

REQUEST FOR ACTION: EXECUTIVE ORDER

Version: 07/12/2011

AGENDA FOR: MAYOR

DATE: February 20, 2012

Tulsa City Clerk's Office: 596-7513 or 596-7514

FOR INFORMATION CONTACT:

DEPARTMENT: Public Safety Communications CONTACT NAME: TERRY BAXTER

ADDRESS: 801 E OKLAHOMA STREET, TULSA, OK TELEPHONE: 918-594-5711

EXECUTIVE ORDER YEAR: 2012 EXECUTIVE ORDER NUMBER: _____

EXECUTIVE ORDER SUBJECT: MANAGEMENT RELATIONS BETWEEN 911 PSC AND TPD

SUMMARY:

Establishing management control for the Tulsa Police Department over certain aspects of 911 Public Safety Communications operations. This control is required pursuant to the Federal Bureau of Investigations and the National Crime Information Center (NCIC). This executive order will consolidate all 911 public safety communications provided by the City of Tulsa under the management control of the criminal justice agency (Tulsa Police Department). This executive order establishes and defines the management relationship between 911 Public Safety Communications (911 PSC) and the Tulsa Police Department (TPD). This executive order supersedes Executive Order 2010-03, dated March 15, 2010.

BUDGET:

FINANCE DIRECTOR APPROVAL:

N/A

REQUEST FOR ACTION:

All department items requiring Council approval must be submitted through the Mayor's Office.

Request Mayoral approval.

DEPARTMENT HEAD APPROVAL: [Signature]

DATE: February 20, 2012

CITY ATTORNEY APPROVAL: EO signed

BOARD APPROVAL: _____

MAYORAL APPROVAL: [Signature]

MAR 02 2012

OTHER: S/Chief Jordan signed EO

FOR CITY COUNCIL OFFICE USE ONLY:

DATE RECEIVED: _____

COMMITTEE: _____ COMMITTEE DATE(S): _____

FIRST AGENDA DATE: _____

HEARING DATE: _____ SECOND AGENDA DATE: _____

APPROVED: _____

For City Clerk's Office Use Only (Agenda Date: MMDDYYYY; Sec #; Dept #, Item #, Sub-Item #, Status: S=Synopsis):

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**OFFICE OF THE MAYOR
TULSA, OKLAHOMA**

Executive Order No. 2012-03

ESTABLISHING MANAGEMENT CONTROL OF THE TULSA POLICE DEPARTMENT OVER CERTAIN ASPECTS AND FUNCTIONS OF 911 PUBLIC SAFETY COMMUNICATIONS OPERATIONS, PURSUANT TO FEDERAL BUREAU OF INVESTIGATIONS (“FBI”) AND NATIONAL CRIME INFORMATION CENTER (“NCIC”) REQUIREMENTS; AND SUPERSEDING THE PREVIOUS EXECUTIVE ORDER NO. 2010-03, DATED MARCH 15, 2010.

By virtue of the power vested in me as Mayor of the City of Tulsa, Oklahoma, it is hereby ordered:

Section 1. PURPOSE: In order to consolidate public safety communications provided by the City of Tulsa into one operation, under the management control of a criminal justice agency, this Order establishes the management relationship between 911 Public Safety Communications and the Tulsa Police Department.

Section 2. FBI AND NCIC REQUIREMENTS: This order acknowledges a requirement of the Federal Bureau of Investigations (“FBI”) that access to all National Crime Information Center (“NCIC”) files is dependent upon whether an agency qualifies for an Originating Agency Identifier (“OAI”). Such an agency must be authorized access pursuant to Title 28, United States Code, Section 534 (28 U.S.C. § 534) and must satisfy the definition of a “criminal justice agency” as defined in Title 28 code of Federal Regulation, Section 20.3 (28 CFR § 20.3). In the alternative an agency not qualifying as a criminal justice agency must meet the definition of an “agency under the management control of a criminal justice agency” as defined in the NCIC Advisory Policy Board’s Computerized Criminal History Program Background, Concept and Policy, dated March 1, 1984. In satisfaction of these requirements, this Order shall govern the management of the consolidated public safety communications operations provided by the City of Tulsa.

Section 3. DEFINITIONS:

A. Mayor: The Mayor is the chief administrative and executive officer of the City of Tulsa, duly authorized under the Constitution and laws of the State of Oklahoma, as well as the Charter and ordinances of the City of Tulsa.

B. Tulsa Police Department: The Tulsa Police Department is a criminal justice agency, as defined in 28 CFR § 20.3 because it is a subunit of a governmental agency and in that capacity performs the administration of criminal justice and allocates more than 50% of its annual budget to the administration of criminal justice. “Administration of criminal justice” means detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional, supervision, or rehabilitation of accused persons or criminal offenders, and includes criminal identification activities and the collection, storage, and dissemination of criminal history record information. The chief executive of the Tulsa Police Department, subject only to the authority of the Mayor or his/her designees, is the Chief of Police.

C. 911 Public Safety Communications: 911 Public Safety Communications is a subunit of the City of Tulsa intended to provide telecommunication services for the Tulsa Police Department and operates computers, circuits, and telecommunications terminals used to process criminal history record information. The chief executive of 911 Public Safety Communications, subject only to the authority of the Mayor or his/her designees, is the Director of 911 Public Safety Communications.

Section 4. TULSA POLICE DEPARTMENT MANAGEMENT CONTROL: Subject to the requirements established by the Federal Bureau of Investigation (“FBI”), the National Crime Information Center (“NCIC”), the Oklahoma Department of Public Safety (“DPS”) and the Oklahoma Law Enforcement Telecommunications System (“OLETS”).

- A. The Tulsa Police Department shall have management control authority to set and enforce:
- (i) priorities of service provided by 911 Public Safety Communications and necessary to the criminal justice community;
 - (ii) standards for the selection, supervision, and termination of 911 Public Safety Communication’s personnel; and
 - (iii) policies governing the operation of computers, circuits, telecommunications terminals used to process, store or transmit criminal history information;

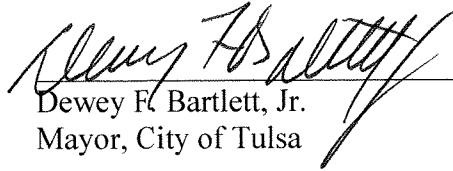
insofar as such services, personnel and equipment are utilized to process, store or transmit criminal history record information and access Federal Bureau of Investigation (“FBI”), National Crime Information Center (“NCIC”), Oklahoma Department of Public Safety (“DPS”) or the Oklahoma Law Enforcement Telecommunications System (“OLETS”) files.

- B. Management control includes, but is not limited to, the supervision of equipment, system design, programming and operating procedures necessary for the development and implementation of computerized access to criminal history record information programs.

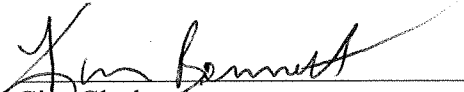
Section 5. DEPARTMENT OF PUBLIC SAFETY NOTIFICATION: 911 Public Safety Communications and the Tulsa Police Department shall promptly notify the Oklahoma Department of Public Safety (“DPS”) of any change or discontinuation of the services provided by 911 Public Safety Communications under this Order.

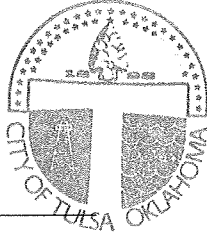
Section 6. EFFECTIVE DATE: This Order shall supersede the previous Executive Order No. 2010-3, dated March 15, 2010.

Dated this _____ day of MAR 02 2012, 2012.


Dewey F. Bartlett, Jr.
Mayor, City of Tulsa

Attest:


City Clerk DEPUTY




Approved:



City Attorney

ACKNOWLEDGEMENT

“Tulsa Police Department”

By 
Chief of Police

“911 Public Safety Communications”

By 
Director