

CITY OF OAKLAND

Memorandum

TO: Bureau of Investigations  
ATTN: Deputy Chief Jeffrey H. Israel  
FROM: Criminal Investigation Division  
DATE: 4 Feb 08

**RE: 2007 Annual Report**

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**Criminal Investigation Division**

The Criminal Investigation Division (CID) was under the command of Captain Jeffrey Loman for the entire year. During the year, CID investigators continued to concentrate resources on the investigation of violent crimes, the identification of crime trends and patterns, and repeat offenders that were contributing to higher recidivism rates. The Division consists of the Homicide, Robbery, Assault, and Theft Sections.

Within these sections are the Targeted Enforcement Task Force (TETF) and Field Support Unit (FSU), which included the Fugitive, Weapons, and Vice Charging Details. The Arson crimes, Pawn Shop Detail, and the Alameda County Regional Auto Theft Task Force (ACRATT) are under the Theft Section.

**Fiscal Management**

The fiscal budget for Operating and Maintenance (O&M) provided was adequate to sustain the division and accomplish the goals of the division. However, the personnel costs associated with the day to day operations were slightly under-funded. With the increase in the crime rates coupled with more arrests, many more callouts were initiated this past year. As such, the overtime budget was dramatically overspent by 1.5 million dollars. The following table illustrates the division's budget for the year.

Table 1

Category	Budget	Encumber	Spent	Difference
O&M	598,619	59,709	529,525	(615)
Grants	0	0	0	0
Personnel	4,797,015	0	5,118,914	(321,899)
Overtime	582,583	0	2,168,994	(1,586,411)

## **Homicide Section**

### **Staffing:**

<b>Classification</b>	<b>Authorized Number</b>	<b>Actual Number</b>	<b>Vacancies (+/-)</b>
Lieutenant of Police	1	1	0
Sergeants of Police	11	11	0
Police Officers	0	0	0
Police Records Specialist	1	1	0

### **TETF**

<b>Classification</b>	<b>Authorized Number</b>	<b>Actual Number</b>	<b>Vacancies (+/-)</b>
Sergeant of Police	1	1	0
Police Officers	6	6	0

Due to an extended on-duty injury of our Police Records Specialist (PRS), the Homicide Section had no PRS for the entire year. Additionally, due to a shortage of investigators throughout CID, the two field investigators positions were used to fill general investigation positions. The Homicide Field Supervisor's position was used to work on Deoxyribonucleic Acid (DNA) Cold Case related investigations. During the last quarter of the year, the Homicide Section took advantage of the PRS that was previously assigned to the Special Operations Group (SOG). The TETF was added to the Homicide Section (during a Departmental re-organization).

The following personnel transferred out of the Homicide Section during the year:

- Sergeant Brian Medeiros (investigator - promoted)
- Sergeant Dominique Arotzarena (investigator)
- Sergeant Phil Green (investigator)

The following personnel transferred to the Homicide Section during the year:

- Sergeant George Phillips
- Sergeant Caesar Basa
- Sergeant Gustavo Galindo
- Sergeant Randell Wingate (TETF)
- Officer Larry Robertson (TETF)
- Officer John Kelly (TETF)
- Officer Leo Sanchez (TETF)
- Officer Omega Crum (TETF)
- Officer Steve Valle (TETF)
- Officer Martin Ziebarth (TETF)
- Jenny Wong (PRS)

As did most cities in California, homicides are a focal point of a city’s safety as well as a gauge for crime. The following chart is an example of our caseload compared to other departments for 2007:

<b>Police Department</b>	<b>Number of Homicides</b>	<b>Total Investigators</b>
<b>Oakland</b>	<b>127</b>	<b>11</b>
<b>San Jose</b>	<b>36</b>	<b>12</b>
<b>San Diego</b>	<b>58</b>	<b>16</b>
<b>San Francisco</b>	<b>98</b>	<b>19</b>
<b>Fresno</b>	<b>52</b>	<b>12</b>

**Responsibilities:**

1. The Homicide Commander is responsible for the overall operation of the Homicide Section and performs the following duties:
  - A. Have a working knowledge of all homicide cases for the year and be able to obtain information on all homicide cases from previous years.
  - B. Maintain the Homicide Section’s monthly summary report, which is updated daily.
  - C. Maintain the Homicide Section’s Excel spread sheet on all homicide cases since 1996, which is updated as required.
  - D. Review completed homicide investigations for completeness and accuracy.
  - E. Attend the weekly Management Assessment Program (MAP) and Crime Stop meetings.
  - F. Complete the monthly Homicide Statistical Report.
  - G. Complete and submit monthly reports to the Accounting Section for the Homicide Prevention Fund and the Criminal Investigation Fund.
  - H. Provide guidance and support to the homicide investigators and ensure necessary resources are obtained and maintained.
  - I. Respond to all officer involved shooting incidents and oversee the investigation, in accordance with HS-PP-1 and DGO K-4.
  - J. Respond to all in custody death incidents and oversee the investigation, in accordance with HS-PP-1 and DGO K-4.
  - K. When assigned, investigate IAD complaints.
  - L. Assign S/C Unexplained Death investigations in LRMS.
  - M. Approve and monitor the section’s budget, overtime expenditures, and equipment purchases.
  - N. Prepare and ensure annual performance appraisals for section personnel are prepared in accordance with the provisions of DGO B-6.
  - O. Attend and participate in the monthly meetings of Families and Friends of Murdered Victims.
  - P. Maintain full compliance with the Negotiated Settlement Agreement (NSA) and all Departmental policies and procedures.
  - Q. Maintain and distribute cash funds regarding the Homicide Prevention Fund.
  - R. Participate and oversee Crime Stoppers Reward Program and monitor expenditures.

2. The Homicide Investigator is responsible for the overall investigation of homicide cases, unexplained death cases, officer involved shootings and in custody deaths. It includes the following duties:
  - A. Assume homicide standby duties once every five weeks.
  - B. Write Ramey and search warrants and submit to magistrate for endorsement.
  - C. Maintain a chronological log on all cases, and update daily.
  - D. Prepare cases for charging and present them to the District Attorney's (DA) Office.
  - E. Complete follow-up investigation reports on all cases.
  - F. Prepare for all courtroom testimony.
  - G. Be proficient in the interviewing and interrogation process.
  - H. Complete a monthly investigator's statistical report.
  - I. Maintain full compliance with the NSA and all Departmental policies and procedures.
  - J. Prepare Daily Bulletin items to keep field units and other members of the Department aware of officer safety issues as well as subjects wanted as suspects and/or witnesses on homicide cases.
  
3. The TETF supervisor is responsible for the supervision and operation of the TETF which includes the following duties:
  - A. Have a working knowledge of all homicide cases for the year, and be able to obtain information on all homicide cases from previous years.
  - B. Provide guidance and support to the TETF members, and ensure necessary resources are obtained and maintained.
  - C. When assigned, investigate IAD complaints.
  - D. Prepare annual performance appraisals for unit personnel in accordance with the provisions of DGO B-6.
  - E. Maintain full compliance with the NSA and all Departmental policies and procedures.
  - F. Work closely with the Crime Reduction Teams (CRTs), Special Duty Units (SDUs) and members of SOG.
  - G. Complete daily activity sheets and Stop Data Collection Forms.
  - H. Conduct bi-monthly performance reviews with subordinates and complete the Oakland Police Department Performance Review Form (TF-3256).
  
4. The TETF members is responsible for developing information on open homicide cases, locating witnesses and arresting homicide suspects, which includes the following duties:
  - A. Meet with homicide investigators on a daily basis and follow up on their requests.
  - B. Develop and maintain informants that provide information on violent crimes, especially homicide cases.
  - C. Complete daily activity sheets and Stop Data Collection Forms.
  - D. Maintain full compliance with the NSA and all Departmental policies and procedures.
  - E. Keep supervisor informed of his/her activity.
  - F. Work closely with the CRTs, SDUs, and members of SOG.
  
5. The Homicide Section PRS is responsible for the general clerical duties of the office, which includes the following:
  - A. Maintain files and record keeping systems.

- B. Operate and access law enforcement-related computer systems.
- C. Order files from our storage company, Iron Mountain.
- D. Maintain and order office supplies.
- E. Answer phones and take appropriate messages.
- F. Maintain full compliance with the NSA and all Departmental policies and procedures.

### **Fiscal Management:**

The commander continues to monitor the overtime usage and look for ways of reducing overtime without negatively impacting investigations. The majority of overtime is driven by homicide call outs and callbacks when homicide witnesses and/or suspects are located. There is very little discretionary overtime, particularly when breaking leads require the investigators to work around the clock to bring the suspect to justice.

We continued to work closely with all members of the Oakland Homicide Task Force, which includes representatives from the Alameda County District Attorney's Office, Drug Enforcement Agency (DEA), Federal Bureau of Investigations (FBI), Alcohol, Tobacco and Firearms (ATF), State Parole, U.S. Marshall's Office, U.S. Attorney's Office, and our Intelligence Section. Our established relationship with the named agencies allowed us to explore to use other federal/state funding sources to decrease our overall spending.

During 2007, 65 rewards were paid for information developed from Crime Stoppers. A total of \$54,500 was paid to informants or anonymous tipsters for information leading to the arrest of violent offenders and/or recovery of firearms.

### **Training:**

During the year, members of the Homicide Section received the following training:

- Five members attended the annual California Homicide Investigators' Association (CHIA) conference in Reno. This was a 24-hour training conference with various presentations on electronic surveillance technology, homicide defense, homicide investigations, and many other topics.
- All members of the Homicide Section have received training on all NSA related training that has been mandated to date.
- All members attended National Incident Management Systems (NIMS) and Law Enforcement Response to Terrorism (LERT) training.
- Sergeant George Phillips attended a Crime Scene (blood spatter) class as well as a Federal Bureau of Investigation (FBI) approved Interview and Interrogation course.

### **Significant Accomplishments:**

Although this section investigates some of the most challenging homicide cases, the unit continues to be successful in bringing responsible parties to justice. The clearance rate currently is 44%; however, that

rate continues to climb as these cases take time to work and bring about closure. Considering that most of our cases have a nexus to drugs and gang activity, it is not surprising that most of our cases start with only our deceased victim and no witnesses willing to come forward. Yet investigators continually develop information and identify witnesses on our cases, thanks to their exceptional investigative and communication skills. As stated above, most of our homicides take several months and often years to solve, but we continue to pursue those responsible with the single purpose of bringing those who would prey on our citizens to justice. The Homicide Section also strives to bring about a sense of closure for our victims' family members.

During 2007, we solved 10 homicide cases from previous years. Our clearance rate at the end of the year was 37%; that number does not accurately reflect solvability of these cases. In many cases, investigators are aware of who is responsible for the murder. Unfortunately, due to lack of witnesses' cooperation, arrests have not been made. As time goes on and witnesses are located, our clearance rate will surely climb to over 50% as we begin to solve the 21 homicides that occurred in the last three months of the year, an unusually high number for that period.

A case I wish to highlight involves the murder of Chauncey Bailey (Oakland journalist) who was gunned down due to his involvement in researching the Your Black Muslim Bakery. Members of the bakery felt Mr. Bailey was preparing a disparaging story. This investigation resulted in several individuals within the bakery being arrested and charged with various violent crimes. The investigation was able to dismantle this criminal enterprise and bring closure to several other open cases.

Another case I would like to highlight involved the TETF. A phone call was received from the Los Angeles Police Department (LAPD) in regards to a witness that fled the area who had information about a suspect believed to be responsible for 12 open homicide/rape cases. This serial killer had been terrorizing and killing prostitutes for over 15 years. Within hours, the TETF located this witness with very little information to go on and spent the necessary time with her to build rapport and establish a trusting relationship. Due to this great piece of police work, this witness cooperated with LAPD investigators and identified this serial killer. The unit received a letter of recognition from the Chief of Police at LAPD for their assistance and professionalism.

**Productivity Performance Data:**

The following chart shows the 2007 caseload for investigators:

<b>Homicides</b>	<b>127</b>
<b>In-Custody Deaths</b>	<b>2</b>
<b>Officer Involved Shootings</b>	<b>11</b>
<b>Attempted Murder Investigations</b>	<b>17</b>
<b>Suspicious and/or Unexplained Death Investigations</b>	<b>744</b>
<b>2007 Homicide cases solved and prosecuted</b>	<b>47</b>
<b>Homicide cases solved from prior years</b>	<b>10</b>
<b>5150 Cases Processed</b>	<b>3,877</b>

The following chart shows the accomplishments of the TETF (encompassing the last quarter of 2007):

<b>Murder Suspects Arrested</b>	<b>13</b>
<b>Attempted Murder Suspects Arrested</b>	<b>7</b>
<b>Murders interrupted/prevented</b>	<b>3</b>
<b>Guns recovered during enforcement Stops</b>	<b>49</b>
<b>Homicide Cases cleared through arrest</b>	<b>13</b>
<b>Electronic Surveillance (Stingray) arrest</b>	<b>21</b>

**Other Performance Data:**

Two members of the TETF were involved in vehicle collisions during this year (one ruled preventable and one ruled non-preventable). No members of the Homicide Section were involved in a vehicle collision during the year. No members discharged their firearm during this time period.

Three Internal Affairs Division complaints were filed against a member of the Homicide Section. One of the complaints was handled via informal resolution; the second complaint was closed via administrative closure while the third was handled as a Division Level Investigation (DLI). The DLI case is still under review, and no finding has been made. There were no patterns of “at-risk” behavior by this investigator.

During the year, all members of the Homicide Section have attended at least one of the monthly meetings of Families and Friends of Murdered Victims. Our participation and support for this important community support group has been well received by all of its members. In fact, enrollment in the group has increased significantly with our participation.

**Plans and Goals:**

We are encouraged by our success in 2007, and it is our goal to make 2008 an even more successful year by increasing our homicide clearance rate and assisting field units with the prevention and reduction of homicides in Oakland. To that end, we plan to interact and exchange ideas with other Homicide Sections in the State of California in the upcoming year. Our goal is to develop new strategies on improving witness cooperation and trust, which will improve our ability to solve homicide cases. Since many of our homicide witnesses are afraid and reluctant to come forward out of fear of retaliation, it is important to learn what other jurisdictions are doing to improve witness cooperation.

Over the last year, the Department has made great strides in improving Officer Involved Shooting (OIS) investigations. The Homicide Section will continue to work with the Internal Affairs Division, the District Attorney’s Office, and City Attorney’s Office to make our process as thorough and comprehensive as possible. During the year, the Homicide Section attended several line-ups to educate officers on the shooting investigation process and update them on current trends and case statuses. Officers were encouraged to ask questions and stop by the Homicide Section to improve communications.

It is also imperative that in 2008 we explore emerging technology to help address violence-related issues. It is our hope to create an environment that welcomes and encourages community participation in identifying problems and issues before they turn violent.

The following photos illustrate the new offices of TETF:

**Robbery Section**

The Robbery Section is comprised of consummate professionals in law enforcement. The investigators responded to callouts on a rotating basis, handled Probable Cause duty, worked to backfill Patrol Division, and worked Major Response Operations. Investigators use all available technology to identify responsible suspects and go to great lengths to assure the victims that their cases are being studied for solvability. The case preparation involves critical thinking to ensure prosecution and conviction. Due to their efforts, many violent offenders are removed from the city streets and incarcerated.

This report is the first year of the Robbery Section having been separated from the former Robbery/Assault Section. The Robbery Section was demolished by a flood caused by a water pipe breaking. The section was completely refurbished and outfitted with new work spaces much like those above.

**Staffing**

<b>Classification</b>	<b>Authorized Number</b>	<b>Actual Number</b>	<b>Vacancies (+/-)</b>
Lieutenant of Police	1	1	0
Sergeants of Police	10	7	-3
Police Officers	3	2	-1
Police Records Specialist	1	1	0

For the calendar year 2007, the Robbery Section was staffed with the following personnel:

- Robbery Section Commander,
- Nine Robbery Investigators,
- One PRS.

There is one investigator for each of the six Police Service Areas (PSAs), and one floater assigned to back up each of the three Areas. These assignments allow for a daily exchange of information and continuity in the investigations.

The following transferred out of the Robbery Section during the year:

- Lieutenant Mike Johnson (transferred to the Communications Division)
- Sergeant Mike Yoell (investigator-reinstated and transferred to the Theft Section)
- Sergeant James Gantt (investigator-transferred to the Theft Section)
- Sergeant Caesar Basa (investigator-transferred to the Homicide Section)



The following were transferred to the Robbery Section during the year:

- Sergeant Rebecca Campbell (investigator)
- Sergeant John Parkinson (investigator)
- Officer Jason Anderson (investigator)

### **Responsibilities:**

The Robbery Section Commander is responsible for the overall operation of the Robbery Section and performs the following duties:

- A. Reviews all reports and determines solvability.
- B. Reviews status of ongoing investigations and completed cases.
- C. Conducts staff meetings and attends Department briefings.
- D. Coaches subordinates.

The Robbery Investigator is responsible for the overall investigation of robbery cases. Investigators also learn and work with homicide investigators to prepare for upcoming vacancies in the Homicide Section. The duties of a robbery investigator is much like that listed for homicide investigators except related to robberies.

The Robbery Section PRS is responsible for the general clerical duties of the office, which includes the following:

- A. Files all reports and maintains statistical information that pertains to the section.
- B. Processes all phone calls to connect citizens with the appropriate investigator.
- C. Handles a multitude of administrative duties, such as payroll, vehicle inspections, general mail, and data entry.

### **Budget**

There were no budget issues to report during this year. Overtime is unpredictable in this field and can spike whenever new trends are developed. Assistance to field units is usually charged to the Area that is conducting the operation. Investigators often work on their days off to maintain their caseload. They are compensated for this, but it should be mentioned to highlight the dedication and superior work ethic of the investigators.

### **Training**

The Robbery Section completed the following listed training during 2007. Some of the training was new policies written as a result of the NSA; others were from the 40-hour Sergeants' Continuing Professional Training (CPT) while some training was for self development.

<b>Course</b>	<b>Hour(s)</b>
Promotional Consideration	.5 hrs
Intake Searches – Santa Rita	.5 hrs
SO 8536 – PC for Arrests	.5 hrs
DGO C-8 – OC Spray	.5 hrs
Clets Training	.5 hrs

SO 8553 – IA Procedures Admin Review	.5 hrs
SO 8552 – Summary Findings	.5 hrs
Report Writing R-2 – Stop Data Forms	.5 hrs
Report Writing N-2 – NTA Traffic	.5 hrs
IAD – Pitchess Motion Process	.5 hrs
DGO J-4 – Pursuit driving	.5 hrs
SO 8660- B-6 – Bi monthly Meeting	.5 hrs
TB V-T – Dept Discipline Policy	.5 hrs
DGO B-12 – Range Program	.5 hrs
DGO B-6 – Performance Appraisal	.5 hrs
Use of Force Training	.5 hrs
TB III – In-Custody Ingestion of Drugs	.5 hrs
DGO J-6 – Red Light Cameras	.5 hrs
DGO O-4 – Informants	.5 hrs
DGO I-5 – In Car Video System	.5 hrs
Info Bulletin – Mobile Data terminals	.5 hrs

All of the investigators participated in NSA training and are up to date on all Department training. Each member has qualified at the range and completed either officer or sergeants' CPT.

The staff met with outside agencies on a monthly basis to round table emerging trends and network with other robbery investigators. The unit is establishing a new format: bringing together private sectors' security and local law enforcement agencies to unite against an onslaught of commercial robberies. The unit posts wanted individuals in the Fugitive Watch newspaper. Robbery investigators also attend community meetings to update citizens and address their concerns.

The Robbery Section has conducted line-up training to the Patrol line-ups. The section rotated every six (6) weeks and conducted training throughout the year. Some of the topics covered were trends, interviewing tips, and suggestions to improve preliminary investigations.

### **Significant Accomplishments**

During the past year, the Robbery Section has solved several strings of robberies.

Sergeant Campbell was assigned two take-over robberies which we quickly discovered a series of four. That rapidly became eight take-over robberies that targeted Asian restaurants in four cities. With assistance from the other agencies and the public, suspects were identified. Crime Stoppers funds were used to pay informants. Three suspects were ultimately charged with 57 counts of robbery each.

Officer Nowak handled several street robberies that resulted in the arrest and conviction of several young suspects. The suspects were charged with over a dozen street robberies. Officer Nowak worked with Problem Solving Officers (PSOs) and CRT units to address the high crime rate along International Boulevard.

Sergeant Lindsey resolved a crime spree in North Oakland by arresting a suspect that was violently assaulting his victims and anyone who came to their aid. The suspect stabbed at least three citizens in one robbery, causing one to lose an eye.

Sergeant Lighten resolved several robberies in the Diamond District, where commercial establishments were being targeted by a would be police applicant that disguised himself with a surgical mask. Sergeant Lighten has assisted all investigators with their cases and lends a hand whenever needed

Sergeant Fleming was transferred to the Section in the last quarter. Sergeant Fleming sustained a severe broken leg due to an altercation with a suspect that was attempting to escape CID. The suspect was captured nearby.

Ms. Cassandra Lane was recently honored by the Department for her exemplary performance of duty. A well deserved honor that was overdue. Ms. Lane is often the first and only representative that citizens encounter when they call regarding their cases. She is a very dedicated employee that serves the Department well.

**Crime Rates for Robberies and Assaults**

Robbery year to year comparison: 2006 and 2007.

Crime	2006	2007	% Change
Armed/Strong Armed Robbery	2952	3068	+ 4 %
Attempted Robbery	252	343	+36%
Residential Robbery	153	148	-3%
Carjacking	341	316	-10%

PSA 4 had the most robberies during the year while PSA 2 had the next highest. The other PSAs were relatively close in the number of reported robberies, within 20 of each other.

**Performance Data**

Year	Total # of Cases Received	# of Cases Assigned for Investigation	# of Cases Charged
2007	3564	2182	828
2006	3916	2282	621

**Trends**

It is the intent of the Robbery Section to investigate all in custody reports and prepare the cases for prosecution. All open cases are screened for solvability factors. Photo and physical line-ups are conducted to identify responsible suspects. Search warrants are prepared to recover property and evidence. Suspects are identified and arrested or warrants obtained.

The most alarming trends identified this year reflect the targeting of undocumented day laborers who were robbed after they finished their jobs. Since these persons are paid in cash and do not have the documentation to use banking facilities, they became an easy target. These victims rarely reported their crimes due to language barriers and a fear of being deported by law enforcement.

Another trend was widespread street robberies by very young suspects. In these robberies, citizens offer little to no resistance due to being surrounded and threatened with violence. Their pockets were searched, and they are relieved of obvious valuables and cellular phones. The phones are usually discarded in order to keep the person from calling the police. Occasionally the phones were used and investigators were able to trace the calls thereby leading to the identification of a suspect.

**Plans, Expectations, and Goals**

Although investigations continued, the section was disrupted by the aforementioned flood of the work spaces. Many cases were suspended due to the need to dry the saturated computers and actual paper copies of the reports. The newly refurbished section has added a dry erase board for each PSA, where an investigator lists the most pressing cases. This closes the gap in communicating with a large part of the Patrol Division that works night hours. The boards have greatly enhanced the ability to prioritize open cases.

The section was also successful in planning and directing the format of a monthly meeting that connects private sector security with law enforcement. This partnership enables all to address concerns of each side, such as video equipment, bank bait packs, and trends. This is not limited to the Robbery Section, and the results are expected to be positive.

In 2008, there are three main goals for the sections:

1. Fill current vacancies and increase staffing of investigators
2. Increase the clearance rate
3. Reduce crime

The expectations of the Robbery Section will be to focus on providing comprehensive, thorough, and high quality investigations, provide courteous service to the citizens, and work with other members of the our Department as well as other departments to reduce violent crime.

**Assault Section**

**Staffing**

<b>Classification</b>	<b>Authorized Number</b>	<b>Actual Number</b>	<b>Vacancies (+/-)</b>
Lieutenant of Police	1	1	0
Sergeants of Police	3	4	+1
Police Officers	8	5	-3
Police Records Specialist	1	1	0

The following personnel transferred out of the Assault Section during the year:

- Lieutenant Michael Johnson,
- Lieutenant Kirt Mullnix,
- Sergeant Rebecca Campbell (investigator-transferred to the Robbery Section)
- Sergeant Sean Fleming (investigator-transferred to the Robbery Section)
- Sergeant John Parkinson (investigator-transferred to the Robbery Section)
- Officer Jason Andersen (investigator-transferred to the Robbery Section)
- Officer Steve Nowak (investigator-transferred to the Robbery Section)
- Officer Marcus Midyett (investigator-transferred to the Patrol Division)

The following were transferred to the Assault Section during the year:

- Lieutenant Kirt Mullnix
- Sergeant Dana Flynn (investigator-transferred from the Theft Section)
- Sergeant Mark Thomas (investigator-transferred from the Theft Section)
- Sergeant Eric Lewis (investigator-transferred from the Theft Section)
- Officer Jason Andersen (investigator-transferred from the Theft Section)
- Officer Marcus Midyett (transferred from Special Operations Group)
- Officer Ryan Goodfellow (investigator-transferred from the Theft Section)

## **Training**

The Assault Section completed the following listed training during 2007. Some of the training were new policies written as a result of the NSA; others were from the 40-hour Officers' Continuing Professional Training (CPT) while some training were for self development.

<b>Course</b>	<b>Hour(s)</b>
Neuro Linguistic Program	01:00
DGO K-3/4/4.1 Use of Force Policy Handbook	00:30
DGO B-12 Firearms Range	00:30
TB DEPT Discipline Policy	00:30
DGO J-4/4.1/TB III-B Pursuit Policy	01:00
SO 8650 Performance Appraisal	00:30
AI 71 Sexual Harassment	02:00
Workplace Harassment Prevention	02:00
Driving-PSP/CPT	06:00
Firearms PSP/CPT	10:00
CLETS Less Than Full Access	01:00
Legal UPD/Patrol CPT	02:00
First Aid/CPR Refresher	04:00
INTCOM-Interpersonal	02:00

ARSTCTL-Arrest and Control PSP/CPT	04:00
RWM R-2 Stop Data	00:30
National Incident Management System (NIMS)	08:00
SO 8552 1-Internal Invest Proc	00:30
SO 8553 Internal Investigation Manual	00:30
DVD-Santa Rita Jail "Intake Searches"	00:30
DGO C-8 O.C. Task 20	00:30
Promotional Memo	00:30
Uniforms & Equipment	00:30
DGO K-3/4/4.1-Use of Force Policy Handbook	00:30
SO 8565-11MAY07-Revision of DGO	00:30
Women Leaders in Law Enforcement	16:00
Business Writing-	06:00
Instructor Development-Presentation Skills	08:00
LERT-Law Enforce Response Terrorism	08:00
Instructor Development-Critical Thinking	08:00
Probable Cause Arrest & Authorization	00:30
POST Management Course	104:00
IPAS D-17	03:00
NSA Compliance	01:00
Misdemeanor Citation	00:30
Traffic Citation	00:00
NRP-Nat Response Plan	04:00
Field Based Reporting (FBR)	10:00
NIMS-ICS 300 Intermediate ICS	24:00
NIMS-ICS 400 Advanced ICS	08:00
TASER Update for Commander	02:00
Use of Force Update	03:00
TeleStaff-Scheduling System	05:00
DGO F-4-01NOV07-Plainclothes Operations	00:30
Command Staff Retreat	08:00
Supervisory Core Course	80:00
Firearm Qualification	04:00
Instructor Development-Intermediate	24:00
Supervisors' Role in Training	16:00
IAD 07-02-03MAY07-Pitchess Motion Process	00:30
Electronic Surveil-Wiretap	08:00
Elder Abuse-CPT	04:00
Intelligence UPD-CPT	02.50
Professionalism & Ethics-CPT	02:00
Probation and Parole UPD-CPT	01:00
TB III-S-26JAN07-In-Custody Ingestion of Narcotics	00:30
Children Exposed To Violence-PSP/CPT	01:00
Special Weapons & Tactics	24:00

Multimedia-Weapons Law	02:00
DGO I-15-01NOV07-In-Car Video Management System	00:30
DGO J-6-01NOV07-RLCES-Red Light Camera Enforcement System	00:30

The Assault Section is continuing its commitment to provide on-going and job-relevant training that emphasizes the Departmental core values.

The Assault Section has conducted line-up training to the Patrol line-ups. The section rotated every four (4) weeks and conducted training during the year. Some of the discussions were about trends and suggestions to improve preliminary investigations.

### **Crime Rates for Assaults**

Assault Section year to year comparison through 9 Dec 07:

Crime	2007	2006
ADW Firearm	597	641
ADW Non -Firearm	1085	1106
Misdemeanor Assault	1168	1169

The table below lists the case adjudications through 30 Nov 07:

	<b>Assault</b>
Case Disposition	Total
Arrest and Prosecution	513
Occurred in Another Jurisdiction	1
Complaint Refuses to Prosecute	185
Prosecuted for Another Offense	6
Complainant Unavailable	185
DA Refuses to Prosecute	426
Death of Offender	2
Prosecuted by Outside Agency	6
Reprimanded and Released	14
Turned Over to Juvenile Authority	146
Filed Pending Further Leads	618
Notice to Appear	14
Warrant Obtained	75
Unfounded	12

## **Significant Accomplishments**

Sergeant Campbell of the Assault Section investigated the shooting of Sterling Dixon. Dixon was shot five times in the face by "Junebug", per the police report. "Junebug" was identified as Robert Huntsman. Dixon was able to identify the suspect in a photo line-up and a warrant was issued for Huntsman. Sgt. Campbell was able to ascertain the possible whereabouts of the suspect outside the city limits. Huntsman was arrested by undercover units from Alameda County. The suspect was in possession of an assault rifle and subsequently charged with attempted murder.

In 2007, Officer Jesse Grant was asked by a patrol sergeant to look into an assault that had occurred in North Oakland earlier in the year. Grant re-interviewed the victim and was able to locate an article of clothing (gloves) with possible DNA of the suspect. The suspect was identified via DNA and subsequently arrested for not only assault but burglary as well. It should be noted that the suspect had become more aggressive and violent with each assault.

In 2007, Officer Robert Trevino investigated a brandishing of a firearm in North Oakland. The investigator was able to corroborate the victim's allegation and subsequently obtained a search warrant for the suspect's residence. The search of the suspect's residence revealed a weapons cache of 46 firearms. Residents of the apartment complex later advised on scene personnel of the suspect's aggressive behavior to persons residing in the area. It is extremely likely we prevented a shooting or an

Officers Jesse Grant and Ryan Goodfellow investigated the kidnapping and torture of two Oakland residents by persons associated with Your Black Muslim Bakery. The suspects were not initially identified at the time of the incident. The investigators were able to determine the identity of all persons involved in the incident by conducting several interviews and the processing of key evidence left at the scene. The investigators utilized different strategies to acquire confessions pertinent to their case and to additional crimes being investigated by the Department. The suspects were eventually charged with crimes ranging from kidnapping and assault to murder.

In 2007, the area of West Oakland was in the midst of an upsurge of robberies and shootings. Officer Jason Andersen became the point of contact and was tasked with this investigation. He was asked to try and reduce the number of shootings; he was also asked to identify those persons responsible for the assaults. A collaborative effort involving TETF, Patrol Division personnel, and investigative units enabled investigators to identify the person responsible for the assaults. However, victims refused to come forth out of fear of retaliation. Investigators determined that Johnny Lee Perry was responsible for committing and orchestrating the violence. He was arrested for an armed robbery. Perry's arrest considerably lowered the number of shootings and robberies in the Campbell Village area.

Gang investigator Eugene Guerrero was instrumental in the identification and arrest of gang members involved in a drive-by shooting near the Oakland Coliseum. The preliminary investigation of the incident provided little or no leads. Officer Guerrero and members of the Department's Gang Unit were able to positively identify nine (9) persons involved in the incident. Three (3) of the nine were charged with assault with a deadly weapon.

Officer Eugene Guerrero also investigated the shooting of three (3) subjects attending the sideshow by a juvenile, Norteno gang member. The gang member was later determined to have been housed at



Juvenile Hall with the weekend release program. The suspect was identified in this as well as another shooting and has since been sent to the California Youth Authority.

### **Field Support Unit**

FSU provides several Department-wide services such as the charging of all narcotics and weapons cases as well as the transportation of warrant suspects back to Alameda County from outside jurisdictions. Additionally, FSU has personnel assigned to the FBI's Fugitive Task Force and the Alameda County Narcotics Task Force.

### **Staffing**

#### **FSU**

<b>Classification</b>	<b>Authorized Number</b>	<b>Actual Number</b>	<b>Vacancies (+/-)</b>
Sergeant of Police	1	0	-1
Police Officers	11	10	-1

The following personnel transferred out of the FSU during the year:

- Officer James Henry (transferred to the Patrol Division)
- Officer Alan Miller (terminated)
- Officer Felix Aberouette (transferred to Personnel Section/ODI)

The following personnel were transferred to the FSU during the year:

- Officer Rhonda Bowden (transferred from Patrol Division)
- Officer Kevin Kaney (transferred from Patrol Division)

The Vice Narcotics Charging Unit was able to obtain \$169,409 in asset forfeiture. The following tables show charging information from the Vice Narcotics and the Weapons Charging Units:

Type	Cases Received	Cases Charged	Parole Violations	Prob Violation
Narcotics-Felony	2719	1906	132	801

Type	Cases Received	Cases Charged	Parole Violations	Probation Violation	Federal Charges	Juvenile Cases	Destruction, etc
Weapons	222	169	3	15	3	18	9

Weapons charging data is from 18 Apr through 30 Nov 07. It should be noted 18 Juvenile cases were sent to Probation Department.

## **Significant Accomplishments**

The prisoner transport function of FSU conducted 413 pick-ups and 13 outside the state extraditions.

## **Weapons**

In 2007, Officer K. Kaney initiated "Project Repo" with the assistance of the Police and Corrections (PAC) team. "Project Repo" identifies individuals convicted of crimes barring them from gun ownership but they still show active guns registrations. The primary target for the initial phase of this project was parolee and probationers residing in the City of Oakland. A probation search was conducted in the 1200 Block of International Blvd.. The search resulted did not reveal a firearm, but 1300-1400 marijuana plants were discovered on the property. Other "Repo" searches have resulted in firearm discoveries and charging of said cases.

On 4 Sep 07, an anonymous caller left a phone message detailing a criminal enterprise involving the purchase of banned firearms from other states. Officer Kaney initiated an investigation into the named suspect's criminal background. The suspect's background revealed prior weapons related felony convictions and arrests. In addition, the suspect had multiple firearms registered to him. A probation search was conducted on a roommate by Officers Milina and Roche. The search of the premises resulted in the discovery of a fully automatic AK-47 and machinery to manufacture lower receivers for AK-47s.

## **F.B.I. Fugitive Gang Task Force**

During 2007, The FBI Fugitive Gang Task Force arrested 9 murder suspects, 32 felony assault suspects, 19 robbery suspects (9 bank robbery suspects), and 17 theft/burglary/elder abuse suspects.

In 2007, Officer Muschi of the FBI Fugitive Gang Task Force received information of a possible wanted murder suspect dating back to the 1950s. The murder warrant did not provide the RD #, the victim's name, or any other information linking the suspect to the crime. After several unsuccessful attempts to locate the case packet, Muschi contacted Harry Harris from the Oakland Tribune. Harris was able to locate a story on the murders that included victim's name. Muschi was able to locate the case packet with the victim's name and verify the identity of the suspect. The suspect was located and subsequently arrested for the murder dating back to 1956.

## **Alameda County Narcotics Task Force (ACNTF)**

Field Support Unit has one officer, Roger Lee, at the Alameda County Narcotics Task Force. During 2007, Officer Lee conducted 12 narcotic investigations as case agent, which resulted in 7 arrests. These cases also resulted in the total seizure of 184 grams of methamphetamines, 1,573 grams of powder cocaine, 85.9 grams of cocaine-base, 95.1 grams of heroin, 186.2 grams of marijuana and \$3,470 in cash.

## **Plans and Goals**

The Assault Section Goals for 2008 are:

- Maintain compliance with NSA training requirements.
- Seek training courses to develop investigative staff and maximize the effectiveness of investigations, especially related to interviewing techniques (which will influence investigators to strategically and comprehensively bring criminal investigations to a successful conclusion).
- Make a concerted effort to maximize investigative efforts toward the identification and charging of suspects with multiple offenses whenever possible. This can be accomplished with a renewed mission to make the most of investigative techniques by use of updated interviewing techniques, probation and parole searches, and finally search, arrest, and Ramey warrants.
- Maintain positions with the Alameda County Narcotics Task Force and FBI Fugitive Gang Task Force.
- Coordinate with other organizations to reduce violent crime in the City of Oakland.
- Utilize annuitants as support staff in an effort to minimize the time sworn staff spends on non-investigative tasks and to maximize investigators' abilities to conduct criminal investigations.
- Develop innovative ways to utilize volunteer and professional staff in supporting investigators with follow-up investigations, interviews, and charging duties.
- Fill current vacancies

### **Fiscal Management**

The area relative to budgeted O&M and actual expenditures will be covered as part of the Criminal Investigation Division Year End Report. The Divisional Budget will incorporate Section O&M and other fiscal information.

The following are photos of the remodels Assault section with new carpet.

### **Theft Section**

#### **Staffing**

Theft Section staffing by year end 2007:

<b>Classification</b>	<b>Authorized Number</b>	<b>Actual Number</b>	<b>Vacancies (+/-)</b>
Lieutenant of Police	1	1	0
Sergeant of Police	8	7	-1
Police Officer	5	4	-1
Police Records Specialist	2	2	0

The following personnel transferred out of the Theft Section during the year:

- Lieutenant Fauso Melara (commander – transferred to the Patrol Division)
- Sergeant Dana Flynn (investigator – transferred to Assault Section)
- Sergeant Eric Lewis (investigator – transferred to Assault Section)
- Sergeant Mark Thomas (investigator – transferred to Assault Section)
- Sergeant Mike Yoell (investigator – reinstated to Lieutenant of Police)
- Officer Jason Andersen (investigator - transferred to the Assault Section)
- Officer Ryan Goodfellow (investigator – transferred to the Assault Section)
- Officer Sven Hamilton (investigator – transferred to Assault Section)
- Officer John Koster (investigator – transferred to Assault Section)
- Officer Pierre Mosley (investigator – transferred to Assault Section)
- Officer Ted Banayat (investigator-retired)
- Officer Rodney Grimes (investigator – demoted and subsequently terminated)

The following personnel transferred to the Theft Section during the year:

- Lieutenant Fausto Melara
- Lieutenant Michael Yoell
- Sergeant Oliver Cunningham
- Sergeant Dana Flynn
- Sergeant Rodney Grimes
- Sergeant Craig Hardison
- Sergeant Nishant Joshi
- Sergeant Eric Lewis
- Sergeant Jeffrey Van Sloten
- Officer Jason Andersen
- Officer John Koster
- Officer Jose Vazquez
- Officer David Wong

During 2007, staffing limitations impacted the Department's ability to conduct follow-up investigations. Staffing levels have decreased to the point where only in-custody cases are presented to the District Attorney's Office for review, along with a limited number of out of custody cases (cold cases) assigned for follow-up to Theft Section investigators. These cold cases are screened for investigative leads which would provide a follow-up investigator a high probability to solve the case. Additionally, cases are assigned if they are identified as a trend, series, or egregious in nature

The limited capacity to provide investigative services was further reduced in November when a theft section investigator was assigned to an administrative position in the Theft Section. This was done to accommodate the transfer of one section lieutenant and the pending transfer of another lieutenant, leaving administrative supervisor vacancies throughout the CID.

Theft Section personnel were assigned to standby and probable cause weekend duty on a rotational basis throughout the year. Additionally, Theft Section personnel were not exempt from mandatory overtime requirements of the Patrol Division. Personnel were required to work an additional shift every three weeks to backfill for shortages in that Division.

The sole arson investigator is required to be available seven days a week, 24 hours a day. The Theft

Section's administrative supervisor is currently completing training to backfill for the arson investigator in the event of a leave of absence.

Officer Mark Hicks and Sergeant Simon Rhee are assigned to outside agency task force duties and spend limited time working in the Theft Section, although both actively investigate and charge cases.

Theft Section personnel experienced changes in command during the year. Lieutenant F. Mestas was transferred to the Robbery Section and replaced by Lieutenant F. Melara. In May, Lieutenant M. Yoell replaced Lieutenant Melara. There were also a number of inter-divisional and divisional transfers among the investigative staff which occurred during this period.

### **Theft Section Functions and Responsibilities**

Theft Section investigators conduct follow-up investigations on property crimes including burglary, auto theft, identity theft, forgery, elder financial abuse, grand and petty theft, and arson. The Inspectional Services investigator oversees pawnshops and the security guard/watchman program.

The Theft Section's burglary investigators handle the felonious entry of homes, commercial property and locked automobiles, along with grand theft; Petty Theft investigators handle cases valued at less than 400 dollars.

The auto theft investigators handle the theft of motor vehicles including cars, boats, planes and motorcycles. As an ancillary duty, auto theft investigator, Officer Mark Hicks, is currently assigned as a member of the Alameda County Regional Auto Theft Task Force (ACRATT).

Fraud crimes investigators specialize in forgery, fraud, and identity theft. These types of investigations are intricate and time consuming, often spanning different jurisdictions, states, and countries. They frequently require expertise in cyber crime detection. As an ancillary duty, Sgt. Simon Rhee is currently assigned to the Bay Area Identity Theft Strike Force (BAIT)

The elder abuse investigator handles the abuse of elders by contractors, family members, care takers, and scam artists. These cases can be time consuming due to the investigation of deeds of trust, insurance policies, social security, forgery, identity theft, and fraud.

The arson investigator handles investigations involving the purposeful burning of properties and cases involving explosive devices or threats to use these types of devices.

The inspectional services investigator oversees pawnshops to ensure compliance with state laws and local ordinances and to identify stolen items that have been pawned. This investigator conducts background checks on individuals seeking a pawnshop licenses. Inspections are also conducted at flea markets to locate stolen property.

The PRSs handle incoming phone calls, filing of reports, data entry of stolen property, and the contacting of victims, either by phone or correspondence. The PRSs also track office supplies and prepare the daily section detail.

## **Fiscal Management**

O&M and actual expenditures will be covered as part of the Criminal Investigation Division Year End Report. The Divisional Budget will incorporate the section's O&M and other fiscal information.

## **Training Received and/or Provided by Theft Section**

Training in support of new policies developed pursuant to the NSA has been conducted for all the section's staff. Annuitant Ralph Nuno, a retired OPD veteran, currently serves as training coordinator; the records are forwarded to the Training Division. Copies are maintained in the Theft Section's commander's files.

All the section personnel participated in conducting training to Patrol Division at scheduled line-ups.

## **Training**

### **Significant Accomplishments**

- Maintained 100% compliance with NSA training.
- Sergeant B. Donelan conducted a found property investigation, in which he managed to uncover a major marijuana distribution ring. This investigation resulted in an asset forfeiture of over \$225,000 in cash, 90% of which will be returned to the Oakland Police Department's coffers.
- Sgt. Donelan also conducted an extensive investigation on arson and fraud at the Owens Concrete; the California Department of Insurance prosecuted the suspects.
- Sgt. S. Rhee worked with the Secret Service to form the Bay Area Identity Theft Strike Force (BAIT) of which he is a member. BAIT is based out of the Oakland Police Department's Eastmont Substation and investigates large scale fraud and identity theft cases.

### **Performance Data**

Reports received 2007	Cases assigned to Investigators	Number charged by District Attorney
28,621	3641	2765

Staffing for the Theft Section is critically low, which has a significant impact on the types and numbers of cases assigned for investigation. Without an injection of personnel to the Criminal Investigation Division, it is anticipated the number of cases assigned for follow-up investigation could decline.

### **Other Performance Data**

A review of the Theft Section members' performance data, including uses of force, discharges of firearms, personnel complaints, vehicle pursuits, and collisions showed only one incident of a member needing corrective action. This involved a serious allegation of misconduct which resulted in the member being placed on administrative leave and ultimately being terminated.

## **Plans and Goals**

The Theft Section Goals for 2008 are to:

- Maintain compliance with NSA training requirements.
- Seek training courses to develop Theft Section staff and maximize the effectiveness of investigations; especially related to interview techniques which will influence investigators to strategically and comprehensively bring criminal investigations to a successful conclusion.
- Make a concerted effort to maximize investigative efforts towards the identification and charging of suspects with multiple offenses whenever possible. This can be accomplished with a renewed mission to make the most of investigations by use of updated interviewing techniques, probation and parole searches, and the use of search, arrest, and Ramey warrants.
- Reduce auto theft by participating in the vehicle automatic license plate scanning technology.
- Maintain positions with ACRATT and the Secret Service's BAIT Task Force.
- Conduct bait car surveillance operations .
- Utilize annuitants as support staff in an effort to minimize the time sworn staff spends on non-investigative tasks and to maximize investigators' ability to conduct criminal investigations.
- Investigate innovate ways to utilize volunteer and non-sworn staff in supporting investigators with follow-up investigations, interviews, and charging duties.

Jeffrey A. Loman  
Captain of Police  
Criminal Investigation Division