CITY OF OAKLAND

AGENDA REPORT

TO:	Elizabeth Lake Interim City Administrator	**FROM:**	James P. Beere Chief of Police
SUBJECT:	OPD-U.S. Marshals MOU	**DATE:**	September 3, 2026

City Administrator Approval Elizabeth Lake (Sep 3, 2026 17:09:15 PDT) Date Sep 3, 2026

RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator To Extend The Existing Memorandum Of Understanding (MOU) With The United States Marshals Service (USMS) Through September 30, 2031, To Allow The Oakland Police Department (OPD) To Continue Participation In The Northern District Of California Regional Fugitive Taskforce For The Purpose Of Locating And Apprehending Fugitives.

EXECUTIVE SUMMARY

The Marshals Service is a federal law enforcement agency within the United States Department of Justice with a mandate to apprehend fugitives and execute state and federal warrants. The USMS Task Forces does not conduct independent investigations of possible criminal activity, but rather works with local and state law enforcement agencies to apprehend individuals with active arrest warrants. The Northern District of California United States Marshals Service Task Force (USMS TF) primary mission is the apprehension of violent fugitives wanted by local, state, federal and international Law Enforcement Agencies

Oakland's Ceasefire Strategy benefits from support from the USMS by helping to apprehend individuals who continue with criminal and illegal firearm activity and/or break the provisions of their probation or parole restrictions. OPD does not have a fully staffed fugitive unit – the USMS TF fulfills this critical need for OPD. Furthermore, TF participation allows OPD overtime expenses related to USMS operations to be reimbursed by the USMS. OPD previously signed a MOU with the USMS in 2011 and 2023; but cannot unilaterally participate in the TF without City Council approval as the City Charter requires City Council approval for such partnerships.

REASON FOR URGENCY

OPD planned to present this MOU to Privacy Advisory Commission. The 2 previous meetings were canceled due to lack of quorum. Therefore, OPD requested to schedule the agenda item straight to Council so the MOU can be approved before the end of September. The current MOU expires on September 30, 2026.

OMC 9.72.010 states that before execution of any Memorandum of Understanding or other written agreement, contract or arrangement (collectively, "MOU") between the Oakland Police Department and the FBI, or other federal law enforcement agency, regarding the Police Department's participation on the JTTF or other federal law enforcement agency task force, or any amendment to any such existing MOU, the Chief of Police shall submit the proposed MOU and any orders, policies, and procedures relevant to the subject matter of the MOU for discussion and public comment at an open meeting of the Privacy Advisory Commission.

BACKGROUND AND LEGISLATIVE HISTORY

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 that have targeted local residents. These crimes include; murder, sexual assault, child molestation, robberies, felony assaults and large-scale fraud operations. USMS TFs work by leveraging local police intelligence information as well as other data sources (e.g. database searches, open-source social media inquiries, and interviews of associates/ and family members).

USMS MOU Alignment with OPD Policies

The MOU between OPD and the USMS shall state that each member (such as OPD) shall comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-lethal devices. In the event of a shooting involving task force personnel, the incident will be investigated by the agency of the involved personnel.

Council Approval and Privacy Advisory Commission (PAC) Review

OPD first entered into a MOU with the USMS to participate in the taskforce in April 29, 2011. However, 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 other agency or organization.

Ordinance 13457, passed June 29, 2017, requires that OPD submit a "proposed MOU and any orders, policies, and procedures relevant to the subject matter of the MOU for discussion and public comment at an open meeting of the Privacy Advisory Commission" before execution of said agreement.

OPD presented the MOU to PAC on January 5, 2023, and it was approved unanimously. Resolution 89817 CMS was adopted at the July 18th, 2023 City Council meeting. That MOU does not have an expiration date, but the resolution authorized participation in the USMS TF through September 30th, 2026.

OPD requests the extension of participation in the USMS Task Force through September 30th, 2031. OPD will continue to provide an annual report to the PAC and City Council related to the USMS Task Force to allow for sufficient oversight of the ongoing program.

ANALYSIS AND POLICY ALTERNATIVES

The Northern District of California United States Marshals Service Task Force (USMS TF) primary mission is the apprehension of violent fugitives wanted by local, state, federal and international Law Enforcement Agencies. The USMS TF in the Bay Area has 25 personnel assigned to three different geographical regions: San Jose, San Francisco and Oakland.

Normal operations include investigative efforts to determine possible location of the fugitive. Once a possible location is determined the team shifts from an investigative process to an operational and tactical mode for a safe apprehension. The Task Force Officer (TFO) can communicate directly with OPD, allowing for safety measures to be implemented to keep the residents of Oakland safe whenever a fugitive is apprehended.

In Oakland, the USMS is a valuable partner for investigations of violent criminal behavior. Oakland's Ceasefire Strategy benefits from support from the USMS. Ceasefire is a data-driven violence-reduction strategy coordinating law enforcement, social services, and the community. The major goal is to reduce gang/group-related homicides and shootings. Ceasefire brings social services and community partners to help gang/group members ready to cease violent activity; partners such as the USMS are critical to locating individuals who continue with criminal and illegal firearm activity and/or break the provisions of their probation or parole restrictions.

Locating individuals who have committed crimes in Oakland often can lead to cross-jurisdiction and out-of-state investigations. The TF has the capability and resources to track fugitives across state lines and those criminals attempting to flee the Country. Most of the offenders assigned to the USMS are Oakland-based gang/group members and associates who are involved in burglaries, robberies, shootings, and homicides.

USMS/OPD collaboration is a resource multiplier for both agencies. The USMS TF has skills sets and connections throughout the United States and internationally, which OPD would otherwise not have access to. Additionally, OPD does not have a fully staffed fugitive unit – the USMS TF fulfills this critical need for OPD. Furthermore, TF participation allows OPD overtime expenses related to USMS operations to be reimbursed by the USMS.

FY2025 (Oct 2024-Sept 2025)

- Oakland PD Warrants Cleared 78
- Oakland PD Homicide Warrants 28
- OPD Weapon/Shooting Warrants 23
- Oakland PD Robbery Warrants 10

- Oakland Housing Authority Warrants Cleared 6

- ❖ OHA Homicide Warrants 1
- ❖ OHA Weapon/Shooting Warrants 3

FY2026 (Oct 2025-Sept 2026 [YTD]) –

- ❖ Oakland PD Warrants Cleared 63
- ❖ Oakland PD Homicide Warrants 26
- ❖ OPD Weapon/Shooting Warrants 14
- ❖ Oakland PD Robbery Warrants 8

- ❖ Oakland Housing Authority Warrants Cleared 9
- ❖ OHA Homicide Warrants 1
- ❖ OHA Weapon/Shooting 6

In addition, the USMS Task Force has recovered 188 total firearms, including 147 handguns, 36 assault weapons, and 2 shotguns.

RELATED PLANNING EFFORTS

This agenda item is a routine item and does not relate to any Oakland strategic planning efforts.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for this report beyond the standard City Council agenda noticing procedures.

COORDINATION

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

FISCAL IMPACT

Any reimbursements for overtime expenses made by the USMS to OPD shall be deposited into Fund 1010, Org 102321, Account 45718, Project TBD, and Program PS13.

RACE AND EQUITY

OPD's collaboration with USMS helps OPD apprehend wanted criminal suspects and convicted felons. The USMS TF specifically focuses on warrants stemming from robberies, shootings, and homicides. These law enforcement actions are a focused approach to address violent crime

within Oakland and bring accountability to those who continue to commit violent crime within the community. All residents and visitors benefit from these efforts to improve public safety.

ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator To Extend The Existing Memorandum Of Understanding (MOU) With The United States Marshals Service (USMS) Through September 30, 2031, To Allow The Oakland Police Department (OPD) To Continue Participation In The Northern District Of California Regional Fugitive Taskforce For The Purpose Of Locating And Apprehending Fugitives.

For questions regarding this report, please contact Lt. Gabriel Urquiza at gurquiza-leibin@oaklandca.gov.

Respectfully submitted,

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Attachments (1):
A: USMS MOU