Electronic Groups/Organizations/Enterprises for Profit
5. Travelers/Enticement
6. Traders/Distributors of Child Pornography
7. Interstate Transportation of a Minor with Intent that Minor Engage in Any Illegal Sexual Activity
8. Human Trafficking
9. Child Sex Trafficking
10. Adult Sex Trafficking
11. Forced Labor
12. Domestic Servitude
13. International Parental Kidnapping
14. Possessors of Child Pornography
15. Child Sex Tourism
16. Unlawful Flight to Avoid Prosecution – Parental Kidnapping
17. All other Crimes Against Children and Human Trafficking matters within the FBI's jurisdiction

#### **Staffing**

4. **Number of full and part time Oakland Police Department (OPD officers assigned to FBI Task Force:** All Part-Time: (1 Lieutenant, 1 Sergeant and 2 Officers work Part-time Overtime Juvenile Rescue and Internet Crimes Against Children Operations)
5. **Number of hours worked as FBI Task Force Officer:** Each part-time TFO works on average 8 hours a week.
6. **Funding source for FBI Task Force Officer salary:** FBI

### Other Resources Provided

5. **Communication equipment:** OPD handheld radio, cellular phone
6. **Surveillance equipment:** Cellebrite machine, GoPro camera
7. **Clerical/administrative staff hours:** None
8. **Clerical/administrative equipment:** laptop computers, hard drives, vehicle usage
9. **Funding sources for all the above:** OPD Budget funds all OPD personnel standard salary and benefits; the FBI in 2023 reimbursed OPD for overtime expenses worked by the federally-deputized OPD members.

### Cases

1. **Number of cases FBI Task Force Officer was assigned to:** 7 separate cases; the taskforce conducted over 41 operations in the city of Oakland related to these cases. The results were the following:
  - a. Eighty-six (86) female adults were arrested for solicitation of prostitution (647(a) and (b) PC). They were all offered resources by a combination of several non-profit sexual assault advocate agencies.
  - b. Sixty (60) male adults were arrested for solicitation of prostitution (647(a) and (b) PC). The Special Victim Section followed up with "Dear John" letters to applicable residences.
  - c. Sixteen (16) female juveniles were rescued from Human trafficking. They were all provided resources by a combination of several non-profit sexual assault advocate agencies.
  - d. Thirteen (13) sex traffickers were arrested and charged with human trafficking (236.1, 266 PC) as a direct result of operations.
  - e. The OPD/FBI VICE/Child Exploitation Unit Task Force vetted hundreds of child pornography cyber tips in 2023. This resulted in over 200 search warrants. Six (6) subjects were arrested and prosecuted for Child Pornography (311.11 PC).
  - f. The OPD/FBI VICE/Child Exploitation Unit Task Force has provided unmarked vehicles for the use of human trafficking investigations and operations.
5. **Number of "duty to warn" cases:** None
6. **General types of cases:** Human Trafficking and Internet Crimes
7. **Number of times the FBI asked OPD to perform/OPD declined to perform:** None
  - b. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

### Operations

6. **Number of times OPD officers were involved in undercover investigations:** 41 Operations that included undercover officers
7. **Number of instances where OPD Task Force officer managed informants:** None
8. **Number of informant-involved cases in which the OPD FBI Task Force Officer actively participated:** None
9. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None
  - c. **Number of such requests that were denied:** N/A
  - d. **Reason for denial:** N/A

10. **Whether FBI Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No

### Training and Compliance

4. **Description of training given to FBI Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the FBI Task Force follows all OPD policies and has received several police trainings, including but not limited to: Continual Professional Training (CPT), Procedural Justice Training and annual firearms training. OPD VICE/CEU Officers have attended collaborative FBI surveillance training and monthly Innocence Lost meetings. The officer has also reviewed all provisions of the FBI Task Force MOU.
5. **Date of last training update:** FBI taskforce training in
6. **Frequency with which FBI Task Force Officer briefs OPD supervisor on cases:** Weekly

### Actual and Potential Violations of Local/State Law

4. **Number of actual violations:** There were zero reportable potential or actual violations of law or policy during the reporting period.
5. **Number of potential violations:** Same answer as above.
6. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
7. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

### Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

3. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
4. **Whether OPD officer receives SAR information:** No.

### Command Structure for OPD Task Force Officer

3. **Reports to whom at FBI?** Resident Agent in Charge (RAC) Martha Parker
4. **Reports to whom at OPD?** Task Officer reports to Sergeant of the SVS/VICE unit, who is currently Sgt. Marcos Campos. The Sergeant reports to the Lieutenant of Special Victims Section is Lt. James Pulsipher.



# OAKLAND POLICE DEPARTMENT

## Federal Bureau of Investigations (FBI)

### Violent Crimes / Safe Streets Taskforce

## 2023 Annual Report

### OPD FBI Violent Crimes Taskforce

The OPD FBI Violent Crimes Taskforce which falls under The FBI's Safe Streets initiative, is a collaborative effort to address violence crimes within our community. The task force pursues violent gangs through sustained, proactive, coordinated and intelligence led investigations to obtain prosecutions that will further public safety while reducing harm and law enforcement's footprint.

### Staffing

7. **Number of full and part time OPD officers assigned to FBI Task Force:** Two full-time officers and one full-time sergeant.
8. **Number of hours worked as FBI Task Force Officer:** Regular 40 hours per week. However, the task force officers would assist other OPD operations based on OPD needs and priorities and whether there are active investigations.
9. **Funding source for FBI Task Force Officer salary:** OPD Budget.

### Other Resources Provided

10. **Communication equipment:** None.
11. **Surveillance equipment:** None.
12. **Clerical/administrative staff hours:** None.
13. **Funding sources for all the above:** OPD Budget.

### Cases

8. **Number of cases FBI Task Force Officer was assigned to:** Fifty-six homicide cases were re-examined by the FBI Task Force
  - a. Seventeen of these cases were at the request of the family, nineteen of these cases were due to improvement in evidence processing / testing, and twenty cases were initiated by the Task Force officers. Of all these cases, twelve of them were solved by the Task Force.
  - b. There are also twelve additional ongoing homicide cases in which the FBI Evidence Response Team (ERT) has processed evidence in these cases. The ERT consist of FBI agents and analysts that are specialists in processing and collection of evidence from locations such as residences and vehicles.
9. **Number of "duty to warn" cases:** N/A
10. **General types of cases:** Homicides cases involving suspects identified in violent gangs / groups, and cold case homicides
11. **Number of times the FBI asked OPD to perform/OPD declined to perform:** None.
  - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

## Operations

11. **Number of times OPD officers were involved in undercover investigations:** Five
12. **Number of instances where OPD Task Force officer managed informants:** None.
13. **Number of informant-involved cases in which the OPD FBI Task Force Officer actively participated:** Two.
14. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
  - e. **Number of such requests that were denied:** N/A
  - f. **Reason for denial:** N/A
15. **Whether FBI Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

## Training and Compliance

7. **Description of training given to FBI Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officers assigned to the FBI Task Force follow all OPD policies and are required to attend and comply with all trainings requirements for OPD officers. They are all currently up to date with their required annual / policy trainings. The officers have also reviewed all provisions of the FBI Task Force MOU.
8. **Date of last training update:** November 2023
9. **Frequency with which FBI Task Force Officer briefs OPD supervisor on cases:** Weekly

## Actual and Potential Violations of Local/State Law

8. **Number of actual violations:** There were zero reportable potential or actual violations of law or policy during the reporting period.
9. **Number of potential violations:** Same answer as above.
10. **Actions taken to address actual or potential violations:** The officers follow OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
11. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

## Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

5. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
6. **Whether OPD officer receives SAR information:** No.

### Command Structure for OPD Task Force Officer

5. **Reports to whom at FBI?** Supervisory Special Agent Darin Heideman
6. **Reports to whom at OPD?** Lieutenant Bradley Baker



# OAKLAND POLICE DEPARTMENT

## Secret Service

### 2023 Annual Report

#### OPD United States Secret Service (USSS) Agreement

OPD and the USSS formalized an agreement related to the USSS Bay Area Identify Theft Strike Force / Electronic Crimes Task Force ("Task Force"). The Memorandum of Understanding (MOU) was signed by both parties in 2009 and articulates rules for reimbursement of participating OPD officers when working on overtime on official Task Force investigations.

#### Staffing

- 10. Number of full and part time OPD officers assigned to USSS Task Force:** One part time officer, who also assists in Criminal Investigations Division (CID) General Crimes Unit (GCU).
- 11. Number of hours worked as USSS Task Force Officer:** Currently the task force officer spends most of their time in the GCU and works with the USSS to assist with active investigations as needed. The assigned officer also uses the USSS task force to assist with digital forensic searches including computers and cell phones.
- 12. Funding source for USSS Task Force Officer salary:** OPD Budget – funded by OPD General Purpose Fund.

#### Other Resources Provided

- 14. Communication equipment:** OPD handheld radio and OPD cellular telephone.
- 15. Surveillance equipment:** None.
- 16. Clerical/administrative staff hours:** None.
- 17. Funding sources for all the above:** OPD Budget.

#### Cases

- 12. Number of cases USSS Task Force Officer was assigned to:** This past year the USSS assisted OPD with thirteen cases involving felony assault, robbery and homicide. The thirteen cases involved extractions from Digital Video Recorder(s) (DVR), Computer Monitor(s) and Cellular Telephone(s). The USSS has provided OPD with equipment and training to download video surveillance from DVR's, Computer Monitors and Cellular Telephones. The USSS also provided OPD with equipment and training to conduct investigations on digital currency investigations.
- 13. General types of cases:** Fraud and Identity Theft Investigations
- 14. Number of times the USSS asked OPD to perform/OPD declined to perform:** None.
  - b. Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

#### Operations

- 16. Number of times OPD officers were involved in undercover investigations:** None
- 17. Number of instances where OPD Task Force officer managed informants:** None.

18. **Number of informant-involved cases in which the OPD USSS Task Force Officer actively participated:** None
19. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
  - g. **Number of such requests that were denied:** N/A
  - h. **Reason for denial:** N/A
20. **Whether USSS Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

### Training and Compliance

10. **Description of training given to USSS Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the USSS Task Force follows all OPD policies and has received several trainings, including but not limited to: Continual Professional Training (CPT), Procedural Justice Training, Project Reset and Annual Firearms Training. The officer has also reviewed all provisions of the USSS Task Force MOU.
11. **Date of last training:** January 2022 Video Surveillance Recovery; October 2022 Crisis Recognition and Response; September 2023 Digital Currency Investigations; December 2023 CPT
12. **Frequency with which USSS Task Force Officer briefs OPD supervisor on cases:** Daily

### Actual and Potential Violations of Local/State Law

1. **Number of actual violations** OPD will provide information on violations that are subject to release under California Public Records Act (the "PRA"), Government Code section 6254. Release of any of the violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
2. **Number of potential violations:** Same answer as above.
3. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

### Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

7. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
8. **Whether OPD officer receives SAR information:** No.

### Command Structure for OPD Task Force Officer

7. **Reports to whom at USSS?** Special Agent in Charge (SAIC) Sean Bradstreet
8. **Reports to whom at OPD?** Acting Sergeant Dustin Filice and Acting Lieutenant Alexis Nash



# OAKLAND POLICE DEPARTMENT United States Marshals Service (USMS) 2023 Annual Report

## OPD USMS Taskforce

The USMS is responsible for enforcing federal court orders and serves as the administrative custodian of all federal warrants until they are executed or dismissed. The USMS also manages warrant information, investigates fugitive matters and executes arrest warrants.

The U.S. Marshals have a long history of providing assistance and expertise to other law enforcement agencies in support of fugitive investigations. The USMS Task Forces does not conduct an independent investigation of possible criminal activity. The USMS only seeks to apprehend individuals with active arrest warrants issued for them related to crimes which have targeted local residents. These crimes include; murder, rape, child molestation, robberies, felony assaults and large scale fraud operations. USMS TFs work by leveraging local police intel as well as well as other data sources (e.g. database searches, open source social media inquiries, and interviews of associates/ and family members).

## Staffing

- 13. Number of full and part time OPD officers assigned to USMS Task Force:** One full-time officer.
- 14. Number of hours worked as USMS Task Force Officer:** Regular 40 hours per week. However, the OPD officer sometimes is asked to assist with OPD operations. The work assignment of this officer is based on OPD needs and priorities and whether there are active investigations.
- 15. Funding source for USMS Task Force Officer salary:** OPD VCOC SUPPRESSION FUNDING.

## Other Resources Provided

**Communication equipment:** OPD/USMS radio, cellular phone, laptop.

- 18. Surveillance equipment:** None.
- 19. Clerical/administrative staff hours:** None.
- 20. Funding sources for all the above:** USMS Funds

## Cases

- 1. Number of cases USMS Task Force Officer was assigned to:** 394; a breakdown of fugitive apprehensions by originating crime type is provided below.

<b>Originating Crime Type Leading To Warrant</b>	<b>Amount</b>
Homicide	110
Robbery	74
Assault	60



Weapons Charges	50
Burglary	22
Rape	23
Aiding Escapee	0
Molesting a Minor	0
Kidnapping	8
Other (e.g. Hit and Run, PAL*, Probation)	47
<b>Total</b>	<b>394</b>

\*PAL=parolee at large

2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Local, state, and federal criminal arrest warrants.
4. **Number of times USMS asked OPD to perform/OPD declined to perform:** None
  - c. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

### Operations

21. **Number of times OPD officers were involved in undercover investigations:** None.
22. **Number of instances where OPD Task Force officer managed informants:** None.
23. **Number of informant-involved cases in which the OPD USMS Task Force Officer actively participated:** None.
24. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
  - i. **Number of such requests that were denied:** N/A
  - j. **Reason for denial:** N/A
25. **Whether USMS Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

## Training and Compliance

- 13. Description of training given to USMS Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the USMS Fugitive Task Force follows all OPD policies and procedures, and has received several police trainings, including, but not limited to continued professional training, procedural justice training, and annual firearms training.
- 14. Date of last training update:** PLX Penlink Cell phone and Social media investigations May 11<sup>th</sup> – 13<sup>th</sup> May 17<sup>th</sup> – 18<sup>th</sup> and June 12<sup>th</sup>, 2023. CATO Diversionary Device Instructor Course August 24<sup>th</sup> – 25<sup>th</sup>, 2023. Patrol Rifle Officer Training November 2<sup>nd</sup>, 2023. (Ofc. K. Mangal received all this training)
- 15. Frequency with which USMS Task Force Officer briefs OPD supervisor on cases:** Daily.

## Actual and Potential Violations of Local/State Law

- 12. Number of actual violations:** OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
- 13. Number of potential violations:** Same answer as above.
- 14. Actions taken to address actual or potential violations:** The Task Force Officer follows OPD policies. **USMS Task Force Supervisor meets with OPD VCOC supervisor and commander weekly.** OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with State and Federal laws. **Going forward OPD will consult with City Attorney on a biannual basis.**
- 15. Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

## Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

- 9. Whether OPD Task Force Officer submits SARs to NCRIC:** No.
- 10. Whether OPD officer receives SAR information:** No.

## Command Structure for OPD Task Force Officer

- 9. Reports to whom at USMS?** U.S. Marshal Assistant Chief Inspector Gerry Gutierrez.
- 10. Reports to whom at OPD?** Sergeant David Ernst and Lieutenant Steve Valle.