

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is being executed by the below listed agencies in connection with a Violent Crimes/Fugitive Task Force.

The agencies listed below jointly and severally agree to abide by the terms and provisions of this MOU throughout the duration of this joint operation.

Washington County Sheriff's Office (WCSO)
Multnomah County Sheriff's Office (MCSO)
Clackamas County Sheriff's Office (CCSO)
Oregon State Police (OSP)
Portland Police Bureau (PPB)
Alcohol, Tobacco and Firearms (ATF)
Federal Bureau of Investigation (FBI)

PURPOSE:

The purpose of this Memorandum is to outline the mission of the Safe Streets Portland Task Force (hereinafter referred to as the SSPTF). Additionally, this Memorandum will formalize relationships between the participating agencies with regard to policy guidance, planning, training, public relations and media in order to maximize interagency cooperation.

MISSION:

The mission of the task force is to seek the apprehension of known violent repeat offenders who are wanted by federal, local or state law enforcement authorities and unknown violent repeat offenders who are engaging in criminal activity in violation of state and federal law.

ORGANIZATION - CHAIN OF COMMAND:A. Violent Crimes Task Force

The SSPTF will consist of a combined enforcement body of members of the WCSO, MCSO, CCSO, OSP, PPB, ATF, and the FBI. The FBI shall be the lead organization and, in close consultation with and upon referral from the other task force members, will determine the investigative subjects, strategies, techniques, and priorities. The investigative methods used and administrative procedures shall comply with the policy and procedures of the FBI. In connection with this responsibility, the FBI will provide physical dwellings, all technical installations, security, and furnishings for the Task Force.

Each participating organization shall continue the salary, to include overtime, and fringe benefits of its respective members. Expenses incurred by the Task Force members must have the prior approval of the FBI. Expenses which the FBI, in its sole judgement, deems reasonable and necessary in furtherance of the Task Force objectives will be paid by the FBI, consistent with FBI policies, existing funds, and approval procedures.

B. Supervision

The supervision of the personnel assigned to the SSPTF will be the responsibility of an FBI Supervisory Special Agent assigned to the SSPTF. The FBI Supervisory Special Agent (SSA) will also be the administrative coordinator of the SSPTF, and will as a result be responsible for administering the written work of the SSPTF.

C. Operational Personnel

The WCSO, MCSO, CCSO, OSP, PPB, and ATF each initially agree to assign one (1) investigator. The FBI agrees to assign one (1) Supervisory Special Agent and a minimum of three (3) Special Agents, plus sufficient clerical/administrative support employees to meet the needs of the SSPTF. If it is agreed by all members of the SSPTF to increase the law enforcement complement of the SSPTF, additional personnel will be assigned from each participating agency.

EQUIPMENT:

A. Communications

Each vehicle will be equipped with radio equipment capable of communication on FBI frequencies. The FBI agrees to provide a number of portable cellular telephones subject to available funding for the investigative use of Task Force personnel.

B. Office Equipment

The FBI agrees to provide the necessary equipment and supplies necessary to carry out the administrative operation of the SSPTF.

PROCEDURES:A. Assignment of Personnel

Members of the SSPTF will be dedicated exclusively to the investigation of the violent crimes/fugitive matters consistent with the mission statement above. Continued assignment of members will be based on performance and will be at the discretion of the respective agency and the FBI Supervisor.

Local law enforcement personnel assigned to the SSPTF will be afforded a Top Secret security clearance subject to appropriate background investigations, deputized as Federal Officers (Deputy U.S. Marshals and Special Officers for Titles 18 and 21) as well as training in legal matters, correspondence and reporting matters. The Deputy U.S. Marshal and Special Federal Officer status of the officers will apply only so long as they are active participants in the SSPTF.

B. Investigations

All cases will be jointly investigated. Each SSPTF investigation will be staffed by investigators of at least two of the agencies participating in the SSPTF. It is, therefore, agreed that no one participating agency will act unilaterally.

C. Assignment of Cases

The FBI Supervisory Special Agent (SSA) assigned to the SSPTF will be responsible for opening/closing, monitoring and directing violent crimes/fugitive investigations using sound judgement in accordance with existing FBI policy and the U.S. Attorney General's Guidelines on Investigations and Undercover Operations. Assignment of cases to personnel will be based on, but not limited to experience, training, performance and Supervisor's discretion.

D. Prosecutions

SSPTF investigative procedure will conform to the requirements for federal prosecution. A determination will be made on a case by case basis whether the prosecution of SSPTF cases will be at the State or Federal level. This determination will be made only after consultation with the United States Attorney's Office for the District of Oregon, and the Clackamas, Multnomah, or Washington County, Oregon, District Attorney's Office. The criteria for the decision will be based on which level of prosecution would have a greater impact on the defendants and consistent with the mission of the Task Force.

E. Reports and Records

All SSPTF investigative records will be maintained at the Portland Office of the FBI. Investigative reports will be prepared by all SSPTF personnel on FBI forms. Appropriate training will be provided on administrative procedures.

F. Case Selection

The SSPTF will principally direct its investigative efforts to location and apprehension of violent repeat offenders which require the coordination and resources of the SSPTF.

The WCSO, MCSO, CCSO, OSP, PPB, and ATF will each review their records and present to the SSPTF cases involving possible unlawful flight by violent repeat offenders for consideration of obtaining Unlawful Flight to Avoid Prosecution (UFAP) process. The SSPTF will be responsible for apprehension of all UFAP fugitives within its geographic jurisdiction. All requests to participating agencies for out of jurisdiction fugitive assistance, wherein UFAP process is outstanding will be directed to the SSPTF.

Other SSPTF investigations will commence in accordance with existing FBI policy upon referral by participating agencies and will be closely coordinated with non-SSPTF investigators as necessary.

G. Media

The Special Agent in Charge of the Portland Office of the FBI shall coordinate, after consultation with the law enforcement agencies involved in this investigation, contact with news media representatives regarding all information released. No matters relating to the Task Force will be released to the media without the mutual approval of the participating agencies.

It is agreed that this MOU will be in effect for six months from date of signature. It may be renewed for an agreed upon period of time contingent upon the written agreement of the parties hereto. This agreement may be terminated at any time by any participating agency delivering a written notice of termination to the other participating agencies.

PORTLAND POLICE BUREAU

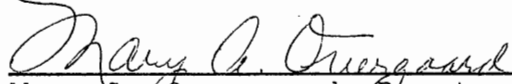
FEDERAL BUREAU OF INVESTIGATION



Tom Potter
Chief

Robin L. Montgomery
Special Agent in Charge

Approved as to form:



Mary A. Overgaard, Deputy City Attorney

ORDINANCE No. 165259

*Memorandum of understanding with the Portland Office of the FBI
for the Safe Streets Portland Fugitive Task Force (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Because criminal activity is not limited by jurisdictional boundaries, successful investigation of crime depends on communication, cooperation, and coordination between law enforcement agencies.
2. The Portland Office of the FBI has offered to provide organization, administration, supervision, training, equipment, and policy guidance to other federal, regional, and local law enforcement agencies who wish to participate on a special task force to apprehend known wanted violent repeat offenders. This Task Force will be known as the "Safe Streets Portland Task Force."
3. The City of Portland, Bureau of Police, and the Portland Office of the FBI wish to formalize this working relationship with the Memorandum of Understanding, attached as Exhibit A.

NOW, THEREFORE, the Council directs:

- a. That the Chief of Police is authorized to sign the Memorandum of Understanding, attached as Exhibit A, with the Portland Office of the FBI, to participate in the Safe Streets Portland Task Force.

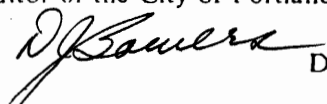
Section 2. The Council declares that an emergency exists because delay in the signing of the Memorandum of Understanding will delay the work of the Task Force; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 1 1992

BARBARA CLARK

Auditor of the City of Portland

By

 Deputy

Agenda No.

ORDINANCE NO. 165259

Title

*Memorandum of understanding with the Portland Office of the FBI for the Safe Streets Portland Fugitive Task Force (Ordinance)

INTRODUCED BY J.E. Bud Clark NOTED BY COMMISSIONER Affairs Finance and Administration <i>JEB</i> Safety Utilities Works BUREAU APPROVAL Bureau: Bureau of Police Prepared by <i>Beth Bown</i> Date <i>3-20-92</i> Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not Required Bureau Head: <i>Tom Potter</i> Tom Potter, Chief of Police	Filed: MAR 27 1992 <div style="text-align: right;">Barbara Clark Auditor of the City of Portland</div> By: <u><i>Cay Kershner</i></u> Deputy For Meeting of: Action Taken: <input type="checkbox"/> Amended <input type="checkbox"/> Passed to Second Reading <input type="checkbox"/> Continued to:
--	---

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent <input checked="" type="checkbox"/>	Regular	Blumenauer	Blumenauer	<input checked="" type="checkbox"/>	
NOTED BY		Bogle	Bogle	<input checked="" type="checkbox"/>	
City Attorney	<i>MAD</i>	Kafoury	Kafoury	<input checked="" type="checkbox"/>	
City Auditor		Lindberg	Lindberg	<input checked="" type="checkbox"/>	
City Engineer		Clark	Clark	<input checked="" type="checkbox"/>	