


2017 MAR -2 PM 7:02

OAKLAND CITY COUNCIL

RESOLUTION No. 86660 C.M.S.

Introduced by Councilmember _____


City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR
DESIGNEE TO ENTER INTO A MEMORANDUM OF
UNDERSTANDING (MOU) WITH THE CALIFORNIA DEPARTMENT OF
JUSTICE (CA DOJ), TO ASSIST IN THE DEVELOPMENT OF
PRELIMINARY GUIDELINES AND BEST PRACTICES FOR LAW
ENFORCEMENT DATA COLLECTION, ANALYSIS, AND REPORTING,
FROM JANUARY 3, 2017 TO SEPTEMBER 30, 2018**

WHEREAS, a growing number of law enforcement officials have recognized the pressing need for more and better data on policing to guide policymaking, to promote transparency and accountability, and to identify and address the instances of bias where they arise; and

WHEREAS, the Final Report of President Barack Obama's Task Force on 21st Century Policing (the Task Force) urges law enforcement agencies to collect and make public data on a variety of department practices, including all police-citizen encounters such as stops, frisks, searches, summons, and arrests; and

WHEREAS, the California state legislature recently passed a bill requiring all law enforcement agencies in the state to collect and report to the California Attorney General's (CAAG) Office demographic and other data on all stops conducted by police officers in the state; and

WHEREAS, the Task Force has articulated that it is essential that law enforcement agencies be given the resources and guidance necessary to collect, analyze, and report their data in meaningful ways; and

WHEREAS, stop data in particular poses a number of challenges, from establishing uniform standards on the types of encounters that ought to be reported, to developing the appropriate benchmarks against which to compare demographic variation, and to providing the context necessary to interpret the results properly; and

WHEREAS, the CA DOJ was awarded a grant through the U.S. Department of Justice (US DOJ) Office of Community Oriented Policing Services (COPS) to identify and document the type of encounters on which stop data is to be collected, to identify the appropriate demographic benchmarks, and to provide

guidance on the proper analysis and interpretation of stop data; and

WHEREAS, the stop data typology developed by the CA DOJ will be used to develop a guidebook for law enforcement agencies (LEAs) (the “Guidebook”); and

WHEREAS, the Guidebook will be designed for a nationwide LEA audience, and will provide information that will assist LEAs with their stop data analysis and reporting; and

WHEREAS, OPD has already begun to play a leading role in stop data collection and analysis through its Stop Data Policy and Data Collection Program, and has accordingly been asked by the CA DOJ to assist in the development of the Guidebook, preliminary guidelines and best practices; and

WHEREAS, the CA DOJ and the OPD desire to enter into an MOU that will stipulate how the OPD will collaborate with the CA DOJ and its three grant-authorized “Research Partners” (New York University, on behalf of the New York University School of Law’s Policing Project, the University of California at Los Angeles and the Center for Policing Equity affiliated with the John Jay School of Criminal Justice) for the purpose of developing the Guidebook and preliminary guidelines and best practices for data collection, analysis and reporting; therefore be it

RESOLVED: That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to execute, modify, extend and/or amend the MOU without returning to the City Council; and be it

FURTHER RESOLVED: That in accordance with Article IV, Section 401(6) of the City Charter, the MOU authorized by this resolution shall be approved by as to form and legality before execution, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 21 2017

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, GIBSON
MCELHANEY AND PRESIDENT REID *8*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

ATTEST *Latonda Simmons*
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California