



CITY OF OAKLAND

AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: LeRonne L. Armstrong
Chief of Police

SUBJECT: OPD Alameda County Auto Theft
Taskforce MOU

DATE: June 1, 2021

City Administrator 
Approval

Date Jun 23, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) With The Alameda County District Attorney's Office (ACDA), The California Highway Patrol (CHP), The Alameda County Probation Department (ACPD) And The Alameda County Sheriff's Office (ACSO) To Participate In The Alameda County Regional Auto Theft Task Force (ACRATT), From July 1, 2021 through June 30, 2026.

EXECUTIVE SUMMARY

An MOU with ACRATT will allow the Oakland Police Department (OPD) to partner with several Alameda County law enforcement agencies through a concerted focus on reducing automobile theft. The ACRATT is designed to bring resources to this consistent crime occurrence, support inter-agency collaboration, information diffusion and investigative effectiveness. The MOU also stipulates how combined agencies can equitably share funds that are made available from asset forfeiture which occasionally occurs as part of vehicle theft investigations. The Alameda County Probation Department participates in ACRATT specifically to ensure that taskforce members are aware when probationers are connected to investigations to avoid unnecessary law enforcement contact.

The City Administrator signed this MOU in December 2016. However, OPD does not have authority to sign inter-agency agreements without Council approval. Therefore, OPD cannot participate in ACRATT without Council approval. Staff believe that ACRATT enhances public safety for Oakland residents and visitors through inter-agency collaboration. Staff therefore recommends that the City Council adopt the resolution which will allow the City Administrator or designee to enter into a new ACRATT MOU.

BACKGROUND AND LEGISLATIVE HISTORY

The mission of ACRATT is to reduce vehicle theft in Alameda County through proactive enforcement efforts, officer training and public awareness. ACRATT, authorized through this resolution, is composed of members of the Alameda County District Attorney's Office (ACDA),

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The California Highway Patrol (CHP), The Alameda County Probation Department (ACPD) and the Alameda County Sheriff's Office (ACSO), as well OPD.

ACRATT member cities have been partnering since approximately 1999, to confront auto theft crime more efficiently. Law enforcement agencies participating through the ACRAT recovered 1,289 vehicles in 2020. These vehicles have an estimated value of \$13,134,058. ACRATT estimates that 80 percent of the vehicles recovered were stolen in Oakland.

ANALYSIS AND POLICY ALTERNATIVES

ACRATT helps OPD find vehicles stolen in Oakland – but also helps recover vehicles belonging to residents of other Alameda County and Bay Area cities. Abandoned vehicles can also be a nuisance to Oakland neighborhoods; ACRATT data sharing helps Oakland neighborhoods by recovering these stolen vehicles.

The taskforce agreement will allow OPD to assign a taskforce member to ACRATT and participate in the taskforce through a formally signed MOU.

ACRATT participating agencies are focused on increasing the number of arrests for vehicle thefts, the recovery of stolen vehicles, gathering and disseminating information related to vehicle theft activity through the following activities:

- Collaborate to identify vehicle theft trends;
- Gather and disseminate vehicle theft and/or criminal intelligence information to local law enforcement agencies in a timely manner;
- Target specific locations known to be hubs for vehicle thefts; and
- Increase the prosecution rates for individuals involved in vehicle theft.

MOU Authorization

Article IV, Section 401(6) of the City Charter requires that the City Council authorize the City Administrator or designee to enter into an agreement between the City and another agency or organization. The ACRATT MOU has not been presented to the City Council prior to this report. However, the City Administrator in 2016 did sign a version of the MOU authorizing OPD participation between July 1, 2016 through June 30, 2021. The City did not have the proper authority to sign the MOU with ACRATT; OPD cannot formally participate as an ACRATT member without City Council approval.

ANALYSIS AND POLICY ALTERNATIVES

Asset Forfeiture and Overtime Reimbursement

In the event of asset forfeiture occurring as the result of criminal investigations, CHP will govern proceedings; derived proceeds will be shared equitably among member agencies. The equitable sharing will be based on a formula developed by the Task Force Oversight Committee, which is based on the level of participating personnel from each agency:

- CHP – 62.5 percent
- Alameda County Probation Department – 12.5 percent
- Alameda County Sherriff's Office – 12.5 percent
- OPD – 12.5 percent

The MOU also allows that, subject to availability of required funding, ACRATT will reimburse OPD for overtime payments to cover costs of the officer assigned to the taskforce – not to exceed \$25,000 per year.

ACRATT Management

ACRATT is governed by the ACRATT oversight committee which meets on a quarterly basis. The committee consists of the Chiefs of the participating local agencies or designees and agency Commandeers or their designees. The MOU allows OPD assign one or more officers to participate in ACRATT operations. OPD cannot continue to partner with the ACRATT without approval of this resolution which will authorize the City Administrator or designee to sign a new MOU. The New ACRATT MOU stipulates a duration period of July 1, 2021 through June 30, 2026.

The management of ACRATT's resources will be the responsibility of the Taskforce Coordinator who shall be a sworn member CHP Lieutenant. Other CHP staff will supervise the day-to-day operations of the task force (investigators and administrative staff).

Incidents involving the discharge of a weapon will be initially reported to and investigated by the jurisdiction wherein the use occurred. Appropriate reports will be completed in compliance with legal requirements and participating agency policy.

The MOU requires that the ACRATT Coordinator will provide the Task Force Oversight Committee with an annual report of activity no later than February 15th of each year. The report will summarize the preceding calendar year's operation and shall include a section for statistical data similar to that contained in the monthly reports. The annual report shall contain sufficient information to enable the Task Force Oversight Committee to reassess the Task Force goals and objectives.

Probation Involvement

One probation officer is attached to ACRATT to assist with recovery of evidence as well as other supplemental duties. The probation officer runs monthly audits of people on probation to ensure that they are in compliance with probation requirements. The probation officer is not assigned to actual investigations. Probation personnel may also verify current address and status in the case where investigation targets are connected to people on probation. This research is useful to help avoid negative contacts with people that are not involved in the investigation.

PUBLIC OUTREACH / INTEREST

No outreach was required for this report beyond City Council agenda noticing procedures.

COORDINATION

OPD consulted with the Budget Bureau and the Office of the City Attorney in the development of this report and accompanying resolution.

FISCAL IMPACT

There are no personnel or other costs to OPD associated with membership in the ACRATT; OPD will designate one or more officers already employed through OPD's operating budget. Each participating agency is responsible for providing the salary, benefits and overtime payments for its assigned personnel.

Asset Forfeiture

Limited asset forfeiture and overtime reimbursement may be allocated to OPD officers participating with ACRATT depending on the approval of the ACRATT oversight committee. Any reimbursements for overtime expenses made by ACRATT to OPD shall be deposited into Fund 2995, Org 102310, Account 51214, Project TBD, and Program PS03 in an amount not to exceed \$25,000 per year.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

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

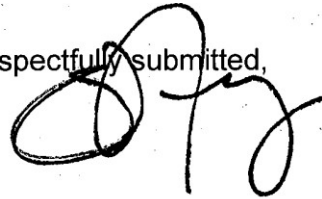
Race and Social Equity: OPD's collaboration with the ACRATT helps OPD to target stolen those engaged in vehicle theft. Vehicle theft harms many Oakland residents and visitors across all social and economic strata. However, vehicle theft may impact disadvantaged communities more intensely as their vehicles are often critical tools for transportation and job access. Furthermore, abandoned vehicles plague many Oakland communities. ACRATT investigation which recover stole vehicles benefit both victims as well as neighborhoods suffering from greater numbers of abandoned vehicles.

ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) With The Alameda County District Attorney's Office (ACDA), The California Highway Patrol (CHP), The Alameda County Probation Department (ACPD) And The Alameda County Sheriff's Office (ACSO) To Participate In The Alameda County Regional Auto Theft Task Force (ACRATT), From July 1, 2021 through June 30, 2026.

For questions regarding this report, please contact Acting Lieutenant Alexis Nash, Felony Assault Section, Criminal Investigations Division (CID), Bureau of Investigations, at anash@oaklandca.gov.

Respectfully submitted,



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