



DEPARTMENTAL
GENERAL
ORDER

Effective Date:
XX XXX XX

K-6

Evaluation Coordinator:
Patrol Rifle Program Instructor Staff

Index as:

Department Rifles

DEPARTMENT RIFLES

The purpose of this order is to set forth Department policy and procedures to regulate the field deployment of Department Rifles and memorialization of their deployment; and establish selection, certification, and training protocols for Patrol Rifles issued to field officers within the Patrol Rifle Program (PRP).

I. VALUE STATEMENT

Recognizing officers are not normally equipped to safely address threats from persons wearing body armor, are at distances beyond the effective range of standard-issue pistols and shotguns, and encounter subjects armed with various firearms, the Department has implemented specially-trained Patrol Rifle Officers (PRO) who, along with qualified Tactical Operations Team members, may deploy rifles to enhance officer and public safety. The field deployment of any rifle shall be in accordance with the core values and mission of the Oakland Police Department.

II. DEFINITIONS

A. Department Rifle

The collective term for either a Patrol or Tactical Team Rifle.

B. Patrol Rifle

1. The department Patrol Rifle shall be an AR-15 semi-automatic carbine, utilizing .223 caliber/5.56 mm ammunition.

a. The present Patrol Rifle is the Colt LE6920 Rifle.

- b. New or replacement Patrol Rifles shall be approved by the Patrol Rifle Program Instructor Staff, and pass requisite departmental approval before implementation.

C. Tactical Team Rifles

Members of the Entry and Sniper elements of the Tactical Operations Team utilize either AR or manual bolt action rifles.

1. The Tactical Team AR Rifle, as utilized by Entry and Sniper Team members, shall be an AR-15 semi-automatic carbine, utilizing .223 caliber/5.56 mm ammunition.
 - a. The present Tactical Team AR Rifles are the BCM CQB MCMR 11 Rifle, the Noveske N4 Rifle, and the Colt LE6920 Rifle.
 - b. New or replacement Tactical Team AR Rifles shall be approved by the Entry/Sniper Tactical Team Leaders, and pass requisite departmental approval before implementation.
2. The Sniper Rifle shall be either a manual bolt-action rifle or AR-10 semi-automatic carbine, utilizing .308 Winchester ammunition.
 - a. The present Sniper Rifles are the GA Precision Bolt Action .308 Win Rifle and the Seekins Precision SP10 AR-10.
 - b. New or replacement Sniper Rifles shall be approved by the Sniper Team Leaders, and pass requisite departmental approval before implementation.
3. Entry and Sniper Team members may utilize privately-owned AR-15 carbine rifles, or manual bolt-action or AR-10 Sniper Rifles (Sniper Team members only).
 - a. Privately-owned rifles shall be approved for use by the operator's respective Tactical Team Leader(s).
 - b. Operators utilizing a privately-owned rifle must pass the current team marksmanship qualification before deploying with the rifle in the field.
 - c. Privately-owned rifles used in place of Department Rifles shall be subject to this order and all related orders in the

Commented [TS1]: Privately-owned rifles should follow the designated use, and follow prohibited protocol.

Are privately-owned rifles covered by this policy? (are they reported as military equipment deployments?) - Check with JT

Tracking for personal weapons?

Commented [TS2R1]: Fixed. Privately-owned rifles are fleshed out more here, as well as in the section that discusses logging deployments

same fashion as Department Rifles. References in this order to Department Rifles categorically include authorized privately-owned rifles.

D. Patrol Rifle Program (PRP) Instructor Staff

Certified firearms instructors responsible for coordinating and providing selection and training for Patrol Rifle Officers in the Patrol Rifle Program, and collecting and reporting requisite statistics and data as required by the department.

E. Patrol Rifle Officer (PRO)

An officer that has successfully completed the selection and training process described in this order that has been issued a Patrol Rifle and is current on all training and qualifications set by the PRP Instructor Staff.

III. POLICY

A. Only PROs and Entry and Sniper Team members shall be authorized to deploy Department Rifles (Patrol Rifle, Tactical Team AR Rifle, or Sniper Rifle) per section IX of this order.

Commented [TS3]: Verify; should be section IX

Commented [TS4R3]: Fixed.

B. Discharge and/or deployment of a Department Rifle shall be in accordance with the provisions of Departmental General Order K-3, USE OF FORCE or K-5, TACTICAL OPERATIONS TEAM, as applicable. Officers discharging a rifle must be able to articulate clearly the reasons for the use of lethal force, including whether the officer's life or the lives of others were in immediate peril and if there was no reasonable alternative.

Commented [TS5]: Integrate reference to DGO K-5. Put specific verbiage as per DGO K-3 here.

Commented [TS6R5]: Fixed. Added verbiage directly from K-3 and referenced K-5.

C. Discharge and/or deployment of a Department Rifle shall be reported in accordance with the provisions of Departmental General Order K-4, REPORTING AND INVESTIGATING THE USE OF FORCE or K-5, TACTICAL OPERATIONS TEAM, as applicable.

Commented [TS7]: Integrate reference to DGO K-5

Commented [TS8R7]: Fixed.

D. To ensure members of the Patrol Rifle Program maintain skill levels required by the Department, PROs shall successfully complete an initial Departmental training course, and additional training as determined by the PRP Instructor Staff (see section XIV).

Commented [TS9]: Verify all section references.

Commented [TS10R9]: Fixed.

Adjunct instructors not meeting the above criteria may assist with PRO training under the approval and supervision of the PRP Instructor Staff.

VII. PATROL RIFLE OFFICER SELECTION

- A. Officers requesting assignment as a PRO shall submit a memorandum through their chain of command (to the level of their Bureau Deputy Chief) to the PRP Instructor Staff.
- B. The PRP Instructor Staff shall maintain submitted requests for use in the selection process.
- C. The requesting officer's supervisor shall:
 1. Review the memorandum based on the criteria set forth herein.
 2. Submit the memorandum for review and endorsement through their chain-of-command (up to the Area Captain) to the PRP Instructor Staff.
- D. Prospective PRO candidates shall meet the following minimum qualification criteria:
 1. Full-time sworn member (non-probationary) at the rank of officer, assigned to a field-based, uniformed assignment with a minimum of one (year) of Patrol duty experience, unless prior relevant training/experience is present as determined by the PRP Instructor Staff.
 2. Exhibit the ability to work independently and with minimal supervision.
 3. Exhibit the ability to maintain a calm, professional demeanor while making sound decisions during stressful situations.
 4. Exhibit the ability to properly apply the principles of de-escalation and an understanding of the Department's Mission, Purpose, and Core Principles surrounding use of force.¹

¹ Reference [DGO K-03](#), *Use of Force*, section A.

6. Departmental Work History Evaluation (Matrix) prepared by the PRP Instructor Staff. The candidate shall be evaluated on:

- a. Performance appraisals
- b. IAD sustained findings
- c. Preventable vehicle collisions
- d. Sick and injury record
- e. Out of compliance uses of force
- f. Disciplinary history
- g. Patrol duty experience
- h. Overall officer experience
- i. Law Records Management Systems (LRMS) review

Commented [TS11]: During the 22 Aug meeting, it was suggested to change this to "IAD complaints." Reverted back to "sustained findings." Explain to committee why.

Commented [TS12R11]: To be explained at 31 Aug meeting

Commented [TS13]: Spell out LRMS

Commented [TS14R13]: Fixed.

7. Other

Additional relevant information may also be considered (e.g., letters of appreciation, training, self-improvement, military experience, and firearm-related experience).

G. The PRP Instructor Staff shall prepare a list of candidates based on the following:

1. Overall evaluation of "Pass."
2. Ranking based on selection process scores.
3. The Department's operational needs for PROs, based on Patrol Rifle availability, and geographic and temporal coverage throughout the City. Priority shall be given to PRO assignments in the Patrol Division.
4. The PRP Instructor Staff shall determine the number of candidates that will attend the Department Patrol Rifle School, based on factors such as rifle availability, range availability and size, and instructor availability. The PRP Instructor Staff may elect to include more candidates in a school than there are available rifles in order to account for future program attrition and the establishment of a list of qualified Patrol Rifle Officers pending issuance of a Patrol Rifle.
5. Officers who successfully complete the Patrol Rifle School and are issued a Patrol Rifle shall be certified as PROs. Those successfully

completing the Patrol Rifle School that are not issued a Patrol Rifle due to equipment shortages shall, at the discretion of the PRP Instructor Staff, be included in future PRO training to maintain certification status until a Patrol Rifle can be issued to them.

VIII. PATROL RIFLE ASSIGNMENT

Patrol Rifle Officers assigned to the Patrol Division shall not select their Patrol Division assignments based on their PRO status.

IX. AUTHORIZED DEPLOYMENT

The purpose of deploying a Department Rifle is to enhance officer and public safety against actual or potential threats beyond those which normally-equipped field officers may encounter. Deploying members must be able to articulate how deployment of a rifle provides a distinct tactical advantage in favor of officer and public safety.

When safe, feasible, and without compromising law enforcement priorities, officers shall use de-escalation tactics and techniques in order to reduce the need for force. The goal of the Department is to promote thoughtful resolutions to situations and to reduce the likelihood of harm to all persons.

A. Officers equipped with rifles shall adhere to the fundamental rules of firearms safety:

1. Treat every firearm as if it is loaded.
2. Always keep the firearm pointed in a safe direction.
3. Keep your finger out of the trigger guard and off the trigger until you have made the conscious decision to fire.
4. Be aware of your target and the area around it.

B. The following factors shall be considered prior to deploying a Department Rifle:

1. The engaged person is known to possess or is suspected to possess a deadly weapon or firearm.

Commented [TS15]: Mention de-escalation in DGO K-3.

(de-escalation training hours vs shooting hours)

Commented [TS16R15]: Clarify these notes (re: training/shooting hours) during 31 Aug meeting.

Added a second paragraph in the header of this section from K-3, regarding our commitment to de-escalation.

Commented [TS17]: Mention firearms safety to include rule 4 (backdrop)

Commented [TS18R17]: Fixed. Subsection on the fundamental rules of firearms safety have been added.

Commented [TS19]: Rephrase so it's clear when it's deployable. As it reads, for example, it may read as if someone being far away is criteria enough, without other factors considered.

- 2. The engaged person is beyond the effective range of Departmental pistols or shotguns.
- 3. The engaged person is known to be wearing or is suspected of wearing body armor.

The above is not an exhaustive list of circumstances under which a rifle may be deployed, nor are the points necessarily automatic grounds for rifle deployment. The tactical need to deploy is based on the totality of circumstances, and deploying member must be able to articulate the reasonable need to deploy.

- C. The deployment of a Department Rifle follows the same reporting criteria as other firearms regarding the KDE disposition code.
- D. Patrol Rifle Officers shall not be deployed as a substitute for use of the Department Tactical Operations Team (refer to Departmental General Order K-5, TACTICAL OPERATIONS TEAM).
- E. When a member is directed to deploy his/her rifle in what is believed to be an inappropriate circumstance, he/she shall advise the directing supervisor/commander prior to deploying. There may be instances in which the supervisor/commander has additional information to which the rifle officer is unaware, and time may not allow for an explanation of the circumstances before a rifle is deployed. When practical, the officer and supervisor/commander should brief the situation together. Though an officer may be directed to deploy their rifle, the discharge of a rifle shall still be in accordance with the provisions of Departmental General Order K-3, USE OF FORCE or K-5, TACTICAL OPERATIONS TEAM, as applicable.
- F. ~~Department Rifles shall be used to dispatch² a dangerous animal only when a Departmental pistol or shotgun is inappropriate.~~
- G. Department Rifles shall only be discharged during actual duty deployment or at a firearms range that can accommodate rifle fire.

Commented [TS20] : May not otherwise meet threshold/criteria for deployment. Rephrase to be clear that subject must also be a risk.

It's more a combination of these things, vs these being exclusive. Flesh out better.

Commented [TS21R20] : Fixed. The points were left as is, but a conditional paragraph was added that discusses the totality of circumstances.

Commented [TS22] : What accountability/follow-up is done when this type of incident happens?

Commented [TS23] : Move up to section where criteria for deployment are listed.

Commented [TS24R23] : Moved instead to the "Prohibited Uses" section and reworded.

² Reference [DGO K-03](#), Section H-07 for rules on discharging firearms at animals.

order are prohibited. Examples of prohibited deployments include, but are not limited to:

- A. During non-high-risk vehicle or pedestrian stops. High-risk stops are generally those involving a person or persons suspected of having committed a serious crime, or presenting an immediate or anticipated threat necessitating having armed cover throughout the detention process until the subject is handcuffed and otherwise deemed safely detained. Absent these circumstances, rifles should not be deployed during these stops.
- B. During routine patrol with no specific threat or articulable facts, as outlined in section IX, lending to the deployment of a rifle.
- C. Rifles shall not be slung and carried as a matter of course during an incident if deployment is not reasonably required or reasonably pending.
- D. Rifles shall not be used to dispatch³ a dangerous animal, except when a Departmental pistol or shotgun is inappropriate (e.g., distance, type of animal, etc.).

Commented [TS26] : Elaborate on high-risk or explain why. Look for IB or TB that talk about high-risk.

Commented [TS27R26] : Fixed. Added to this section to provide an explanation of a high-risk subject. Lexipol Procedure 302 (Handcuffing) and TB III B.02 (High-risk vehicle stops) discuss this, but it is best left described in general terms of this section.

Commented [TS28] : Specify threats, and articulable facts lend to the deployment of a rifle.

Commented [TS29R28] : Fixed. Added reference to section IX, "Authorized Deployments," which breaks down deployment considerations/risks.

Commented [TS30] : Added this section; moved from the "Authorized Deployment" section.

XII. RIFLE LOGS AND DEPARTMENT RIFLE USE REPORTING

- A. Rifle deployments shall be documented in the Patrol Rifle Log Book assigned to that rifle, or by other means insomuch that the required data in subsection D are memorialized, and may be submitted as required to the PRP Instructor Staff (for PROs) or Tactical Team Leader (for Entry and Sniper Team members).
- B. Department rifle training shall also be logged for the purposes of memorializing rifle round counts and any significant maintenance.
- C. Each PRO shall submit his/her rifle deployments, round count, and maintenance entries to the PRP Instructor Staff on a quarterly basis.
- D. Each deployment log entry shall minimally include:
 - 1. The associated incident and RD number.

³ Reference [DGO K-03](#), Section H-07 for rules on discharging firearms at animals.

2. The location of the deployment (specific address or block, and Area).
 3. The date and time of the deployment.
 4. The associated crime or reason for the deployment.
- E. The PRP Instructor Staff shall review and consolidate all PRO logs on a quarterly basis, and prepare and forward a quarterly report listing rifle deployment data in subsection D to the Special Operations Section Commander.
- F. After a Tactical Operations Team activation, deployments of Entry and Sniper Team rifles shall be reported by the respective element's Team Leaders to the Tactical Operations Support Team (TOST).
- G. Entry and Sniper Team members deploying rifles in the field during non-Tactical Operations Team activations shall maintain a deployment log as listed above, which shall be reviewed by the respective element's Team Leaders and reported quarterly to the Special Operations Section Commander.
- H. Personally-owned rifle deployments shall be memorialized categorically by type (i.e., as an AR-15, AR-10 sniper rifle, or manual bolt-action sniper rifle) for the purposes of reporting the deployment of military equipment.

Commented [TS31] : Ended 22 Aug 22 session here.

Commented [TS32] : Added this subsection. It allows the tracking/reporting of personally-owned rifles deployed instead of their department-issued equivalents.

XIII. STORAGE AND SECURITY

- A. When on-duty, PROs shall store their Patrol Rifles in one (1) of two (2) conditions:
1. In a gun case in the locked trunk or rear locked storage compartment of their assigned police vehicle.
 2. Locked in the designated rifle rack of a police vehicle.
- B. In either situation above, the rifle shall be in the following condition:
1. Safety placed on "Safe."
 2. Bolt/carrier group closed/forward on an empty chamber.

2. The PRP Instructor Staff shall notify the BFO Deputy Chief of the satisfactory completion of the remedial training with a recommendation for recertification.
 3. Upon positive endorsement from the BFO Deputy Chief, the PRP Instructor Staff shall notify the subject PRO and his/her immediate supervisor of the recertification.
 4. If remedial training has not been satisfactorily completed, the PRP Instructor Staff shall forward a memorandum through channels to the BFO Deputy Chief detailing the remedial training provided and the PRO's failure to satisfactorily complete the training, and shall recommend the removal of the PRO from the program.
 5. Upon the negative endorsement from the BFO Deputy Chief, the PRP Instructor Staff shall notify the subject PRO and his/her immediate supervisor of the removal from the program.
- H. A PRO who is decertified for unacceptable performance or conduct shall have the right to appeal that action in the same manner and within the same time frames as a member may appeal a Performance Appraisal Report, with the final determination made by the Chief of Police.
- I. Refer to Departmental General Order K-5, TACTICAL OPERATIONS TEAM, for member decertification.

XVI. INQUIRY AND COMPLAINT PROCESS

(Government Code 7070 d (7)) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

The Oakland Police Department DGO M-3, COMPLAINTS AGAINST DEPARTMENTAL PERSONNEL OR PROCEDURES will inform all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct.

By Order of

DEPARTMENTAL GENERAL ORDER
OAKLAND POLICE DEPARTMENT

K-6 Effective Date:
 XX XXX XX

LeRonne L. Armstrong
Chief of Police

Date Signed: _____