



# OAKLAND POLICE DEPARTMENT

## Alcohol Tobacco and Firearms (ATF)

### 2020 Annual Report

#### OPD ATF Taskforce

The OPD ATF Taskforce supports investigations related to firearms violations. These violations are also connected to illegal narcotics sales, social media threats to the residents of Oakland, organized crime related to the City Oakland and cases of Arson. The Taskforce also provides OPD with access to the San Francisco Crime Gun Intelligence Center (CGIC). The 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. The ATF Special Agents compile NIBIN leads which have been linked to hundreds of violent crimes in our community. ATF Special Agents and OPD Taskforce Officer/s frequently respond to assist law enforcement agencies and the Oakland Police Department to conduct investigations of individuals or groups who victimize Oakland residents.

#### Staffing

- 1. Number of full and part time OPD officers assigned to ATF Task Force:** Two full-time officers.
- 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.

#### Other Resources Provided

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

#### Cases

- 1. Number of cases ATF Task Force Officer was assigned to:** Fifteen – a breakdown of these cases provided below:

- a. There are multiple defendants in this case. The initial case began with the ATF adopting the case from OPD. The individuals in this case are part of a violent Oakland Gang. The individuals were arrested on various firearms charges. Several of the individuals are currently being investigated for several high-profile homicides. The firearm cases are being used to gather further information in recent shootings and homicides. This case is ongoing.
- b. ATF officers were purchasing firearms and narcotics from an individual. ATF officers were advised that this individual was selling firearms through social media. ATF officers contacted the individual and began to purchase firearms.
- c. Officers were advised of an individual who shot a child. OPD/ATF officers conducted a search warrant at a residence believed to be the suspect involved in the shooting. Multiple firearms were recovered and the individual is currently going through court for his pending charges.
- d. Officers adopted a case from OPD. Suspect was arrested for several firearms related charges. The suspect is part of a gang with several ties Oakland. The suspect was arrested on the pending gun charges.
- e. Officers were given several targets that were related to shootings and homicides in Oakland. Officers were directed to an individual and were able to purchase narcotics from the individual. Officers were then able to purchase firearms from the defendant. The individual was arrested for the charges and OPD Homicide was advised of the individual's status due to related homicide investigations.
- f. ATF agents were advised of a gang member who was purchasing firearms in another state and transporting them into Oakland. ATF officers purchased narcotics from the individual in hopes of purchasing firearms from the individual. Case is pending.
- g. ATF officers purchased weapons and narcotics from several gang members in the Bay Area. There are 5 open cases stemming from this investigation.
- h. OPD/ATF adopted a case of a violent Oakland gang member. The suspect was indicted federally on federal gun charges. The suspect plead guilty to federal weapons charges and sentenced to federal prison.
- i. OPD suspect of shooting was arrested by OPD/ATF agents with several firearms. NIBIN was conducted to determine association to the shooting. The suspect is currently pending federal charges.
- j. OPD/ATF agents adopted cases to 6 known member of a violent Oakland gang. Each individual is pending federal weapons charges.
- k. OPD/ATF agent's area currently involved in several other cases with known Oakland Gang members. ATF/OPD task force is currently investigating these individuals to determine if Federal charges can be filed.

**2. Number of "duty to warn" cases:** N/A

**3. General types of cases:** Firearms and narcotics investigations.

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 use of undercover officers were approved:** Five
2. **Number of instances where OPD Task Force officer managed informants:** None.
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, and last training audit:** June 2020
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:** 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 and the Privacy

Advisory Commission to ensure that personnel continue to follow federal, state, and local laws and policies.

**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?** Supervisory Agent in Charge (ARAC) Richard Timbang
2. **Reports to whom at OPD?** Sergeant Mike Valle and Lieutenant Steven C Nowak



# OAKLAND POLICE DEPARTMENT

## United States Marshals Service (USMS)

### 2020 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 Budget.

#### Other Resources Provided

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

## Cases

1. **Number of cases USMS Task Force Officer was assigned to:** 63 – a breakdown of fugitive apprehensions is provided below.

<b>Originating Crime Type Leading To Warrant</b>	<b>Amount</b>
Homicide	31
Robbery	7
Assault	4
Weapons Charges	9
Burglary	3
Rape	2
Aiding Escapee	2
Molesting a Minor	1
Kidnapping	1
Other (e.g. Hit and Run, PAL*, Probation)	3

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 use of undercover officers were approved:** None.
2. **Number of instances where OPD Task Force officer managed informants:** None.
3. **Number of cases involving informants that USMS Task Force Officer worked on:** 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, and last training audit:** August 2020.
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:** 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 Task Force Officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with 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 and the Privacy Advisory Commission to ensure that personnel continue to follow federal, state, and local laws and policies.

### **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 Ivan Peric.
2. **Reports to whom at OPD?** Sergeant Michael Valle and Lieutenant Steven Nowak.



# OAKLAND POLICE DEPARTMENT

## Drug Enforcement Agency (DEA) Task Force

### 2020 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:** 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:** 19 – 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 2020:



- An investigation targeting cartel members who were transporting methamphetamine from Southern California to Oakland, CA. Multiple suspects were arrested within this investigation.
- A multi-state poly Drug Trafficking Organization (DTO) operating out of Oakland. Multiple suspects were arrested and charged.
- Multi-state cocaine traffickers, who would travel to the bay area and purchase large quantities of cocaine. Multiple suspects were arrested and charged in this case.
- An investigation targeting street level narcotics dealers, operating in Oakland. This investigation is ongoing.
- A methamphetamine dealer operating within the bay area. The suspects was arrested charged during this investigation.
- A methamphetamine and fentanyl dealer operating within the Bay Area. This investigation is ongoing.
- A fentanyl dealer operating between San Francisco and Oakland, who sold large amounts of pure fentanyl. This investigation is ongoing.
- A street level buy bust operation targeting a heroin dealer operating within the city of Oakland. Multiple suspect was arrested on state charges.
- A poly Drug Trafficking Organization (DTO) involved with violent gang activities within the bay area. Numerous suspects were arrested and charged federally.
- An investigation targeting violent gang members engaged in street level narcotics. This investigation is ongoing.
- A methamphetamine and cocaine trafficker operating throughout the bay area. Multiple suspects were arrested and charged federally.
- A large fentanyl and methamphetamine Drug Trafficking Organization (DTO) operating within Oakland and San Francisco. Numerous suspects were arrested and charged federally.
- A poly Drug Trafficking Organization (DTO) operating within Oakland and San Jose. Multiple suspects were arrested and charged federally.
- A poly Drug Trafficking Organization (DTO) operating within the bay area and San Joaquin County. This investigation is ongoing.
- An investigation targeting violent gang members, selling street level narcotics, operating within the bay area. Multiple suspects were arrested during this investigation.
- An investigation targeting gang members distributing large quantities of methamphetamine, and heroin. Multiple suspects were arrested and charged federally.
- An investigation targeting a street level narcotics dealer who was armed with a firearm, operating in Oakland. The suspects was arrested and charged.
- An investigation targeting a fentanyl dealer operating in Oakland. This investigation is ongoing.

- An investigation targeting a multi-state poly Drug Trafficking Organization (DTO), operating primarily out of Oakland. Numerous suspects were arrested and charged federally.
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 use of undercover officers were approved:** None
2. **Number of instances where OPD Task Force officer managed informants:** None
3. **Number of cases involving informants that DEA Task Force Officer worked on:** 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, and last training audit:** January, 2020
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:** 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, 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.
4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney and the Privacy Advisory Commission to ensure that personnel continue to follow federal, state, and local laws and policies.

**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?** Resident Agent in Charge (RAC) James Rider
- 2. Reports to whom at OPD?** Sergeant Valle and Lieutenant Nowak