

Remarks from Ms. Michelle Lazaneo Missing Persons Ad Hoc: Public Hearing (11.2)

My name is Michele Lazaneo and I am a community representative on the Ad-Hoc Missing Persons Policy Committee. How did my involvement begin?

On May 6, 2019, I received a telephone call from a community partner, a soccer coach, who told me that one of his players disappeared. He told me about Jonathan Bandabaila and asked me to help his family to find him. I accompanied Jonathan's parents to speak up during the City Council and Police Commission meetings and was later asked by the Bandabaila family to be their spokesman. After speaking out at meetings for four months, Police Commissioner Ginale Harris stepped-up and volunteered to act as our liaison. She facilitated meetings where the Bandabaila family and I spoke directly to OPD supervisors, detectives and even to former Chief Kirkpatrick. Commissioner Harris and I read everything we could find about missing persons investigations and policies. We made OPD aware that their existing Missing Persons Policy, DGO O-6, was outdated and needed to be revised to reflect the current best standard practices.

Before this AD Hoc committee was established, OPD was responsive to our suggestions, especially regarding increasing public awareness via social media outreach. April 2020, OPD provided an information report to the Public Safety Committee along with an updated investigative checklist. They also created a Missing Persons page on the City of Oakland website as an additional resource to share active missing persons cases with the community. They answered common questions about how to make a missing persons report and about Amber Alerts. April 2, 2021, OPD produced a seven-minute YouTube video with a step-by-step explanation that families could follow called "Missing Persons FAQ", which they shared on all of their social media platforms. These are all improvements that OPD made prior to the formation of this committee.

The Missing Persons Policy Committee began its work in April 2021 and brought together members of the Oakland Police Department, the Oakland Police Commission, the Citizens Police Review Agency, The Department of Violence Prevention and the community. One critical factor was for us to include the voices of families directly impacted by OPD's Missing Persons policy. Some families expressed interest to participate and we understood the importance of their presence and including them to be part of this conversation. It was important for us to acknowledge their lived experiences, to listen to their critique, perspective, input, suggestions and incorporate them into the new policy.

Our objective is to update OPD's Missing and Abducted Persons Policy to reflect the current best standard practices which includes:

- 1) Changes to the Law
- 2) Updated Procedures and Processes
- 3) Timely and widespread media outreach

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- 4) Incorporating the Use of Body Worn Cameras (BWC)
- 5) Providing Resources for Reporting Parties and the Community

The California Penal Code sections 14211 and 14212 were updated September 28, 2020. These sections cover missing persons reports and procedures with significant changes added.

OPD has already implemented the following changes as part of their missing persons checklist and investigative procedures. They are all included in the draft policy.

- + California law has expanded the definition of at-risk youth from only being those 16 and under, to include all missing individuals under the age of 21.
- + If the missing person is under 21 years of age, or there is evidence that the person is at risk, the police department or sheriff's department shall broadcast a "Be On the Lookout" bulletin, without delay, within its jurisdiction.
- + If the person reported missing is under 21 years of age, or if there is evidence that the person is at risk, the law enforcement agency receiving the report shall, within two hours after the receipt of the report, electronically transmit the report to the Department of Justice via the California Law Enforcement Telecommunications System for inclusion in the Violent Crime Information Center and the National Crime Information Center databases.
- + An Endangered Missing Advisory (EMA) is a tool available to law enforcement agencies investigating the suspicious disappearance of at-risk missing children or other endangered persons. EMAs provide immediate information to the public to aid in the swift recovery of at-risk persons. EMAs fulfil the federally mandated requirement of the Ashanti Alert Act of 2019. This is similar to an Amber or Silver Alert, but this change allows law enforcement to issue an alert for missing persons between 18-64 years of age. There was no special alert for those 18-64 before.
- + The Department of Justice Missing Persons Report form (CJIS 8568) was updated in 2018 to include the Silver Alert and EMA. This form is already being used by OPD, but was added to the new policy.
- + The Police Officers Standards and Training (POST) updated their Missing Persons Investigations Guidelines and Curriculum in May 2021. OPD is utilizing The DOJ Investigative Checklist for First Responders and The POST Missing and Unidentified Persons Reporting Reference Chart.
- + Outreach/Social Media: This committee is still working on developing specific requirements for social media use in missing persons investigations and creating innovative ideas and partnerships can make Oakland a leader in this area. Currently, these changes are being facilitated by the Media Relations Office which includes their Strategic Communications Manager and Public Information Officers. OPD and the Police Commission have plans to

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establish a social media policy separate from the City of Oakland and solely covering employees of OPD. The Media Relations Office has their own policies and procedures separate from DGO O-6. This committee will be making recommendations to the Media Relations Office regarding their policies that affect missing persons outreach, social media coverage and the public alerts. The Media Relations Office has been responsive to our suggestions and improved the timeliness of their posts on OPD's social media platforms. This committee is still working on finalizing this section of the policy.

- + OPD didn't use body-worn cameras when the original missing persons policy was written. This draft policy includes how responding and investigating officers should activate and use their BWC's throughout a missing persons investigation, especially when interviewing involved parties, taking statements and documenting investigative steps.
- + In order to establish community partnerships and provide more resources to the community, the committee invited Amba Johnson from DreamCatchers to speak as a subject matter expert on human trafficking. She was later invited to speak to the OPD Academy recruits about the intersection of human trafficking and missing persons cases, to make them aware of the signs, the risk factors and prevalence of commercial sex trafficking in Oakland. OPD's newly established Victim Specialist is creating literature to share with families and the larger community to educate them about the available resources and support services they may need.

OPD receives 100 new missing persons reports each month and that is a lot. Although OPD is understaffed and under-resourced, the community is still depending on them to locate their missing family members. Updating this policy is a first step and offers an opportunity for OPD to build positive relationships with 100 families each month. Members of this committee have demonstrated courageous leadership and with the implementation of our innovative ideas, we can create community partnerships that can supplement and assist OPD in their efforts.

A breakthrough is described as big changes resulting after continuous effort and courageous consistency. When this policy receives critical community input and is finalized by this committee, Chief Armstrong and finally the Police Commission, it will produce a breakthrough which will allow OPD to build trust with the community by delivering on its promise that OPD CARES.