



## *MEMORANDUM*

**TO:** HONORABLE MAYOR &  
CITY COUNCIL

**FROM:** LeRonne L. Armstrong,  
Interim Chief of Police

**SUBJECT:** OPD Federal Taskforce Partnerships:  
2021 Annual Reports

**DATE:** May 16, 2022

City Administrator   
Approval

Date Jun 3, 2022

### **EXECUTIVE SUMMARY**

The City's "Transparency for City Participation with Federal Surveillance Activities" Ordinance requires that city departments provide annual reports to the City's Privacy Advisory Commission (PAC) and City Council, regarding participation with any federal law enforcement agency task force in the prior calendar year. OPD has complied with this requirement by bringing reports for the 2021 calendar covering six separate City Council-approved taskforces. The reports cover categories regarding operations, number of cases, types of investigations, surveillance technology, training, and any violations of state and/or local laws.

### **INFORMATION**

Ordinance 13457 "Transparency for City Participation with Federal Surveillance Activities" adds Chapter 9.72 to the Oakland Municipal Code (OMC), OMC 9.72 requires that "by January 31 of each year, the Chief of Police shall provide to the Privacy Advisory Commission and City Council, a public report with appropriate public information on the Police Department's work with the (Federal Bureau of Investigation Joint Terrorism Task Force) JTTF or other federal law enforcement agency task force in the prior calendar year, including any issues related to compliance with this Section." OPD does not have an active taskforce with the FBI JTTF as the City Council voted on October 20 to terminate OPD's participation via Resolution No. 88346 C.M.S. However, OPD does continue to participate in taskforces with other federal agencies that support mission-critical investigations:

- OPD - Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Taskforce;
- OPD - Federal Bureau of Investigations (FBI) Child Exploitation Taskforce;
- OPD - FBI Violent Crimes Taskforce
- OPD - Federal Drug Enforcement Agency (DEA) Taskforce;
- OPD - United States Marshals Service (USMS) Taskforce; and
- OPD – Secret Service Taskforce

## HONORABLE MAYOR AND CITY COUNCIL

Subject: OPD Federal Taskforce Partnerships: 2021 Annual Reports

Date: March 12, 2021

Page 2

Each of these taskforces are based on memorandums of agreements (MOA) or Memorandums of Understanding (MOU) which in turn are authorized by City Council-adopted resolutions. The report accompanying Ordinance 13457 presentation to City Council on October 3, 2017, explains that:

*“The intention of the annual reporting requirement is to provide the City Council, the Privacy Commission and the public at large enough information about the activities of OPD officers operating under federal partnerships to know that Oakland and California policing standards are not being violated by those OPD officers. California state law and OPD policy prohibit OPD officers from engaging in profiling-based policing, defined as “consideration of, or reliance on, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability.”*

*“The purpose of the annual report is to disclose sufficient information about OPD officer activities so that the City may conclude that Oakland’s officers are fulfilling their duties in accordance with state and local law.”*

**Attachment A** to this memorandum includes each of the 2021 Annual Reports for these six federal taskforces. The Reports provide the following categories of information:

- Staffing: Number of OPD officers assigned to the taskforce, hours worked, and funding sources.
- Other Resources Provided: Communication equipment, Surveillance equipment, clerical/administrative staff hours, and related funding sources.
- Cases: Number of cases ATF Task Force Officer was assigned to, Number of “duty to warn” cases, General types of cases, Number of times the agency asked OPD to perform/OPD declined to perform, and reason for OPD declination (e.g. insufficient resources, local/state law).
- Operations: Use of undercover officers, instances where OPD Task Force officer managed informants, cases involving informants, Number of requests from outside agencies (e.g., ICE) for records or data of OPD, number of data request denials, and whether the Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected.
- Training and Compliance: Description of training, Date of last training update, training audit, and Frequency with which Task Force Officer briefs OPD supervisor on cases.
- Actual and Potential Violations of Local/State Law: Number of actual violations, Number of potential violations, Actions taken to address actual or potential violations, and Recommendations by OPD to address prevention of future violations.
- Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC) Information.
- Command Structure for OPD Task Force Officer.

The annual reports were first presented to the April 7, 2022 PAC meeting<sup>1</sup>. PAC Commissioners raised two specific concerns at this initial meeting: 1) provide more information about any specific surveillance equipment used with taskforce investigations and provide specific

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<sup>1</sup> Technically, only the ATF, DEA, and USMS reports were published for the meeting although staff provided all six reports.

**HONORABLE MAYOR AND CITY COUNCIL**

Subject: OPD Federal Taskforce Partnerships: 2021 Annual Reports

Date: March 12, 2021

Page 3

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information about how the technology(s) was used in conjunction with investigations; and 2) provide more detail about "Actual and Potential Violations of Local/State Law," a reporting category that has been requested by the PAC for report inclusion over the last several years. The initial reports explain how OPD is limited in what information may be provided based on state law.

Staff revised the attached 2021 Federal Taskforce Annual Reports in the two areas requested by the PAC. The attached reports provide more specific information about surveillance technology used as part of investigations, and each report now states the revised language, which was developed in consultation with the Office of the City Attorney, under the "Actual and Potential Violations of Local/State Law" section: "*Number of actual violations: there were zero reportable potential or actual violations of law or policy during the reporting period.*"

*The PAC voted unanimously at the May 7, 2022 meeting to recommend these reports be forward to the City Council.*

**HONORABLE MAYOR AND CITY COUNCIL**

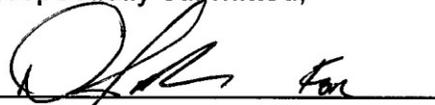
Subject: OPD Federal Taskforce Partnerships: 2021 Annual Reports

Date: March 12, 2021

Page 4

For questions regarding this report, please contact Roland Holmgren, Captain at rholmgren@oaklandca.gov.

Respectfully submitted,



LeRonnie Armstrong  
Chief of Police  
Oakland Police Department

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Attachments **(1)**

**A:** OPD 2021 Federal Taskforce Annual Reports



## OAKLAND POLICE DEPARTMENT Alcohol Tobacco and Firearms (ATF) 2021 Annual Report

### OPD ATF Taskforce

The OPD ATF Taskforce supports firearm related investigations. The firearm investigations are often associated with Crime Guns identified through the National Integrated Ballistic Information Network (NIBIN), unserialized firearms (Ghost Guns), Convicted Felons in possession of firearms and the tracing or tracking of firearms through E-Trace. The Taskforce also provides OPD CID with access to forensic resources to support investigations involving gun violence in Oakland. The Taskforce also provides resources to the OPD Crime Gun Intelligence Center (CGIC). OPD CGIC utilizes the National Integrated Ballistic Information Network (NIBIN), which provides crucial intelligence about firearms related crimes committed in Oakland and the San Francisco Bay Area. ATF Special Agents and OPD Taskforce Officer/s frequently respond to assist several Bay Area Law Enforcement Agencies and the Oakland Police Department to conduct investigations of individuals or groups who victimize Oakland residents. The Taskforce also supports the Ceasefire program in the adoption of State firearm cases involving repeated violent Felons identified through Ceasefire.

### Staffing

1. **Number of full and part time OPD officers assigned to ATF Task Force:** One part-time Officer. One full-time NIBIN analyst is currently assigned to OPD to assist with analytical data related to NIBIN Investigations.
2. **Number of hours worked as ATF Task Force Officer:** Regular 40 hours per week. However, the current task force officer is often assigned to other OPD operations based on OPD needs and priorities and whether or not there are active investigations.
3. **Funding source for ATF Task Force Officer salary:** OPD Budget – funded by OPD General Purpose Fund. Overtime related to ATF OPD Taskforce investigations are funded by the ATF.

### Other Resources Provided

1. **Communication equipment:** ATF handheld radio, cellular phone & laptop computer.
2. **Surveillance equipment:** ATF owns and installs utility pole cameras which are utilized in some cases. A court order w/ judicial approval is required prior to any installation.
3. **Clerical/administrative staff hours:** NIBIN Analyst: Regular 40 hours per week.
4. **Funding sources for all the above:** ATF Budget.

**Cases**

1. **Number of cases ATF Task Force Officer was assigned to:** Eleven – a breakdown of these cases provided below:
  - a) Oakland gang member arrested by Ceasefire units with a firearm following his presence at an Oakland shooting. ATF investigation into the suspect led to a federal search warrant at his residence in Las Vegas, NV where numerous firearms and evidence of firearms trafficking were recovered. Defendant has plead guilty in federal court.
  - b) Investigation into Oakland gang member trafficking firearms from Texas to Oakland. A federal search warrant at his residence in San Leandro, CA as well as seizure of packages sent by the suspect from Texas led to the recovery of firearms, ammunition, and promethazine syrup which may have been stolen from a pharmacy.
  - c) ATF agents traveled to Houston, TX to obtain a federal indictment for firearms possession on a suspect in an Oakland marijuana dispensary homicide.
  - d) Investigation into Oakland gang members suspected to be involved in OHAPD shooting resulting in the injury of a juvenile. Federal search warrant at one residence led to the recovery of multiple firearms. Defendant was charged in federal court, case pending. A second related subject was identified as being involved in a Livermore armed robbery as well as a Florida home invasion. State search warrants at an Oakland and Antioch residence resulted in evidence of the crimes. Defendant was arrested for PC211 and pending charges in Florida.
  - e) Federal adoption of CHP firearm case led to a federal charge against an Oakland gang member. ATF arrested the suspect at his residence in Antioch where he attempted to flee by ramming law enforcement vehicles and was arrested with a loaded firearm on his person.
  - f) Investigation into a gang related homicide in Oakland. One of the involved parties was identified as an Oakland gang member who returned fire during the incident. The defendant is pending federal charges.
  - g) ATF investigators assisted OPD homicide with the fire-bombing of a residence which resulted in the death of two people, including a juvenile. Investigation is ongoing.
  - h) ATF investigators are assisting CHP with a freeway shooting in Oakland resulting in the death of a juvenile. DNA recovered by ATF lab on fired cartridge cases indicates previously theorized San Francisco gang conflict. Investigation is ongoing.
  - i) ATF provided lab assistance for the shooting of retired OPD Captain. DNA recovered by ATF lab on fired cartridge cases matched to one of the suspects. Investigation by ATF in Reno, NV led to evidence of a second suspect with the registered owner of the vehicle used during the shooting.
  - j) ATF provided lab assistance for the shooting of a retired law enforcement officer in Oakland. Investigation is ongoing.
  - k) ATF agents are currently reviewing all OPD firearm arrests for possible federal prosecution.
2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Firearms investigations, NIBIN/CGIC investigations and Federally adopted State firearm cases.
4. **Number of times the ATF asked OPD to perform/OPD declined to perform:** None.
  - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

**Note: When criteria is met for federal charging, consideration is provided to ATF through task force or officer.**

### Operations

1. **Number of times use of undercover officers were approved:** 0
2. **Number of instances where OPD Task Force officer managed informants:** 0
3. **Number of cases involving informants that ATF Task Force Officer worked on:** All cases except adopted cases.
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
  - a. **Number of such requests that were denied:** N/A
  - b. **Reason for denial:** N/A
5. **Whether ATF Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

### Training and Compliance

1. **Description of training given to ATF Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the ATF Task Force follows all OPD policies and has received several trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the ATF Task Force MOU.
2. **Date of last training update:** Continuous Professional Training, June 2021
3. **Frequency with which ATF Task Force Officer briefs OPD supervisor on cases:** Weekly

### Actual and Potential Violations of Local/State Law

1. **Number of actual violations:** ~~there were zero reportable potential or actual violations of law or policy during the reporting period OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.~~
2. **Number of potential violations:** Same answer as above.
3. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

**Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)**

1. Whether OPD Task Force Officer submits SARs to NCRIC: No
2. Whether OPD officer receives SAR information: No

**Command Structure for OPD Task Force Officer**

1. Reports to whom at ATF? Resident Agent in Charge (RAC) Tommy Ho.
2. Reports to whom at OPD? Sergeant Steve Valle and Lieutenant Robert Rosin.



## OAKLAND POLICE DEPARTMENT Drug Enforcement Agency (DEA) Task Force 2021 Annual Report

### OPD DEA Taskforce

The DEA State and Local Task Force combines federal leverage and the specialists available to the DEA with state and local officers' investigative talents and detailed knowledge of their jurisdiction to lead drug law enforcement investigations. The DEA shares resources with state and local officers, thereby increasing the investigative possibilities available to all. Participation in DEA Task Forces also allows the DEA to pay for the overtime and investigative expenses of participating police agencies.

### Staffing

1. **Number of full and part time Oakland Police Department (OPD officers assigned to DEA Task Force:** One full-time officer
2. **Number of hours worked as DEA Task Force Officer:** Regular 40 hours per week.
3. **Funding source for DEA Task Force Officer salary:** OPD Budget

### Other Resources Provided

1. **Communication equipment:** OPD handheld radio, cellular phone
2. **Surveillance equipment:** GPS Tracker, Wiretap Intercept Equipment (always in possession and managed by DEA), None.
3. **Clerical/administrative staff hours:** None
4. **Funding sources for all the above:** OPD Budget

### Cases

1. **Number of cases DEA Task Force Officer was assigned to:** – case detail breakdown:

The goal of the Taskforce is to conduct targeted investigations into specific drug trafficking organizations (DTO) and the individuals within the DTOs who are engaged in high level narcotics distribution and trafficking. By conducting these longer federal investigations, the Taskforce is able to ensure entire DTO's are dismantled. Confronting and weakening DTOs closes off specific avenues in which drugs flow into the community. The Taskforce focuses primarily on heroin, methamphetamine, fentanyl, and cocaine trafficking; the Taskforce does not conduct any marijuana investigations.

Below is a summary of the cases worked on in 2021:

**Oakland RO TFG / BB-21-0016**

This is an active investigation into the crystal methamphetamine and counterfeit fentanyl pill drug trafficking organization (DTO) operating in and around the Greater Bay Area. The organization was responsible for transporting and trafficking crystal methamphetamine and "M30" fentanyl pills from Mexico into the U.S. from the southern California port of entry. The Oakland Task Force Group to date has arrested seven targets, seized \$293,845 in drug proceeds, approximately 10,000 "M30" fentanyl pills, a half kilogram of cocaine, approximately 30 pounds of crystal methamphetamine, and three firearms.

The main target of this investigation was responsible for supplying multiple pound quantities to a distributor who was identified as a member of the violent West Bully 223 street gang, operating in the East Bay area. This investigation was able to thwart the continued growth of the West Bully 223 street gang into a major crystal methamphetamine distributor in the East Bay area. The investigation into other criminal associates and co-conspirators is ongoing.

**Oakland RO TFG / BB-21-0056 /**

On August 12, 2021, agents from the DEA Oakland Resident Office (ORO) High Intensity Drug Trafficking Area (HIDTA) Task Force Group (TFG), along with the Oakland Alcohol, Tobacco, Firearms, and Explosives (ATF), United States Postal Inspection Service (USPIS), Concord Police Department (CPD), OPD, and the Alameda County Sheriff's Office (ACSO), arrested three suspects. These suspects were part of a firearms trafficking organization that was responsible for distributing firearms to violent drug trafficking organizations and known gang members throughout the Bay Area as well as other parts of the United States. As a result of the takedown, agents seized machine guns, privately made firearms (PMFs), silencers, firearms classified as assault weapons/rifles under California State Law, approximately over a thousand rounds of ammunition, high-capacity magazines, unfinished firearm receivers/frames. In total 55 firearms were seized. During the investigation, law enforcement conducted multiple undercover buys resulting in the purchase of 13 firearms and 17 Glock conversion switches, collectively. The undercover purchases netted commercial factory firearms as well as privately made firearms (PMFs), commonly referred to as "ghost guns." In July of 2021, DEA ORO TFG and ATF, utilized an undercover agent to purchase "M30" fentanyl pills from REMBERT in Concord, CA. Agents later identified the source of supply for those pills, and the investigation into this suspect continues.

**Oakland RO TFG/BB-21-0041 /Fentanyl Overdose Death Investigation**

On December 5, 2020, the DEA Oakland Resident Office (ORO) Task Force Group (TFG), in partnership with the United States Attorney's Office (USAO), and their state and local partners, executed the federal arrest warrant of an individual involved in the distribution of fentanyl resulting in death.

This was a six-month long investigation into the Oxycodone and fentanyl drug trafficking activities of the individual. This was a multi-agency investigation. Throughout this investigation, DEA ORO TFG conducted numerous surveillances, interviews, and search warrants to arrest the individual involved. DEA ORO TFG investigators were

also able to utilize technology to identify the individual as the drug trafficker who provided the lethal fentanyl to the overdose victim. Through partnering with their state and local counterparts, DEA ORO TFG was able to link the individual to multiple fentanyl related overdoses. The individual's fatal drug trafficking activities has him facing a mandatory minimum sentence of twenty years in federal prison.

**OAKLAND RO TFG/ BB-21-0030**

In December of, 2020, the DEA Oakland RO TFG initiated an investigation into the drug trafficking activities of an identified suspect. DEA ORO TFG investigators corroborated intelligence derived from a confidential source (CS) that the suspect was a multi-pound methamphetamine trafficker with ties to Los Angeles and Mexican based drug traffickers. The CS was able to identify locations, vehicles, and methods of operation for the suspect's drug trafficking organization (DTO), which is based in Oakland, CA.

On February 26, 2021, DEA ORO TFG, investigators learned from their CS that the suspect would be traveling to southern California to gain more supply of methamphetamine. OAK-TF-1 investigators then coordinated with California Highway Patrol (CHP) to conduct a traffic stop of the suspect once the vehicle entered the Northern District of California. DEA ORO TFG investigators utilized physical and electronic surveillance on the suspect while on Interstate 5 and 580. Once the suspect entered Alameda County, CHP initiated the stop. As a result of the traffic, CHP discovered 133 pounds of crystal methamphetamine in the suspect's vehicle ready for immediate distribution. The suspect was arrested and charged with federal drug trafficking violations by the United States Attorney's Office (USAO) in the Northern District of California.

**Oakland RO TFG / BB-21-0026**

In late 2020, the FBI Contra Costa County Safe Streets Task Force (CCCSSTF), DEA RO TFG, and the Concord Police Department (CPD) initiated an Organized Crime Drug Enforcement Task Force (OCDEFT) investigation "Operation Snow Storm" into a Honduran Drug Trafficking Organization (DTO) that distributes large quantities of fentanyl throughout the San Francisco Bay Area. The investigation revealed that several criminal street gang members in Contra Costa County were getting supplied large quantities of fentanyl by the Honduran DTO. A CPD confidential informant identified a high-level member of the DTO. In February 2021, agents learned that the suspect was previously intercepted on a DEA Oakland RO Enforcement Group Title III (T-III) wiretap investigation. In mid-February, DEA ORO TFG, in conjunction with FBI CCCSSTF conducted a buy walk operation with the suspect and purchased approximately a quarter pound of fentanyl. As a result of the aforementioned purchase, law enforcement applied for and received authorization for a federal T-III on the suspect's telephone. During the interception period, law enforcement conducted surveillance and traffic enforcement stops on members of the DTO which resulted in four arrests and approximately one kilogram of fentanyl seized. On May 25, 2021, at the conclusion of the T-III interception period, law enforcement served search warrants at five locations. Approximately 19 kilograms of fentanyl, \$37,000 in US Currency, two handguns, and a rifle were seized during the search warrants. The suspect along with seven other criminal associates were arrested on federal drug charges.

**Oakland RO TFG Airport Interdiction**

Oakland RO TFG have been working in conjunction with the Alameda County Sheriff's Office, Oakland International Airport Insider Threat Task Force. Oakland International Airport is a transit point for drug trafficking and bulk cash smuggling. To date, Oakland RO TFG have seized approximately \$900,000 in bulk currency suspected to be drug proceeds or utilized to facilitate drug trafficking.

2. **Number of "duty to warn" cases:** None
3. **General types of cases:** Narcotics investigations and money laundering investigations
4. **Number of times the DEA asked OPD to perform/OPD declined to perform:** None
  - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

**Operations**

1. **Number of times OPD officers were involved in undercover investigations:** OPD personnel were assigned in plain clothes or undercover capacity to approximately six investigations.
2. **Number of instances where OPD Task Force officer managed informants:** OPD TFO has three active informants
3. **Number of informant-involved cases in which the OPD DEA Task Force Officer actively participated:** All
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None
  - a. **Number of such requests that were denied:** N/A
  - b. **Reason for denial:** N/A
5. **Whether DEA Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No

**Training and Compliance**

1. **Description of training given to DEA Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the DEA Task Force follows all OPD policies and has received several police trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the DEA Task Force MOU.
2. **Date of last training update:** Continuous professional training (CPT) in January, 2021
3. **Frequency with which DEA Task Force Officer briefs OPD supervisor on cases:** Weekly

**Actual and Potential Violations of Local/State Law**

1. **Number of actual violations:** ~~there were zero reportable potential or actual violations of law or policy during the reporting period OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.~~
2. **Number of potential violations:** Same answer as above.

- 3. Actions taken to address actual or potential violations:** The officer follows OPD policies, except where DEA policies are more restrictive. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with State and Federal laws. Going forward, OPD will consult with Office of the City Attorney on a biannual basis.
- 4. Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

**Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)**

- 1. Whether OPD Task Force Officer submits SARs to NCRIC:** No.
- 2. Whether OPD officer receives SAR information:** No.

**Command Structure for OPD Task Force Officer**

- 1. Reports to whom at DEA?** HIDTA Task Force Group Supervisor Marcelus Ross
- 2. Reports to whom at OPD?** Sergeant Valle and Lieutenant Nowak



## OAKLAND POLICE DEPARTMENT United States Marshals Service (USMS) 2021 Annual Report

### OPD USMS Taskforce

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

### Staffing

1. **Number of full and part time OPD officers assigned to USMS Task Force:** One full-time officer.
2. **Number of hours worked as USMS Task Force Officer:** Regular 40 hours per week. However, the OPD officer sometimes is asked to assist with OPD operations. The work assignment of this officer is based on OPD needs and priorities and whether there are active investigations.
3. **Funding source for USMS Task Force Officer salary:** OPD General Purpose Fund Budget.

### Other Resources Provided

**Communication equipment:** OPD/USMS radio, cellular phone, laptop.

1. **Surveillance equipment:** None.
2. **Clerical/administrative staff hours:** None.
3. **Funding sources for all the above:** USMS Funds

### Cases

1. **Number of cases USMS Task Force Officer was assigned to:** 73; a breakdown of fugitive apprehensions by originating crime type is provided below.

<b>Originating Crime Type Leading To Warrant</b>	<b>Amount</b>
Homicide	28
Robbery	12
Assault	4
Weapons Charges	11
Burglary	3
Rape	4
Aiding Escapee	1
Molesting a Minor	0
Kidnapping	2
Other (e.g. Hit and Run, PAL*, Probation)	8
<b>Total</b>	<b>73</b>

\*PAL=parolee at large

2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Local, state, and federal criminal arrest warrants.
4. **Number of times USMS asked OPD to perform/OPD declined to perform:** None
  - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

### Operations

1. **Number of times OPD officers were involved in undercover investigations:** None.
2. **Number of instances where OPD Task Force officer managed informants:** None.
3. **Number of informant-involved cases in which the OPD USMS Task Force Officer actively participated:** None.
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
  - a. **Number of such requests that were denied:** N/A
  - b. **Reason for denial:** N/A
5. **Whether USMS Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

### Training and Compliance

1. **Description of training given to USMS Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the USMS Fugitive Task Force follows all OPD policies and procedures, and has received several police trainings, including, but not limited to continued professional training, procedural justice training, and annual firearms training.
2. **Date of last training update:** June 2021 Continuous Professional Training.
3. **Frequency with which USMS Task Force Officer briefs OPD supervisor on cases:** Weekly.

### Actual and Potential Violations of Local/State Law

- ~~1. **Number of actual violations:** here were zero reportable potential or actual violations of law or policy during the reporting period OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.~~
- 2.1. **Number of potential violations:** Same answer as above.
- 3.2. **Actions taken to address actual or potential violations:** The Task Force Officer follows OPD policies. USMS Task Force Supervisor meets with OPD VCOC supervisor and commander weekly. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with State and Federal laws. Going forward OPD will consult with City Attorney on a biannual basis.
- 4.3. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

### Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
2. **Whether OPD officer receives SAR information:** No.

### Command Structure for OPD Task Force Officer

1. **Reports to whom at USMS?** U.S. Marshal Assistant Chief Inspector Gerry Gutierrez.
2. **Reports to whom at OPD?** Sergeant Steve Valle and Lieutenant Robert Rosin.



## OAKLAND POLICE DEPARTMENT Federal Bureau of Investigations (FBI) Violent Crimes / Safe Streets Taskforce 2021 Annual Report

### OPD FBI Violent Crimes Taskforce

The OPD FBI Violent Crimes Taskforce which falls under The FBI's Safe Streets initiative, is a collaborative effort to address violence crimes within our community. The task force pursues violent gangs through sustained, proactive, coordinated and intelligence led investigations to obtain prosecutions that will further public safety while reducing harm and law enforcement's footprint.

### Staffing

1. **Number of full and part time OPD officers assigned to FBI Task Force:** Two full-time officers.
2. **Number of hours worked as FBI Task Force Officer:** Regular 40 hours per week. However, the current task force officer is often assigned to other OPD operations based on OPD needs and priorities and whether or not there are active investigations.
3. **Funding source for FBI Task Force Officer salary:** OPD Budget.

### Other Resources Provided

1. **Communication equipment:** None.
2. **Surveillance equipment:** None.
3. **Clerical/administrative staff hours:** None.
4. **Funding sources for all the above:** OPD Budget.

### Cases

1. **Number of cases FBI Task Force Officer was assigned to:** Eleven – a breakdown of these cases provided below:
  - a. Two of the cases are ongoing homicide and felony assault cases involving criminal street gangs in the City of Oakland, as well as other Bay Area cities.
  - b. There are nine additional ongoing homicide cases in which the FBI Evidence Response Team (ERT) has processed evidence in all of the cases. The cases are all still ongoing; therefore, more detailed information cannot be released currently.
2. **Number of “duty to warn” cases:** N/A
3. **General types of cases:** Homicides and Felony Assault cases involving suspects identified in violent gangs / groups.
4. **Number of times the FBI asked OPD to perform/OPD declined to perform:** None.

- a. Reason for OPD declination (e.g. insufficient resources, local/state law): N/A

### Operations

1. Number of times OPD officers were involved in undercover investigations: Five
2. Number of instances where OPD Task Force officer managed informants: None.
3. Number of informant-involved cases in which the OPD FBI Task Force Officer actively participated: All cases except adopted cases.
4. Number of requests from outside agencies (e.g. ICE) for records or data of OPD: None.
  - a. Number of such requests that were denied: N/A
  - b. Reason for denial: N/A
5. Whether FBI Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected: No.

### Training and Compliance

1. Description of training given to FBI Task Force Officer by OPD to ensure compliance with Oakland and California law: The OPD officer assigned to the FBI Task Force follows all OPD policies and has received several trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the FBI Task Force MOU.
2. Date of last training update: June 2021
3. Frequency with which FBI Task Force Officer briefs OPD supervisor on cases: Weekly

### Actual and Potential Violations of Local/State Law

1. Number of actual violations:  ~~: there were zero reportable potential or actual violations of law or policy during the reporting period. Release of any of this information would violate California law (832.7), as there are two OPD officers currently assigned to this task force.~~
2. Number of potential violations: Same answer as above.
3. Actions taken to address actual or potential violations: The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
4. Recommendations by OPD to address prevention of future violations: OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

### Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

1. Whether OPD Task Force Officer submits SARs to NCRIC: No.

2. **Whether OPD officer receives SAR information:** No.

**Command Structure for OPD Task Force Officer**

1. **Reports to whom at FBI?** Supervisory Agent in Charge (ASAC) Darin Heideman
2. **Reports to whom at OPD?** Lieutenant Frederick Shavies II



## OAKLAND POLICE DEPARTMENT

### FBI Child Exploitation Taskforce

### 2021 Annual Report

#### **OPD FBI Child Exploitation Taskforce Mission:**

The mission of the Child Exploitation and Human Trafficking Task Force (CEHTTF) is to provide a rapid, proactive, and intelligence-driven investigative response to the sexual victimization of children, other crimes against children, and human trafficking within the FBI's jurisdiction; to identify and rescue victims of child exploitation and human trafficking; to reduce the vulnerability of children and adults to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence-sharing, technical support, and investigative assistance.

The taskforce follows the following goals and priorities:

1. To rescue victims of sex trafficking that are being exploited on both city streets and through internet crimes.
2. To arrest those individuals who are in violation of prostituted related offenses including 647(a), 647(b), 653.22, and 653.23 P.C, 266 PC, 236.1 PC.
3. To gather intelligence and possibly initiate/pursue investigations on cases involving Human Trafficking or other criminal acts.
4. To assist OPD/FBI investigators on any open/active criminal case. Utilize Federal, state and local resources to locate victims of Human Trafficking and Child Exploitation and look for opportunities to prosecute the subjects Federally.

The defined priority threats that are aligned with the mission of the CEHTTFs are:

1. Child Abductions (Non-Ransom and Ransom)
2. Production/Manufacturing of Child Pornography
3. Sextortion
4. Electronic Groups/Organizations/Enterprises for Profit
5. Travelers/Enticement
6. Traders/Distributors of Child Pornography
7. Interstate Transportation of a Minor with Intent that Minor Engage in Any Illegal Sexual Activity
8. Human Trafficking
9. Child Sex Trafficking
10. Adult Sex Trafficking
11. Forced Labor
12. Domestic Servitude
13. International Parental Kidnapping
14. Possessors of Child Pornography
15. Child Sex Tourism
16. Unlawful Flight to Avoid Prosecution – Parental Kidnapping

17. All other Crimes Against Children and Human Trafficking matters within the FBI's jurisdiction

### Staffing

1. **Number of full and part time Oakland Police Department (OPD officers assigned to FBI Task Force:** All Part-Time: (1 Lieutenant, 1 Sergeant and 4 Officers work Part-time Overtime Juvenile Rescue and Internet Crimes Against Children Operations)
2. **Number of hours worked as FBI Task Force Officer:** Each part-time TFO works on average 8 hours a week
3. **Funding source for FBI Task Force Officer salary:** FBI

### Other Resources Provided

1. **Communication equipment:** OPD handheld radio, cellular phone
2. **Surveillance equipment:** Cellebrite machine<sup>\*</sup>, ~~GoPro camera~~
3. **Clerical/administrative staff hours:** None
4. **Clerical/administrative equipment:** laptop computers, hard drives, vehicle usage
5. **Funding sources for all the above:** OPD Budget funds all OPD personnel standard salary and benefits; the FBI in 2021 reimbursed OPD for overtime expenses worked by the federally-deputized OPD members.

\* Cellebrite is used in some investigations where there is probable cause for a search warrant, unless the person in possession of a phone (for use of Cellebrite technology) provides verbal consent to search a phone.

### Cases

1. **Number of cases FBI Task Force Officer was assigned to:** 12 separate cases; the taskforce conducted over 51 operations in the city of Oakland related to these cases. The results were the following:
  - a. One hundred and twenty-nine (129) female adults were arrested for solicitation of prostitution (647(a) and (b) PC, 653.22 PC). They were all offered resources by a combination of several non-profit sexual assault advocate agencies.
  - b. One hundred and eleven (111) male adults were arrested for solicitation of prostitution (647(a) and (b) PC, 653.22 PC). The Special Victim Section followed up with "Dear John" letters to applicable residences.
  - c. Twenty-two (22) female juveniles were rescued from Human trafficking. They were all provided resources by a combination of several non-profit sexual assault advocate agencies.
  - d. Fourteen (14) sex traffickers were arrested and charged with human trafficking (236.1, 266 PC) as a direct result of operations.
  - e. The OPD/FBI VICE/Child Exploitation Unit Task Force vetted hundreds of child pornography cyber tips in 2021. This resulted in over 100 search warrants. Five (5) subjects were arrested and prosecuted for Child Pornography (311.11 PC).
  - f. The OPD/FBI VICE/Child Exploitation Unit Task Force has provided unmarked vehicles for the use of human trafficking investigations and operations.
  - g. In December 2021, The OPD/FBI VICE/Child Exploitation Unit Task Force received a cyber tip regarding an active sexual assault that was documented in child pornography. The OPD/FBI VICE/Child Exploitation Unit Task Force quickly

executed a search warrant service which resulted in the following: the scene was located; child pornography was recovered, and the suspect was arrested and prosecuted. Federal case social workers were also on scene to provide resources to the victim and family members. (Oakland PD RD#21-056098).

- a. In April 2020, the OPD/FBI VICE/Child Exploitation Unit Task Force conducted an operation on a “call-out” establishment. Several hours of surveillance were conducted and search warrants were executed.
2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Human Trafficking and Internet Crimes
4. **Number of times the FBI asked OPD to perform/OPD declined to perform:** None
  - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

### Operations

1. **Number of times OPD officers were involved in undercover investigations:** 51  
Operations that included undercover officers
2. **Number of instances where OPD Task Force officer managed informants:** None
3. **Number of informant-involved cases in which the OPD FBI Task Force Officer actively participated:** None
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None
  - a. **Number of such requests that were denied:** N/A
  - b. **Reason for denial:** N/A
5. **Whether FBI Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No

### Training and Compliance

1. **Description of training given to FBI Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the FBI Task Force follows all OPD policies and has received several police trainings, including but not limited to: Continual Professional Training (CPT), Procedural Justice Training and annual firearms training. OPD VICE/CEU Officers have attended collaborative FBI surveillance training and monthly Innocence Lost meetings. The officer has also reviewed all provisions of the FBI Task Force MOU.
2. **Date of last training update:** FBI taskforce training in January, 2021
3. **Frequency with which FBI Task Force Officer briefs OPD supervisor on cases:** Weekly

### Actual and Potential Violations of Local/State Law

1. **Number of actual violations:** ~~there were zero reportable potential or actual violations of law or policy during the reporting period. Release of any of this information would violate California law (832.7), as there is only one OPD officer assigned to this task force.~~
2. **Number of potential violations:** Same answer as above.
3. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.

4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

**Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)**

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
2. **Whether OPD officer receives SAR information:** No.

**Command Structure for OPD Task Force Officer**

1. **Reports to whom at FBI?** Resident Agent in Charge (RAC) Martha Parker
2. **Reports to whom at OPD?** Task Officer reports to Sergeant of the SVS/VICE unit, who is currently Sgt. Marcos Campos. Sergeant reports to the Lieutenant of Special Victims Section is Lt. Alan Yu.



## OAKLAND POLICE DEPARTMENT

### Secret Service

### 2021 Annual Report

#### OPD United States Secret Service (USSS) Agreement

OPD and the USSS formalized an agreement related to the USSS Bay Area Identify Theft Strike Force / Electronic Crimes Task Force (“Task Force”). The Memorandum of Understanding (MOU) was signed by both parties in 2009 and articulates rules for reimbursement of participating OPD officers when working on overtime on official Task Force investigations.

#### Staffing

1. **Number of full and part time OPD officers assigned to USSS Task Force:** One part time officer, who also assists in Criminal Investigations Division (CID) general Crimes.
2. **Number of hours worked as USSS Task Force Officer:** Currently the task force officer spends the majority of his time in the General Crimes office and works with the USSS to assist with active investigations as needed. The assigned officer also uses the USSS task force to assist with digital forensic searches including computers and cell phones.
3. **Funding source for USSS Task Force Officer salary:** OPD Budget – funded by OPD General Purpose Fund.

#### Other Resources Provided

1. **Communication equipment:** OPD handheld radio, cellular phone.
2. **Surveillance equipment:** Bluetooth skimming detection device. None.
3. **Clerical/administrative staff hours:** None.
4. **Funding sources for all the above:** OPD Budget.

#### Cases

1. **Number of cases USSS Task Force Officer was assigned to:** This past year the USSS assisted OPD with approximately ten cell phone searches for felony assault. They also assisted OPD with digital forensics related to ATM skimmers and video related to ATM skimmers. The USSS has provided OPD with equipment and training to recognize, detect and locate Bluetooth skimming devices. The USSS also provided OPD with equipment and training to complete cell phone searches.

Staff assigned to the taskforce have not as of 2021 used surveillance devices to detect Bluetooth skimmers.

2. **General types of cases:** Fraud and identity theft investigations
3. **Number of times the USSS asked OPD to perform/OPD declined to perform:** None.

- a. Reason for OPD declination (e.g. insufficient resources, local/state law): N/A

### Operations

1. Number of times OPD officers were involved in undercover investigations: None
2. Number of instances where OPD Task Force officer managed informants: None.
3. Number of informant-involved cases in which the OPD USSS Task Force Officer actively participated: None
4. Number of requests from outside agencies (e.g. ICE) for records or data of OPD: None.
  - a. Number of such requests that were denied: N/A
  - b. Reason for denial: N/A
5. Whether USSS Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected: No.

### Training and Compliance

1. **Description of training given to USSS Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the USSS Task Force follows all OPD policies and has received several trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the USSS Task Force MOU.
2. **Date of last training:** Sep 2021CPT. Additional USSS Bluetooth skimming device training May 2021
3. **Frequency with which USSS Task Force Officer briefs OPD supervisor on cases:** Daily

### Actual and Potential Violations of Local/State Law

- ~~1.—Number of actual violations: there were zero reportable potential or actual violations of law or policy during the reporting period: OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.—~~
- 2.1. Number of potential violations:** Same answer as above.
- 3.2. Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
- 4.3. Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

**Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)**

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
2. **Whether OPD officer receives SAR information:** No.

**Command Structure for OPD Task Force Officer**

1. **Reports to whom at USSS?** Assistant to the Special Agent In Charge (ATSAIC)  
Danielle Lopez
2. **Reports to whom at OPD?** Sergeant Alexis Nash and Lieutenant Brad Young

