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OAKLAND

CITY OF OAKLAND

AGENDA REPORT

2007 SEP 27 AM 9:20

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Police Department
DATE: October 9, 2007

RE: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Two Hundred Twenty-Five Thousand Dollars (\$225,000) in Additional Grant Funds for the Human Trafficking Program from the U. S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Law Enforcement Response to Human Trafficking Grant Program; Extending the Contract with Cross-Sector Solutions, LLC for Consulting and Technical Services for an Additional Contract Amount of Sixty-Two Thousand Dollars (\$62,000); and Authorizing a Waiver of the Request for Proposal Process and a Waiver of the Local and Small Local Business Enterprise Provision

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate \$225,000 in additional grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Law Enforcement Response to Human Trafficking grant program. The resolution also authorizes a waiver of the Request for Proposal process and a waiver of the Local and Small Local Enterprise Provision to facilitate an extended contract for service with Cross-Sector Solutions, LLC for an additional amount not to exceed \$62,000 for consulting and technical services on behalf of the Police Department and the East Bay Task Force on Human Trafficking. The proposed program period is December 1, 2007 to May 31, 2009.

The ongoing goals of this program are to increase: (1) the identification of trafficking victims through the development of proactive law enforcement tactics, (2) the rescue of trafficking victims and the provision of needed services, and (3) the successful prosecution of human traffickers.

FISCAL IMPACT

Approval of the proposed resolution will authorize the application, acceptance and appropriation of U.S. Department of Justice, Office of Justice Programs grant program funds for the Police Department's Law Enforcement Response to Human Trafficking program for the project term of December 1, 2007 to May 31, 2009, in the estimated amount of \$225,000. Funding will be appropriated to the Federal Grant Fund (2112); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), in a Project Account to be determined.

Item: _____
Public Safety Comte.
October 9, 2007

The granting agency requires a minimum 33.33% (in-kind or cash) match (\$125,000) in order to qualify for application and receipt of the maximum federal grant award allocation. In-kind matching funds shall be provided by the Department based upon regular duty hours performed by sworn personnel associated with the program. The program will be managed by the Youth and Family Services Division Manager. Proposed expense allocations are as follows:

| Description and Use of Funds | Amount |
|---|------------------|
| Sworn Personnel: One Lieutenant, Two Sergeants and One Police Officer | 72,370 |
| Accountancy Services | 11,070 |
| Travel/Training | 20,000 |
| Computers, Printers, and Software | 23,760 |
| Office Supplies and Duplication | 6,112 |
| Cross-Sector Solutions, LLC - - Contract for Service | 62,000 |
| Translation Services | 9,000 |
| Confidential Informant Funds | 4,000 |
| City-Mandated Contract Assessment Fee (\$62,000 x 3%) | 1,860 |
| Central Services Overhead (\$83,440 x 17.77%) | 14,828 |
| Subtotal: | 225,000 |
| In-Kind Matching Funds (Source: Sworn Personnel) | 112,662 |
| Total Project Cost | \$337,662 |

Approval of this proposed resolution will also authorize the Oakland Police Department to enter into a contract with Cross-Sector Solutions, LLC in an amount not to exceed \$62,000 for the grant period of December 1, 2007 to May 31, 2009. Funding in the amount of \$62,000 is included as part of the Police Department's U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Law Enforcement Response to Human Trafficking grant request. Therefore, funding for this contract will be drawn from Federal Grant Fund (2112); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), in a Project Account to be determined.

The funding for the City-mandated contract compliance fee of \$1,860 (\$62,000 x 3%) will be drawn from the source listed above.

Item: _____
 Public Safety Comte.
 October 9, 2007

BACKGROUND

In 2004, the U.S. Government released demographic and regional breakdowns of trafficking victims. The estimates broke down global demographics of victims by sex, age, and type of exploitation, as well as by the flow of victims among six geographical regions (Africa, East Asia and the Pacific, Europe and Eurasia, Near East, South Asia, and the Western Hemisphere) and the United States.

The following are some notable statistics:

- Approximately 80 percent of the victims are female; 70 percent of whom are trafficked for the commercial sex industry.
- Roughly two-thirds of the global victims are trafficked intra-regionally within East Asia and the Pacific (260,000 to 280,000 people) and Europe and Eurasia (170,000 to 210,000 people).
- The largest number of people trafficked into the United States come from East Asia and the Pacific (5,000 to 7,000). The next highest numbers come from Latin America and from Europe and Eurasia, at between 3,500 and 5,500 victims from each.

In October 2004, the Oakland Police Department submitted its first application to the U.S. Department of Justice for the FY 2004 Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant. The Police Department was awarded \$450,000 in grant award funds for the period December 1, 2004 to November 30, 2007. (Resolution No. 79275 C.M.S., dated June 6, 2005). The current initiative is a continuation of the FY 2004 grant program and the Department's collaborative public safety efforts associated with the East Bay Task Force on Human Trafficking.

KEY ISSUES AND IMPACTS

Human trafficking refers, in part, to the recruitment, harboring and transportation of adults and youths through the use of force, fraud, or coercion for the purpose of commercial sexual activity, sexual exploitation, sweatshop labor, involuntary servitude, and other criminal activity.

Not restrained by boundaries or jurisdiction, human trafficking requires a coordinated, multi-jurisdictional response by law enforcement and non-government organizations. The funds received will be used to assist local communities in the development of sustainable and effective project coordination among federal, state, and local law enforcement, and with prosecutors and victim service providers.

The City of Oakland has seen increased incidents of human trafficking in two areas:

Item: _____
Public Safety Comte.
October 9, 2007

- The prostitution of minors by pimps. A survey by OPD in 2002 identified over 218 minors actively being prostituted. By September 2004, the number had doubled. The average age of these minors is between 12 and 17 years of age.
- Women, mostly Asian, being trafficked to different “massage parlors” throughout the Oakland / Bay Area. Undercover operation, surveillance and intelligence information received by OPD indicate approximately 70% of the massage parlors in the Oakland area are involved in criminal activity. During the past year, the majority of persons arrested from massage parlors fit a similar profile: Asian females, speaking no English, possessing no passport and/or other form of face identification. Many of these women were being held hostage - - to work off debts, by way of prostitution.

To a lesser extent, OPD personnel have also found persons (mostly female) being exploited in the restaurant industry, the garment industry, and the domestic labor market.

PROGRAM DESCRIPTION

The Oakland Police Department serves as the lead agency for grant administration and project coordination of an East Bay Task Force on Human Trafficking. The following local government agencies have partnered with OPD in the Task Force: Alameda County Office of the District Attorney, Alameda County Sheriff's Department, and the following police departments: Alameda, Albany, Berkeley, Emeryville, Fremont, Hayward, Livermore, Newark, and San Leandro. Non-government partner organizations on the Task Force will be: Asian Pacific Islander Legal Outreach, SAGE (Standing Against Global Exploitation) Project, Asian Women's Shelter, API (Asian Pacific Islander) Legal Outreach, Cameron House, Lawyer's Committee for Civil Rights, Narika (serving women who trace their origins to Bangladesh, Bhutan, India, Nepal, Pakistan, Sri Lanka and communities such as Fiji and the Caribbean), and Next Door Solutions.

The continued goals of the East Bay Task Force on Human Trafficking are:

- Increase public awareness and knowledge of the crime of human trafficking and its relationship to:
 - prostitution and other commercial sexual activity
 - sexual exploitation
 - sweatshops
 - domestic servitude
 - other criminal activity, and the impact on local communities

Item: _____
Public Safety Comte.
October 9, 2007

- Identify and rescue victims and neutralize criminal human trafficking enterprises.
- Facilitate the development of service protocols by developing and implementing training in the identification of trafficking victims
- Prosecute traffickers
- Ensure the safety and security of victims, through receipt of social services, for successful reentry to the community

The grant funds will be used to provide continued training and education to law enforcement, non-government organizations, emergency first responders, junior high and high school teachers, administrators and students. The training and education component fosters a stronger intelligence network in the Bay Area. This intelligence will aid Task Force members in identifying lesser known forms of human trafficking, such as involuntary servitude as a domestic, sweatshop worker, janitor, restaurant worker, migrant farm worker and hotel/tourist trade worker.

Task Force law enforcement activities and operations seek to discover, identify, and respond to the primary stages of human trafficking: Recruitment, control and transporting, and exploitation of victims. Operations will include undercover, surveillance, and decoy operations, Internet investigations and exercise of regulatory control practices on sex industry establishments and on those enterprises likely to exploit victims through other forms of labor.

Competitive RFP Waiver Justification: Cross-Sector Solutions, LLC

The U.S. Attorney's Office for the Northern District of California identified Cross-Sector Solutions, LLC to provide consulting and technical services to the Oakland Police Department and the East Bay Task Force on Human Trafficking.

The enactment of the East Bay Task Force on Human Trafficking program is predicated upon a collaborative partnership between the City of Oakland and Cross-Sector Solutions, LLC; with both agencies charged with primary administrative oversight for the initiative. This collaborative relationship was outlined within the context of the original grant proposal submission to the U.S. Department of Justice, Bureau of Justice Assistance. Accordingly, the allocation of grant funds from the grantor shall be specifically aligned with the proposed collaborative relationship between the Department and Cross-Sector Solutions, LLC.

Mr. Nicholas A. Sensley, MBA, will continue to provide consulting services, technical assistance, meeting facilitation and training to the Oakland Police Department and to the East Bay Task Force on Human Trafficking. Cross-Sector Solutions LLC is a company of international renown for providing qualitative and practical assistance to government and non-government organizations in combating human trafficking. Mr. Nicholas Sensley has worked to

Item: _____
Public Safety Comte.
October 9, 2007

combat human trafficking domestically and internationally since June of 2001; developing an innovative collaborative problem-solving model to enable an efficient process for anti-trafficking responses through multi-disciplinary collaborative work groups. The model, know as the “CARE Model,” has been very successful as the foundation for New York City’s law enforcement and Non Governmental Organizations (NGO) anti-trafficking working group (www.nyc-crt.org).

The CARE Model is considered the foundation model for the implementation of anti-trafficking working groups. Mr. Sensley is acknowledged as an international expert on problem-solving human trafficking by the US Department of Justice, the US Department of State, the Organization for Security and Co-operation in Europe, the International Centre for Migration Policy Development, and other international governments and organizations.

Cross-Sector Solutions, LLC is located in Santa Rosa, California and as such does not meet the City of Oakland’s twenty percent (20%) minimum participation requirement for professional service contracts of \$50,000 or more associated with Local and Small Local Business Enterprise Programs. A similar waiver was previously granted by City Council for this purpose (Resolution No. 79574, dated November 1, 2005).

For these reasons, the Police Department is requesting a waiver of the Request for Proposal process and the Local and Small Local Business Enterprise Provision to facilitate the development of a contract for service with Cross-Sector Solutions, LLC.

SUSTAINABLE OPPORTUNITIES

Economic

Reducing human trafficking activities will improve the City’s image as a safe place in which to conduct business, social and recreational activities. All equipment included in the spending plan will, whenever possible, be purchased locally.

Environmental

No environmental opportunities are anticipated.

Social Equity

The outreach efforts of the East Bay Task Force on Human Trafficking will seek to disseminate information to vulnerable populations and districts - - to put materials, “pocket items,” and other resources within reach of potential victims in order to alert them that help is available.

Item: _____
Public Safety Comte.
October 9, 2007

DISABILITY AND SENIOR CITIZEN ACCESS

There are no American with Disabilities Act (ADA) or senior access issues contained in this report.

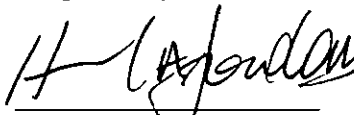
RECOMMENDATION

The Oakland Police Department recommends that the City Council adopt the resolution and authorize the City Administrator to accept grant funds in an amount not to exceed \$225,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Human Trafficking Grant Program in support of the Police Department's East Bay Task Force on Human Trafficking. The Department also recommends that the City Council authorize a waiver of the Request for Proposal process and a waiver of the Local and Small Local Business Enterprise Provision and authorize a contract for service in an amount not to exceed \$62,000 with Cross-Sector Solutions, LLC.

ACTION REQUESTED BY THE CITY COUNCIL

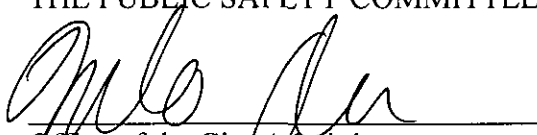
Staff recommends that the City Council approve the resolution.

Respectfully submitted,


FOR Wayne G. Tucker
Chief of Police

Prepared by: Lieutenant Kevin Wiley
Youth and Family Services Division
Bureau of Investigations
And
Candice Jessie
Budget and Grants Administrator
Bureau of Administration

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Item: _____
Public Safety Comte.
October 9, 2007

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 Rocio V. Qiziro
 City Attorney

 RESOLUTION No. _____ C.M.S.
 2007 SEP 27 AM 9:20

A REPORT AND PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000) IN ADDITIONAL GRANT FUNDS FOR THE HUMAN TRAFFICKING PROGRAM FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, LAW ENFORCEMENT RESPONSE TO HUMAN TRAFFICKING GRANT PROGRAM; EXTENDING THE CONTRACT WITH CROSS-SECTOR SOLUTIONS, LLC FOR CONSULTING AND TECHNICAL SERVICES FOR AN ADDITIONAL CONTRACT AMOUNT OF SIXTY-TWO THOUSAND DOLLARS (\$62,000); AND AUTHORIZING A WAIVER OF THE REQUEST FOR PROPOSAL PROCESS AND A WAIVER OF THE LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROVISION

WHEREAS, it is anticipated that additional grant funds totaling up to \$225,000 will be received from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2007 Human Trafficking Grant Program, for continued implementation and operation of the East Bay Task Force on Human Trafficking through the Police Department; and

WHEREAS, the proposed program period for the initiative is December 1, 2007 through May 31, 2009; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds by Resolution Number 79275 C.M.S., dated June 6, 2005; and

WHEREAS, the U.S. Attorney's Office for the Northern District of California recommends, and the Police Department desires to enter into an extended Contract for Service with Cross-Sector Solutions, LLC for an additional amount not to exceed \$62,000 for consulting and technical services on behalf of the Department and the East Bay Task Force on Human Trafficking, to be funded by the grant; and

WHEREAS, the proposed contractor, Cross-Sector Solutions, LLC, does not meet the City of Oakland's 20% minimum participation requirement for professional services contracts of \$50,000 or more associated with the Local and Small Local Business Enterprise Program, and the Police Department is requesting a waiver of said provision; and

WHEREAS,; the City Council previously authorized the issuance of a similar waiver for Cross-Sector Solutions, LLC in relationship to the Police Department's Human Trafficking grant program and the East Bay Task Force on Human Trafficking by Resolution Number 79574 C.M.S., dated November 1, 2005; now, therefore be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.051.B, the City Council hereby finds and determines that it is in the best interests of the City to waive the Request for Proposal process on the basis of the findings set forth in the Police Department’s report accompanying this resolution with regard to the contract with Cross-Sector Solutions, LLC for the implementation of the Human Trafficking Grant Program; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate an additional grant in an amount not to exceed \$225,000 from the U.S. Department of Justice, Office of Justice Programs, Law Enforcement Response to Human Trafficking Grant Program, to be allocated to the Federal Grant Fund (2112); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), in a Project Account to be determined; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into an extended contract for service with Cross-Sector Solutions, LLC in an additional amount not to exceed \$62,000 for the implementation of the Law Enforcement Response to Human Trafficking Grant Program, to be funded by the grant; and be it

FURTHER RESOLVED: That the City Council authorizes a waiver of the Local and Small Local Business Enterprise Program Provision in relationship to a Contract for Service with Cross-Sector Solutions, LLC for the Police Department’s Law Enforcement Response to Human Trafficking grant program; and be it

FURTHER RESOLVED: That grant funds received for the Law Enforcement Response to Human Trafficking Grant Program shall not be used to supplant expenditures controlled by the City of Oakland; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and contract for service; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with Cross-Sector Solutions, LLC as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

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