

2010 MAY 31 PM 5:17


City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION NO. ~~87314~~ 87314 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE OAKLAND POLICE DEPARTMENT (OPD) AND THE ALAMEDA COUNTY SHERIFF'S OFFICE (ACSO) AND EIGHTEEN OTHER ALAMEDA COUNTY JUSTICE SYSTEM AGENCIES TO ESTABLISH CLEAR GUIDELINES FOR USE OF THE CONSOLIDATED RECORDS INFORMATION MANAGEMENT SYSTEM (CRIMS) WHICH FACILITATES SHARING OF INFORMATION CONTAINED IN EACH AGENCY'S RECORDS MANAGEMENT SYSTEM

WHEREAS, OPD currently shares and receives criminal justice information with other Alameda County justice system agencies (including police departments, the Alameda County Probation Department, the Alameda County District Attorney's Office, the Alameda County Sheriff's Office, and the Alameda County Superior Court [collectively, the "Member Agencies"]) through the Criminal Oriented Public Records Production Unified System (CORPUS); and

WHEREAS, the Consolidated Records Information Management System (CRIMS) is an Alameda Countywide intranet browser based software application that replaces the 43-year-old CORPUS as Alameda County's criminal justice information portal, facilitating information sharing among all participating justice partners in Alameda County; and

WHEREAS, in order to use the CRIMS system, the County requires each Member Agency to execute a "Memorandum of Understanding Between the Alameda County Sheriff and the Chiefs of Police For Consolidated Records Information Management System (CRIMS)" (the "CRIMS MOU"); and

WHEREAS, CRIMS has been designed using modern technologies and practices to promote inter-operability between a variety of criminal justice computer systems within and outside Alameda County, including but not limited to each Member Agency's Records Management System (RMS), the Criminal Oriented Records Production Unified System (CORPUS), the Automated Warrant System (AWS), the

Multi-Agency Unified Imaging System (MUGS), the Enterprise Geographic Information System (EGIS), the Alameda County Assessor's Office, Alameda County Public Works and the California Department of Justice (DOJ); and

WHEREAS, participating agencies provide information to CRIMS from their respective RMS that includes locations of events; dates and times of events; statutes associated with events; personal identifying information of event-involved individuals; and vehicle information associated with events; and

WHEREAS, CRIMS makes criminal justice information more readily available to the local justice partners, including patrol officers while on duty; and

WHEREAS, the CRIMS main server and the intranet browser based software application are owned by Alameda County and managed by the Alameda County IT Department, and OPD will not assume any ownership or responsibility for the CRIMS main server or the intranet browser based software application; and

WHEREAS, the City of Oakland and OPD will only be responsible for any hardware and software required to ensure that City of Oakland and OPD servers can communicate and transmit data with CRIMS; and

WHEREAS, only Member Agencies such as OPD shall have access to CRIMS information unless provided otherwise in the MOU and the MOU will stipulate that each member agency will agree to use CRIMS information in accordance with all applicable laws, rules and regulations, and pursuant to the guidelines of the California Department of Justice (DOJ); and

WHEREAS, OPD as well as other participating agencies agree to maintain confidential, all data and information gathered and stored in CRIMS pursuant to the MOU, and to abide by all laws and regulations respecting the appropriate use of CRIMS data for law enforcement purposes only; and

WHEREAS, OPD as well as other participating agencies will agree to not share or disclose any CRIMS data with anyone unless authorized by law, court order, or as specified in the MOU; and

WHEREAS, the proposed CRIMS MOU requires each Member Agency to hold harmless, indemnify and defend the other Member Agencies from any and all claims and losses related to a breach of the Member Agency's obligations under the MOU or any negligent or willful act, error or omission related to the use of CRIMS; and

WHEREAS, Article V, Section 504(l) of the Oakland City Charter requires that the City Council approve all intergovernmental relationships and contracts; now, therefore be it

RESOLVED: That the City Administrator or designee is authorized to enter into

an MOU between OPD, ACSO and the Member Agencies to authorize and facilitate OPD's use of CRIMS; 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, renew and/or amend such an 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 the City Attorney's Office 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, JUL 24 2018

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN 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