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OFFICE OF THE CITY CLERK  
OAKLAND

2017 DEC 26 PM 12:03

## AGENDA REPORT

TO: Sabrina B. Landreth  
City Administrator

FROM: Anne E. Kirkpatrick  
Chief of Police

SUBJECT: ACDAO HEAT Taskforce MOU

DATE: November 3, 2017

City Administrator  
Approval

*Clinton Jelfon SBL*

Date

12/26/17

### RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Memorandum (MOU) Between The Oakland Police Department (OPD) And Alameda County District Attorney's Office (ACDAO) Human Exploitation And Trafficking (HEAT) Taskforce For The Purpose Of Bringing Together Local, State, Federal Government And Non-Governmental Agencies To Improve The Safety And Recovery Outcomes For Victims Of Sex-Trafficking And Labor-Trafficking, And To Hold Traffickers Accountable, For The Period Of October 1, 2017 Through October 1, 2020.

### EXECUTIVE SUMMARY

This resolution will allow OPD to collaborate with the ACDAO HEAT Taskforce. The HEAT Taskforce was created to confront sex and labor trafficking which is all too prevalent in the City of Oakland. The Taskforce leverages many participating partners to better support trafficking victims and to better prosecute those who engage in sex and human trafficking. The City Charter requires City Council approval for such inter-agency MOUs. OPD previously signed a version of this MOU, but cannot participate in the HEAT Taskforce, without renewing the MOU with Council's approval.

### BACKGROUND AND LEGISLATIVE HISTORY

Human trafficking, or buying and selling human beings, or buying or selling people for sex is illegal. Recent studies show that every year, at least 100,000 children are prostituted, with more children and youth being at risk of becoming commercially sexually exploited children (CSEC). The Alameda County District Attorney's Office Human and Trafficking (HEAT) Taskforce has determined that Oakland is a major location of underage sex trafficking, and at the epicenter of a trafficking triangle between San Francisco and Contra Costa counties.

The ACDAO Human Exploitation and Trafficking (HEAT) Unit created a specialized taskforce in 2014 to enhance and expand services to victims of both sex and labor trafficking in Alameda County.

Item: \_\_\_\_\_  
Public Safety Committee  
January 9, 2018

## **ANALYSIS AND POLICY ALTERNATIVES**

The purpose of the HEAT Taskforce is to bring local, state, and federal government and non-governmental agencies together to improve the safety and recovery outcomes for victims of sex-trafficking and labor-trafficking and hold traffickers accountable through on-going multi-systemic cross agency training and technical assistance, strategic investigations and prosecution of traffickers. The goal of the HEAT Taskforce is to improve strategies to identify, intervene in, investigate, and prosecute sex-trafficking and labor-trafficking cases while supporting and protecting victims of or potential victims of human trafficking. There are many agencies participating in the HEAT Taskforce, including:

- ACDAO
- ACDAO Victim/Witness Division
- Alameda County (ALCO) Medical Center (Highland Hospital)
- ALCO Public Defender's Office
- ALCO Social Services Agency (SSA)
- ALCO Labor Council
- Asian Pacific Islander Legal Outreach (APILO)
- Bay Area Women Against Rape (BAWAR)
- California Labor Commission
- Catholic Charities of the East Bay
- Centro Legal de la Raza
- Community Health for Asian Americans
- Department of Industrial Relations
- East Bay Refugee Forum
- Fremont Police Department
- Hayward Police Department
- International Institute fo the East Bay
- International Rescue Committee
- Legal Aid at Work
- Lao Family Community Development, Inc.
- Motivating, Inspiring, Supporting and serving Sexually exploited Youth, Inc. (MISSEY, Inc.)
- Narika
- Oakland Unified School District (OUSD)
- Polaris Project
- Ruby's Place
- San Francisco Mexican Consulate
- South Bay Coalition to End Human Trafficking
- SHADE Project

Through this MOU, OPD will designate a member of OPD personnel to serve as a representative to the HEAT Taskforce. Partners will designate a contact person in their agency who, in partnership with ACDO Victim/Witness Division, will assume responsibility for the following:

1. Attend no less than three HEAT Taskforce meetings per year to review Taskforce goals and assess needs for cross-training among taskforce partners to improve partner collaboration and response to victims;
2. Engage in inter-agency and multi-system sharing of information and intelligence related to human trafficking cases;
3. Collaborate with HEAT Unit Prosecutor, DA Consumer Environmental and Worker Protection Prosecutors and the VW Human Trafficking Advocates on human trafficking investigations, including multi-jurisdictional cases;
4. Participate in annual HEAT Watch training programs, which includes the assessments of current training needs within their own departments and organizations as well as requests for additional training and technical assistance;
5. Participate in quarterly HEAT Watch Regional Collaborative meetings held in conjunction with Federal Human Trafficking Taskforce.

Article IV, Section 401(6) of the Oakland City Charter requires that the City Council approve all inter-agency relationships such as this MOU between OPD and the HEAT Taskforce. OPD previously signed a MOU authorizing OPD to participate in the ACDO HEAT Taskforce on October 12, 2015. However, OPD shall not participate in the HEAT Taskforce without City Council approval. The proposed MOU will have a term October 1, 2017 through October 1, 2020. However, any agency including OPD may terminate its participation in the HEAT Taskforce with thirty (30) days' notice in writing.

#### **PUBLIC OUTREACH / INTEREST**

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

#### **COORDINATION**

OPD consulted with 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 SAFE Taskforce.

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**SUSTAINABLE OPPORTUNITIES**

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

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


***Social Equity:*** Victims of human trafficking often come from low-income homes and communities where poverty is prevalent. Efforts to support victims of human trafficking advance Oakland's efforts to help some of the most challenged and desperate residents to rebuild their lives and find support to find a brighter and more fulfilling future.

**ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE**

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Negotiate And Enter Into A Memorandum (MOU) Between The Oakland Police Department (OPD) And Alameda County District Attorney's Office (ACDAO) Human Exploitation And Trafficking (HEAT) Taskforce For The Purpose Of Bringing Together Local, State, Federal Government And Non-Governmental Agencies To Improve The Safety And Recovery Outcomes For Victims Of Sex-Trafficking And Labor-Trafficking, And To Hold Traffickers Accountable, For The Period Of October 1, 2017 Through October 1, 2020.

For questions regarding this report, please contact Lieutenant Jill Encinias, Special Victims Section, Criminal Investigations Division (CID), Bureau of Investigations, at (510) 238-3253.

Respectfully submitted,

  
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(for) Anne E. Kirkpatrick  
Chief of Police  
Oakland Police Department

Reviewed by:  
Roland Holmgren, Captain  
OPD, CID, Bureau of Investigations

Jill Encinias, Lieutenant  
OPD, CID, Bureau of Investigations

Prepared by:  
Bruce Stoffmacher, Legislation Manager  
OPD, Office of the Chief – Research and Planning

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Public Safety Committee  
January 9, 2018

FILED  
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Approved as to Form and Legality

  
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO NEGOTIATE AND ENTER INTO A MEMORANDUM (MOU) BETWEEN THE OAKLAND POLICE DEPARTMENT (OPD) AND ALAMEDA COUNTY DISTRICT ATTORNEY'S OFFICE (ACDAO) HUMAN EXPLOITATION AND TRAFFICKING (HEAT) TASKFORCE FOR THE PURPOSE OF BRINGING TOGETHER LOCAL, STATE, FEDERAL GOVERNMENT AND NON-GOVERNMENTAL AGENCIES TO IMPROVE THE SAFETY AND RECOVERY OUTCOMES FOR VICTIMS OF SEX-TRAFFICKING AND LABOR-TRAFFICKING, AND TO HOLD TRAFFICKERS ACCOUNTABLE, FOR THE PERIOD OF OCTOBER 1, 2017 THROUGH OCTOBER 1, 2020**

**WHEREAS**, human trafficking, or buying and selling human beings, or buying or selling people for sex is illegal; and

**WHEREAS**, recent studies show that every year, at least 100,000 children are prostituted, with more children and youth being at risk of becoming CSEC; and

**WHEREAS**, the ACDAO Human and Trafficking (HEAT) Unit has determined that Oakland is a major location of underage sex trafficking, and at the epicenter of a trafficking triangle between San Francisco & Contra Costa counties; and

**WHEREAS**, ACDAO HEAT Unit created a specialized taskforce in 2014 (HEAT Taskforce) to enhance and expand services to victims of both sex and labor trafficking in Alameda County; and

**WHEREAS**, the purpose of the HEAT Taskforce is to bring local, state, federal government and non-governmental agencies together to improve the safety and recovery outcomes for victims of sex-trafficking and labor-trafficking and hold traffickers accountable through on-going multi-systemic cross agency training and technical assistance, strategic investigations and prosecution of traffickers, and the coordination of necessary support and services for victims; and

**WHEREAS**, the goal of the HEAT Taskforce is to improve strategies to identify, intervene in, investigate, and prosecute sex-trafficking and labor-trafficking cases while supporting and protecting victims of or potential victims of human trafficking; and

**WHEREAS**, Article IV, Section 401(6) of the Oakland City Charter requires that the City Council approve all inter-agency relationships such as between OPD and ACDAO HEAT; therefore be it

**RESOLVED**: that City Council authorizes the City Administrator or designee to negotiate and enter into a MOU between OPD and the ACDAO HEAT Taskforce for the purpose of bringing local, state, federal government, and non-governmental agencies together to improve the safety and recovery outcomes for victims of sex-trafficking and labor-trafficking and hold traffickers accountable through on-going multi-systemic cross agency training and technical assistance; and be it

**FURTHER 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, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California