



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: LeRonne L. Armstrong
Chief of Police

SUBJECT: Re-Allocate Funds To OPD
Missing Persons Unit And DVP
Supplemental Report

DATE: March 1, 2021

City Administrator Approval 

Date: Mar 3, 2021

RECOMMENDATION

Staff Recommends That City Council Receive A Supplemental Report From The Oakland Police Department In Response To the Resolution From Council Vice Mayor Rebecca Kaplan:

Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Adjustments, To:

- 1. Delete 1.00 Full Time Equivalent (FTE) Public Information Officer I Position In The Oakland Police Department (OPD) Public Information Office And Add 1.00 FTE Public Information Officer I Position In The OPD Missing Persons Unit;**
- 2. Delete 1.00 FTE Police Services Technician II Position In The OPD Special Victims Section And Add 1.00 FTE Police Services Technician II Position In The OPD Missing Persons Unit; And**
- 3. Delete 1.00 FTE Police Evidence Technician Position In The OPD Criminal Investigation Division And Add 1.00 FTE Police Evidence Technician Position In The OPD Missing Person Unit.**

Staff Recommends That City Council Reject The Proposed Resolution From Vice Mayor Rebecca Kaplan.

EXECUTIVE SUMMARY

The proposed resolution would delete a Public Information Officer (PIO), a Police Services Technician (PST) II and a Police Evidence Technician (PET) II from vital roles in the Public Information Office and the Criminal Investigation Division (CID) Special Victims Section (SVS) to increase the staffing in the CID Missing Persons Unit (MPU). This report shows that OPD has similar staffing in its MPU to other law enforcement agencies and that these positions in PIO and CID are extremely critical positions. The removal of these positions to MPU would lead to serious negative impacts – a loss of communication capacity, a loss of investigation coordination, and a loss to critical evidence gathering. OPD therefore recommends that the City Council reject the substance of this resolution.

BACKGROUND / LEGISLATIVE HISTORY

Vice Mayor Kaplan originally scheduled a report to the February 9, 2021 Public Safety Committee with the following information:

Adopt A Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Adjustments, To: 1. Delete 1.00 Full Time Equivalent (FTE) Public Information Officer I Position In The Oakland Police Department (OPD) Public Information Office And Add 1.00 FTE Public Information Officer I Position In The OPD Missing Persons Unit; 2. Delete 1.00 FTE Police Services Technician II Position In The OPD Special Victims Section And Add 1.00 FTE Police Services Technician II Position In The OPD Missing Persons Unit; And 3. Delete 1.00 FTE Police Evidence Technician Position In The OPD Criminal Investigation Division And Add 1.00 FTE Police Evidence Technician Position In The OPD Missing Person Unit

This resolution title was amended at the February 25, 2021 Rules Committee to the new title listed above in the Recommendation Section of this report.

City Council approved Resolution No. 88174¹ on June 23, 2020. This resolution amended the Adopted FY 2019-21 Biennial Budget. Included in the changes from the Adopted FY 2019-21 Budget was the civilianization of a sworn OPD Public Information Officer. A sworn Police Officer position was replaced in the OPD budget with a professional staff (non-sworn) Public Information Officer position.

ANALYSIS AND POLICY ALTERNATIVES

OPD Missing Persons Unit Staffing

In addition to the two Police Officers and one Police Services Technician II assigned full-time to investigate missing persons in OPD, the Juvenile Intake Unit (JIU) assists with missing person and runaway investigations. This unit is staffed 24 hours a day, seven days a week. JIU staff inputs all missing person/runaway data into the MUPS (Missing and Unidentified Persons System) database maintained by the California Department of Justice immediately upon receipt. They also update the Missing Persons' log and coordinate with OPD field personnel during preliminary investigations. JIU provides investigators with information and conducts follow up investigations as requested. JIU also conducts after hours missing person investigations.

OPD has a relatively large percentage of sworn personnel assigned to missing persons investigations as a percentage of overall sworn staffing, compared to several other large Northern California police departments (see **Table 1** below).

¹ <https://oakland.legistar.com/View.ashx?M=F&ID=8713343&GUID=AFE44689-4E76-4153-8B00-7581C1FDEE3F>

Table 1: Missing Persons Investigators in Large Northern California Cities

Police Department	Total Sworn FTE	Missing Persons Sworn FTE	Missing Persons Sworn as Percent of Total Sworn	Missing Persons Non-Sworn FTE
Oakland	786	2	.25	1
Sacramento	751	2	.27	1
San Francisco	2,290	3	.13	0
San Jose	1,157	2	.17	0

OPD uses a member of the Vice/Child Exploitation Unit to assist with cases involving suspected human trafficking or abuse. OPD requests assistance from the FBI on missing person cases or reports involving children where OPD suspects foul play (e.g., illegal conduct that has not yet been substantiated by probable cause).

Motion to Delete One FTE Public Information Officer I Position In the OPD Public Information Office and Add One FTE PIO I Position In the OPD Missing Persons Unit

On June 23, 2020, City Council approved the FY 2020-21 Midcycle Budget through the adoption of Resolution No. 88174 C.M.S. As noted above in the "Background and Legislative History" Section, Resolution No. 88174 C.M.S. included the civilianization of a sworn OPD Public Information Officer FTE position (this position has not yet been filled due to the current citywide hiring freeze). This budget change resulted in an annual savings of \$116,219 for FY 2020-21. These savings were already incorporated and were used to help balance the City of Oakland operating budget.

OPD now maintains only one budgeted FTE sworn officer PIO position in the Public Information Office, a professional staff Strategic Communications Manager FTE position, and one civilian PIO position (unfilled due to hiring freeze explained above). Additionally, an Officer assigned to the CID is assisting the Public Information Office with auxiliary duties as a liaison with CID related matters. Any staff assigned to the PIO or other positions within the Department are subject to vacation, training, sick and/or injured time off, leaving the key critical PIO position unfilled, therefore having two sworn officers serving as PIOs would be able to provide the necessary coverage with no lapse. OPD's ability to respond and communicate with the public benefits from maintaining two sworn positions, as sworn personnel have first-hand knowledge in the areas of investigating crimes and gathering and collecting evidence, which may provide a greater level of detail when reporting on critical incidents that occur in the city of Oakland.

As a result of the COVID-19 global pandemic, many city governments and local agencies have been adversely impacted, and the OPD Public Information Office is no exception. With one sworn position, the office has struggled with maintaining adequate coverage, keeping up with critical media timelines, responding to public records requests, and disseminating vital public safety awareness or information that legally needs to be shared with our community. This will continue to be a common occurrence if the office is cut by one sworn position.

The sworn PIO officers have the ability to exercise police authority while also serving as media liaisons, allowing for a dual role which enhances public, media, and officer safety. Therefore, OPDs Public Information Office already faces challenges of only having one sworn PIO funded position. Further position deletions would seriously impact OPDs ability to maintain its vital communications functions.

Motion to delete One FTE Police Services Technician II (PST II) Position In The OPD Special Victims Section and Add 1.00 FTE Police Services Technician II Position In the OPD Missing Persons Unit

The PST II positions in OPDs Criminal Investigations Division (CID) Special Victims Section (SVS) are responsible for several critical support functions. The PST II's daily functions directly assist the large number of victims the Section serves (domestic violence, sexual assaults, child abuse, human trafficking, and missing persons cases). The section has over 7,000 active investigations. The PST II ensures many of the required administrative duties are completed when investigators simply cannot complete them in a timely manner. The PST II position in SVS also helps to ensure that victims receive support referrals when investigators are unavailable due to charging, or overall case volume management; family referrals include city, county, and state resource information to assist with investigations. This happens especially during off hours where the investigators are not available.

One of the PST II position's most important duties is to answer the OPD JIU Desk line (staffed 24/7). PST IIs assist patrol officers, outside agencies, and facilitate field operations. PST IIs play a pivotal point of contact role for individuals who are trying to receive vital services - police services that are lifesaving in nature which include relocation and coordination of juvenile victims of crimes, family relocation services in certain cases, as well as other resources such as counseling and mediation. For example, if a PST II receives a call from a sexual assault victim and/or their family, the PST II will coordinate with sworn officers, City/County/State resources, and act as an intermediary between investigators and the victim's family. A juvenile rape victim may need services when the investigator is not available, and the PST II will help coordinate these resources until the investigator can be involved. The PST II is vital to making sure these connections stay current; the importance of having the availability of a CID SVS staff person to be able to speak with victims and provide needed information cannot be overstated.

In addition to the above, the PST II position is also directly responsible or assists with the following tasks:

- Reviewing 11,166 H&S Reports (Mandated Reporters) and completing crime reports.
- Processing in-custody juveniles;
- Ensuring cases are in the Law Enforcement Records Management System (LRMS) and properly assigned to throughout SVS. The PST II position is in constant communication with the OPD Records Division;
- Coordinating with diversion programs to provide juveniles with the opportunity to avoid being institutionalized;
- Entering missing persons into Missing Unidentified Persons System (MUPS²) and assisting with investigations;
- Downloading and providing Body Worn Camera footage to the District Attorney's Office and the Records Section;

² OPD inputs every missing person into the national system.

- Communicating with outside agencies to ensure OPD receives and distributes SVS reports and other documents;
- Entering information into the County Records Information Management System (CRIMS), LRMS, Cogent³, and juvenile disposition reports, the 24-hour log, the 606 files, and Field Based Reporting System;
- Processing hundreds of cases related to juveniles, juvenile hall, notices to appear and Center Force Youth Court;
- The Juvenile Intake and Intelligence Unit is responsible for processing over 254 intelligence requests from eight local, State, and Federal agencies. These requests range from providing photos, intelligence briefs, records checks, suspect identification, assisting in locating outstanding suspects, photo line ups, and social media inquiries;
- Processing over 607 juveniles at the Intake and Intelligence Desk while answering thousands of calls from the public and law enforcement; and
- The PST IIs have been extremely valuable in ensuring the Juvenile Intake and Intelligence Unit successfully passed all state and local inspections. The unit worked with the California Board of State and Community Corrections regarding the detention of minors.

There is currently one PST II assigned to the OPD CID Missing Persons Unit. This position is responsible for the following tasks:

- Investigating Missing Persons investigations;
- Auditing MUPS and LRMS to ensure data is correct related to Department of Justice guidelines;
- Reviewing and auditing all Missing Persons reports generated by patrol units;
- Providing guidance and instruction to patrol officers on proper procedures and preliminary investigative steps;
- Communicating with family members;
- Assisting the Sergeant with managing 1,623 missing persons/runaway cases;
- Conducting missing person investigations through the Juvenile Intake and Intelligence Desk outside of normal business hours, resulting in the closure of 9 cases and saving thousands of dollars in overtime; and
- Creating and distributing missing persons fliers.

Motion to delete One Police Evidence Technician (PET) II in OPD CID and add one FTE PET II Position in the OPD Missing Persons Unit

The PET IIs assigned to CID are responsible for working with community members and residents to retrieve thousands of videos which are crucial pieces of evidence in homicides, robberies, felony assaults, burglaries, and sexual assaults. The training and expertise the PETs develop and maintain allows for the proper evidence processing and evidence chain of custody requirements. Evidence recovery is critical to investigatory work; there would be a huge burden on investigators to tackle this work without the PET support. The loss of this position could result in vital evidence not collected. Alternatively, OPD may need to rely on additional overtime backfill to fund the evidence gathering work of this position.

³ Juvenile-based system the PSTs and JIU officers use to keep juvenile arrests confidential.

Conclusion

Assigning additional OPD personnel to missing persons investigations would result in diminished services elsewhere in the organization and the community. Even reassigning a single officer from patrol would result in longer response times or increased use of overtime to fill an open beat. Reassigning personnel from the Criminal Investigations Division would have equal or more serious impacts, resulting in fewer officers investigating violent crime such as shootings and homicides and increasing the time required to complete investigations as well as decreasing closure rates. Reassigning personnel from elsewhere in OPD would result in failure to perform administrative work mandated by the Negotiated Settlement Agreement, the Police Commission, City Administration, or City Council.

FISCAL IMPACT

There is no fiscal impact associated with this supplemental report.

PUBLIC OUTREACH / INTEREST

There was no public outreach required for the preparation of this report beyond standard City Council noticing requirements.

COORDINATION

This report was reviewed by the Office of the City Attorney and the Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: There is no economic impact associated with this report.

Environmental: There are no environmental impacts associated with this report.

Race and Social Equity: Enacting the resolution proposed by Vice Mayor Kaplan will result in detrimental impacts to crime investigations across the city. Unfortunately, people from Black, Indigenous and People of Color (BIPOC) communities disproportionately face exposure to crime in Oakland. Therefore, negative impacts to OPDs communication and investigations will disproportionately impact these same communities.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That City Council Receive This Supplemental Report From The Oakland Police Department In Response To the Resolution From Council Vice Mayor Rebecca Kaplan:

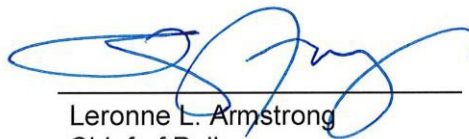
Resolution Amending Resolution No. 88174 C.M.S., Which Adopted The Fiscal Year 2020-21 Mid-Cycle Budget Adjustments, To:

1. Delete 1.00 Full Time Equivalent (FTE) Public Information Officer I Position In The Oakland Police Department (OPD) Public Information Office And Add 1.00 FTE Public Information Officer I Position In The OPD Missing Persons Unit;
2. Delete 1.00 FTE Police Services Technician II Position In The OPD Special Victims Section And Add 1.00 FTE Police Services Technician II Position In The OPD Missing Persons Unit; And
3. Delete 1.00 FTE Police Evidence Technician Position In The OPD Criminal Investigation Division And Add 1.00 FTE Police Evidence Technician Position In The OPD Missing Person Unit.

Staff Recommends That City Council Reject The Proposed Resolution From Vice Mayor Rebecca Kaplan.

For questions about this report, please contact Captain Paul Figueroa, OPD, Criminal Investigations Division, at pfiguerora@oaklandca.gov.

Respectfully submitted,



Leronne L. Armstrong
Chief of Police
Oakland Police Department

Reviewed by:
Darren Allison, Assistant Chief of Police
OPD, Office of Chief of Police

Kiona Suttle, Acting Deputy Director
OPD, Bureau of Services

Paul Figueroa, Captain of Police
OPD, CID

James Beere, Acting Captain of Police,
OPD, CID, Homicide Section

Prepared by:
Bruce Stoffmacher, Legislation and Privacy Manager
OPD, Research and Planning