

CITY OF OAKLAND

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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Anne E. Kirkpatrick
Chief of Police

SUBJECT: OPD Response to Human Trafficking
Report

DATE: May 19, 2019

City Administrator Approval

Date:

5/29/19

RECOMMENDATION

Staff Recommends The City Council Receive An Informational Report From The Oakland Police Department (OPD) Regarding Response To Human Trafficking In The City of Oakland.

EXECUTIVE SUMMARY

This report is provided in response to a request from the Rules and Legislation Committee regarding human trafficking in Oakland. OPD's human trafficking prevention efforts are centered in the department's Special Victims Section (SVS) and Vice/Child Exploitation Unit (CEU) within SVS. CEU is dedicated to confronting human trafficking which occurs regularly in Oakland. SVS is tasked with rescuing the mostly female and often child victims of human trafficking and working with community partners to serve the victims receiving services.

SVS trains its personnel, as well as regional partners, in how best to work together to help victims and expose the exploiters. SVS operations require the use of overtime compensation as SVS lacks the dedicated personnel to staff accordingly for time-intensive operations.

BACKGROUND / LEGISLATIVE HISTORY

The primary mission of OPD's Special Victims Section is to rescue juveniles from human trafficking and provide adult victims with resources to help them make significant life changes while finding a balance to address the quality of life issues regarding prostitution impact to neighborhoods and the community. The CEU's objective is to rescue all sexually exploited minors while still:

- Arresting those responsible for exploiting the minors including pimps, prostitutes and buyers.
- Addressing community concerns pertaining to the prostitution impact throughout the city.
- Providing service opportunities for all victims of human trafficking.
- Addressing, communicating and investigating all aspects of human trafficking in a trauma informed and sensitive manner.

Item: _____
Public Safety Committee
February 28, 2017

OPD Human Trafficking subject matter experts and Bay Area Women Against Rape (BAWAR) advocates conduct initial officer training in the police academy and annually at patrol line up briefings. OPD training consists of awareness, what to look for, how to interact with minors suspected of being involved in human trafficking, do's & don'ts in a preliminary investigation, importance of patience and consideration of all parties (victims, exploiters and buyers). OPD's Vice/CEU train external agencies, promote human trafficking awareness, and develop operational procedures.

The City mandates city employees attend the Commercially Sexually Exploited Children (CSEC) training presented by MISSEY (Motivating, Inspiring, Supporting & Serving Sexually Exploited Youth), West Coast Clinic and the Alameda District Attorney's Office's Human Exploitation and Trafficking program (HEAT). OPD Vice/CEU cross trains with several non-governmental organizations focused on fighting human trafficking: BAWAR, Dream Catchers, MISSEY and other advocacy partners. These organizations share information and collaborate with each other.

ANALYSIS AND POLICY ALTERNATIVES

CEU Procedures

Combating human trafficking is one of OPD's top priorities. Areas of operation are prioritized by citizen complaints and reports. The Vice/CEU is a specialized unit with advanced training in human trafficking and trauma informed investigations. CEU works with BAWAR as the first responder advocate during operations and juvenile interviews. Officers work in undercover capacities during the operations under the guidelines of General Order K-10, *Undercover Operations*. Adult females arrested in a pro-active operation are given resources and debriefed. They are encouraged to work with advocates to seek opportunities for a different lifestyle. There are follow-up services and diversion programs for those charged. Juveniles rescued during pro-active operations are provided an advocate. The follow-up investigations are specifically geared toward the needs of the individual child.

Training

All trainings are designed to aid employees in the recognition of the signs of human trafficking and to promote a trauma informed response to such incidents, including dispatched calls for service (e.g. domestic violence and disputes). Specifically, OPD training incorporates situational awareness and signs of human trafficking, how to interact with minors suspected involved in human trafficking, do's & don'ts in a preliminary investigation, while stressing the importance of patience and a deeper understanding of the role of all involved parties (victims, exploiters and buyers). OPD training has shown to be successful – see awareness in reports with cross reports to Vice/CEU. More human trafficking reports were generated by Patrol and there was an increase in human trafficking call outs in 2018.

Challenges of Confronting Human Trafficking in Oakland

The following factors affect Vice/CEU's ability to effectively respond to human trafficking:

- Locating juveniles involved in human trafficking.
- Advocates do not want Female Adults arrested for prostitution.
- Identifying strategies to hold Buyers accountable through prosecution.
- Decriminalizing juveniles detained for prostitution offenses created the following issues:
 - Rescued Juveniles who are wards of the court must go to the Assessment Center.
 - Rescued juveniles tend to run away before they can obtain trauma informed services and often relocate with their previous or new exploiter.
 - Juveniles no longer in a secured environment
 - Assessment Center location are eventually identified and exploiters prey on juveniles who come and go, from the facility/home.
 - Lack of a secured environment inhibits the ability to provide sustained specialized resources to de-program the mindset and distance juveniles from their trauma.
 - Lack of a secured environment makes the investigation of their exploiters more difficult.
- Finding the balance between enforcing prostitution laws, providing services to victims and community expectations.
- Holding buyers accountable without utilizing undercover female officers as decoys.
 - Extreme high risk to utilizing decoy officers in an enterprise that has become increasing violent.
 - District Attorney position for prosecution of buyers is difficult to achieve without usage of undercover officer decoys.
- Closure of the Backpage website has forced prostitution back on the streets which is evident by our increase in juvenile street rescues.
- Operations are on overtime due to staffing and caseloads.

Community Partnership

Vice/CEU personnel regularly engage the public through a variety of formats to promote the challenges of human trafficking. Personnel attend CSEC meetings with Oakland United Against Human Trafficking and various partners. Additionally, the District Attorney's Office conducted CSEC training and awareness with hospitals and clinics. This has led to additional OPD trainings with clinics.

OPD's Prostitution tip line ((510) 238-2373) allows the community to anonymously report prostitution activity in their neighborhood. Additionally, the community-created website (www.reportjohn.org) allows people to anonymously report the buyer's license plate number. In such cases, police then send a letter to the registered vehicle owners. The letter states that the vehicle was in an area where prostitution and other public nuisances is known to occur. The purpose of the letter is to let the buyer know they are not anonymous, people notice and there is a website for human trafficking awareness. However, the citizen who ran this web base has stepped down and no replacement has volunteered as of now to maintain full functionality.

General Review of the monthly Operations

The following information provides a view into the level of activity and capacity of the Special Victims Section's (SVS) Vice/CEU:

- Vice/CEU conducts approximately 2-4 pro-active operations a month.
- Approximately one juvenile is rescued per operation.
- Location of operations is determined by community complaints, tips and institutional knowledge of areas of prostitution.
- Majority of the adult females arrested are not from Oakland.

Oakland and other major cities are part of mobile prostitution circuit; the females and pimps move from city to city to reduce risk of incarceration, evaluate the most prosperous demand levels and to avoid collaborative prosecution across jurisdictions. The Vice/CEU conducted a 30-Day Operation which in a snapshot demonstrates the magnitude of this issue.

Vice/CEU conducted 12 operations in a 30-Day period. These operations were complaint-driven. The following data is based on that 30-day operation.

- 94 adult females arrested (35 from Oakland, 59 from outside cities, 3 were out of state).
- 14 Juvenile Females were rescued (3 Oakland, 11 Outside cities, 3 were out of state)

On average, two to four operations are conducted in a month's period unless a specialized intense operation is planned and executed. A 30-day plan requires extensive funding expenditures and personnel resources across the department.

Statistical Data for 2019 (Jan-Apr)

- Conducted 12 pro-active operations
- 104 adult females were arrested: 47 Oakland, 53 Outside cities, 4 were out of state
- 7 juvenile females were rescued: 4 Oakland, 3 Outside cities, 1 was out of state
- Juvenile ages: (2) 15yr, (1) 14yr and (4) 13yr.
- 1 male adult buyer was arrested: 1 Outside city
- 7 male adult exploiters were arrested: 6 Oakland and 1 Outside city

Year End Successes

- In 2018, 30 Juveniles were rescued in 39 operations
- In 2017, 12 Juvenile were rescued in 48 operations
- Patrol Division is actively conducting more human trafficking reports than past years
- More advocacy groups and health care facilities are partnering with the OPD
- Vice/CEU is part of a working group with other law enforcement and share information

Vice & Child Exploitation Unit (Vice/CEU) Annual Data

Vice / Child Exploitation Unit					
	2014	2015	2016	2017	2018
No. Investigators	3	3	3	4	4
Total Cases Assigned:	306	620	511	396	498
Assigned Cases per Investigator:	102	208	170	99	125

PUBLIC OUTREACH / INTEREST

No public outreach was necessary in the production of this report. However, as detailed below in the Social Equity Section, OPD's efforts at confronting human trafficking concerns many Oakland residents and visitors who have an interest in public safety and child exploitation.

FISCAL IMPACT

An average trafficking operation costs between \$5,000 to \$10,000 dollars depending on the number of juveniles rescued, their level of cooperation at the time and if an exploiter (pimp) was arrested. A major 30-Day operation costs approximately \$40,000 in overtime for SVS staff. In 2018, SVS generated a total of \$229,946 in overtime costs related to human trafficking operations.

Proactive operations come out of the Special Victims Section (SVS) general fund budget; this fund does not provide enough funding to consistently and aggressively address the issues of human trafficking. SVS operations are therefore carried out by using overtime for personnel, due to the lack of assigned personnel.

The activity of the Vice/CEU Unit does occasionally result in the City's General Fund receiving compensation through successful lawsuits. An investigation into massage parlor operations allowed the city to close several illegal massage parlors. In 2017-2018, litigations cumulatively awarded \$827,000 in revenue to the City's General-Purpose Fund.

COORDINATION

No interdepartmental activity was required in the production of this report

SUSTAINABLE OPPORTUNITIES

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

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

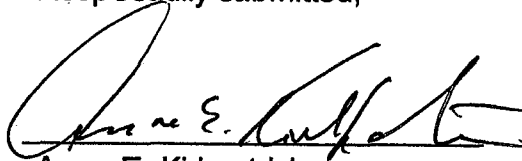
Social Equity: Human trafficking and sexual exploitation often predominantly impacts victims from low income and disadvantaged communities. Efforts to confront and combat this criminal activity help to restore greater levels of social equity in Oakland.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Receive An Informational Report From The Oakland Police Department (OPD) Regarding Response To Human Trafficking In The City of Oakland.

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

Respectfully submitted,



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