



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

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.
- 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.
- 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.
- 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).

- E. Entry and Sniper Team members shall be required to complete a respective Tactical Operations Entry or Sniper School, along with requisite training as determined by the respective element's Tactical Team Leaders.

IV. PATROL RIFLE PROGRAM ORGANIZATION

The PRP is designed to regulate the use of the Patrol Rifle, train PROs, and provide the Department with an additional tool to enhance officer and public safety. The PRP is not an organizational unit. Members are assigned to uniformed, field-based assignments, primarily the Patrol Division, to ensure appropriate coverage of the city. They shall report to their assigned supervisors within their normal chain-of-command.

V. RESPONSIBILITIES OF THE PATROL RIFLE PROGRAM INSTRUCTOR STAFF

Designees of the PRP Instructor Staff shall report directly to the Special Operations Section Commander regarding all matters concerning the PRP. The PRP Instructor Staff shall:

- A. Coordinate the selection process of all PROs.
- B. Coordinate all PRO training.
- C. Gather and maintain PRO deployment data.
- D. Issue and recover Patrol Rifles as necessary.
- E. Ensure maintenance of the Patrol Rifle, beyond operator-level maintenance and cleaning, is performed by a certified Department AR armorer.

VI. PATROL RIFLE PROGRAM INSTRUCTOR STAFF CRITERIA

Members of the PRP Instructor Staff shall minimally meet the following criteria:

- A. Successfully complete a POST-certified Firearms Instructor School.
- B. Successfully complete a POST-certified Patrol Rifle Instructor School.
- C. Successfully complete a manufacturer's or equivalent AR armorer course.
- D. Appointees shall be designated by the existing PRP Instructor Staff.

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.

5. Exhibit the ability to communicate professionally with the public.
 6. Exhibit an ability to render effective testimony in court.
 7. Exhibit proficiency in report writing.
- E. All candidates meeting the above criteria shall participate in the remaining selection process.
- F. The selection process for all PROs shall include:
1. Selection Panel

The PRP Instructor Staff shall convene an oral board selection panel to personally interview each candidate. The interview shall address Departmental policies, tactics, and the candidate's motivation, judgment, and leadership abilities.
 2. Reality-based Scenario Test

The PRP Instructor Staff shall design a reality-based training scenario for the candidates in which the candidates' tactics, demeanor, de-escalation skills, communication skills, leadership abilities, and decision-making are evaluated.
 3. Physical Agility Test

The physical agility test consists of a series of events designed to evaluate strength, agility, and endurance as determined by the PRP Instructor Staff.
 4. Rifle Marksmanship Test

Candidates must demonstrate accuracy in shooting the Patrol Rifle, as determined by the PRP Instructor Staff.
 5. Pistol Marksmanship Test

Candidates must demonstrate accuracy in shooting the pistol, as determined by the PRP Instructor Staff.

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

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.

In line with Departmental General Order K-03, USE OF FORCE, a rifle may only be deployed when the officer reasonably believes it is necessary for his or her own safety or the safety of others. The deployment of a rifle by law enforcement officers can be perceived as threatening and intimidating and, when unwarranted, may cast a negative impression on officers.

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.
 2. The engaged person is beyond the effective range of Departmental pistols or shotguns (generally within 25 yards).

Effective shooting ranges vary. Factors evaluating effective shooting ranges for any firearm include, but are not limited to: the subject or target area/size, terrain, stability in stance or shooting platform, shooting position, shooter and/or target movement, marksmanship proficiency, and stress. Distance is one factor in the totality of circumstances in determining rifle use.
 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 the 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.

Any such deployment in this subsection must still be memorialized per section XII of this order.

- F. Department Rifles shall only be discharged during actual duty deployment or at a firearms range that can accommodate rifle fire.
- G. Entry and Sniper Team members may deploy Tactical Team AR Rifles in the field during a Tactical Operations Team activation, or absent a Tactical Operations Team activation if the above-listed criteria in this section is met.
- H. Sniper Rifles may be deployed during a Tactical Operations Team activation, or absent a Tactical Operations Team activation, if the criteria in this section is met and the necessity for long-distance armed cover—beyond the capabilities of the Tactical Team AR Rifle—is required.
- I. Rifles shall be returned to the vehicle or place of storage as soon as practical after the purpose for deployment has been resolved (e.g., a yard search for a person has been completed, the person who was being sought or detained has been secured, etc.).

X. MODIFICATIONS

- A. Modifications to a Patrol Rifle (to include altering components, replacing them with alternative components, and additions to the rifle) are prohibited unless approved by the Patrol Rifle Program Instructor Staff and shall only be completed by a member of the staff. The following list, though not exhaustive, are components under which this section applies:
 - 1. Trigger assembly/mechanism
 - 2. Bolt carrier group, to include the bolt and firing pin
 - 3. Lower receiver, to include the stock, buffer, and buffer spring
 - 4. Upper receiver, to include the barrel, gas block and tube, and forend
 - 5. Mechanical sights

6. Red dot optic
- B. The following components are department-issued, but may be replaced on a Patrol Rifle with approval and inspection by the Patrol Rifle Program Instructor Staff:
5. Sling
 6. Flashlight and mount
 7. Charging handle
- C. Handguard grips and handstops may be attached to the forend of a Patrol Rifle only with approval, inspection, and installation by a member of the Patrol Rifle Program Instructor Staff.
- D. The above subsections (A-C) are not exhaustive component lists under which this policy applies. Any modification to a Patrol Rifle shall first be approved by the Patrol Rifle Program Instructor Staff, and may not, in any way, change the functionality of a rifle so as to make it fire in a method beyond the semi-automatic platform for which it was designed. Any modification or component that allows burst or fully-automatic firing is prohibited.
- E. Modifications to any Tactical Team Rifle (to include altering components, replacing them with alternative components, and additions to the rifle) are prohibited unless approved and inspected by a Tactical Team Leader. Modifications may not, in any way, change the functionality of a rifle so as to make it fire in a method beyond the semi-automatic (or manual bolt-action) platform for which it was designed. Any modification or component that allows burst or fully-automatic firing is prohibited.
- F. No attachments that, by design, are considered weapons (e.g., bayonets, separate launchers, etc.) may be attached to any rifle.
- G. Personal magazine rifles may be used upon approval and inspection by the Patrol Rifle Program Instructor Staff (for Patrol Rifles) or a Tactical Team Leader (for Tactical Team Rifles). Marking magazines beyond the operator's name, serial number, or alpha-numeric numbering to differentiate magazines is prohibited.

- H. Morale patches or aftermarket emblems, stickers, tokens, or other artifacts shall not be attached or affixed to any rifle or magazine.

XI. PROHIBITED USES

Department Rifle deployment, to include privately-owned rifles deployed for departmental purposes, under conditions beyond those listed in section IX of this 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, leading 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 dispatch² a dangerous animal, except when a Departmental pistol or shotgun is inappropriate (e.g., distance, type of animal, etc.).
- E. Rifles shall not be used as impact weapons, unless any of the following circumstances exist (Department General Order K-3, USE OF FORCE):
 - 1. When an officer reasonably believes and can articulate that a person is attempting to take the rifle away from the officer;
 - 2. When lethal force is permitted; or
 - 3. When using specific defensive tactics muzzle strikes as taught by the PRP Instructor Staff, Entry or Sniper Tactical Team Leaders, or Firearms training staff.

² Reference DGO K-03, Section H-07 for rules on discharging firearms at animals.

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.
 - 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.

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.
 - 3. Loaded magazine fully inserted into the magazine well. This is not required if the trunk or rear locked storage compartment of the vehicle does not provide adequate space.
 - 4. Dust cover is closed.
- C. At the end of a PRO's shift, the Patrol Rifle shall be stored in a secure location with restricted access (e.g., locker, secured cabinet).
- D. A PRO may take his/her Patrol Rifle home at the end of their shift if they are adequately secured at their residence.
- E. Patrol Rifles shall not be stored in a privately-owned vehicle except when traveling to and from work and home, or to and from training.
- F. In addition to the above, Tactical Team Rifles may also be stored in their respective team's equipment vehicle.

XIV. TRAINING AND QUALIFICATION

- A. Patrol Rifle Officers shall attend quarterly marksmanship training and undergo physical fitness, shooting, and decision-making evaluations (qualifications).
- B. The PRP Instructor Staff shall document and maintain training and qualification records for all PROs.
- C. Entry and Sniper Team members are required to attend training as required by the Tactical Operations Team, with training records maintained by the respective element's Team Leaders. Refer to Departmental General Order K-5, TACTICAL OPERATIONS TEAM.

XV. DECERTIFICATION OF PATROL RIFLE OFFICERS

- A. Removal from the PRO Program shall occur automatically when a member is promoted to a rank other than Police Officer or is permanently transferred to a non-field-based assignment.
- B. A PRO may voluntarily resign from the program by submitting a memorandum to the PRP Instructor Staff.
- C. The PRP Instructor Staff may decertify a PRO for any of the following reasons:
 - 1. Substandard performance.
 - 2. Failure to successfully complete required training.
 - 3. Failure to progress at training.
 - 4. Any documented willful and deliberate mistreatment, neglect, or improper use of the Patrol Rifle.
 - 5. Failure to satisfactorily complete a physical fitness, shooting, or reality-based training proficiency evaluation and subsequent remediation.
 - 6. Exhibiting a pattern of unsafe tactics during actual Patrol Rifle deployments.
 - 7. Failure to comply with the provisions of this order.

- D. The PRP Instructor Staff shall submit a memorandum documenting the circumstances which led to the decertification to the BFO Deputy Chief, the PRO's immediate supervisor, first-level Commander, and Area Commander.
- E. The PRP Instructor Staff shall consult with the BFO Deputy Chief to determine if remedial training would rectify the problem(s) or if the PRO is to be immediately removed from the program.
- F. Any PRO removed from the program shall immediately surrender his/her Patrol Rifle to a PRP Instructor Staff member or member of the Range Staff.
- G. Remedial Training
 - 1. In the event remedial training is prescribed, the PRP Instructor Staff shall schedule the appropriate training with the subject PRO.
 - 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

LeRonne L. Armstrong
Chief of Police

Date Signed: _____



Item(s): Department Rifles and Associated Ammunition
 Applicable Use Policy: DGO [K-06](#), *Department Rifle Program*

Description and Purpose

Colt LE6920 AR-15 Rifle	
Description	A semi-automatic shoulder-fired long gun that fires a rifle caliber cartridge. The Department-approved AR15 style weapon system is designed to fire a .223/5.56 caliber projectile.
Manufacturer's Product Description	Colt's reliability, performance, and accuracy provide our Armed Forces the confidence required to accomplish any mission. Colt's LE6920 series shares many features of its combat proven brother, the Colt M4.
Capabilities / How the item works	This is a direct-impingement, AR-15 pattern center-fire semi-automatic rifle, capable of firing a .223 round and striking a target at ranges up to 200 yards in the hands of a trained operator.
Expected lifespan	Barrel life approximately 15K rounds; with care, item can last up to 30 years.
Quantity	72 owned
Purpose and intended uses and/or effects	Recognizing that officers are not normally equipped to safely address threats from persons wearing body armor and/or who are at distances beyond the effective range of standard issue police pistols and shotguns, the PRP has been implemented to address such threats and enhance police officer and public safety.

Noveske N4	
Description	A semi-automatic shoulder-fired long gun that fires a rifle caliber cartridge. The Department-approved AR15 style weapon system is designed to fire a .223/5.56 caliber projectile.
Manufacturer's Product Description	<ul style="list-style-type: none"> • Action: Gas Operated Semi-Auto • Air cooled • Magazine feed • Barrel Length: 10.5", stainless steel • Chambered in 5.56 • Capacity: 30+1
Capabilities / How the item works	This is a direct-impingement, AR-15 pattern center-fire semi-automatic rifle, capable of firing a .223 round and striking a target at ranges up to 200 yards in the hands of a trained operator.
Expected lifespan	Barrel life approximately 15K rounds; with care item can last up to 30 years.
Quantity	25 owned

Oakland Police Department
 Controlled Equipment Impact Report
 Item(s): Department Rifles and Associated Ammunition

Purpose and intended uses and/or effects	The Tactical Operations Team may be activated at the discretion of the Patrol Division Watch Commander, or an Area Commander who is on the scene and assumes Incident Command. This is covered in Oakland Police Policy DGO K-5. Tactical team entry element operators are assigned these rifles.
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Bravo Company Manufacturing (BCM CQU MCMR 11)	
Description	A semi-automatic shoulder-fired long gun that fires a rifle caliber cartridge. The Department-approved AR15 style weapon system is designed to fire a .223/5.56 caliber projectile.
Manufacturer's Product Description	<ul style="list-style-type: none"> • Action: Gas Operated Semi-Auto • Air cooled • Magazine feed • Barrel Length: 10.5", stainless steel • Chambered in 5.56 • Capacity: 30+1
Capabilities / How the item works	This is a direct-impingement, AR-15 pattern center-fire semi-automatic rifle, capable of firing a .223 round and striking a target at ranges up to 200 yards in the hands of a trained operator.
Expected lifespan	Barrel life approximately 15K rounds; with care item can last up to 30 years.
Quantity	30 owned
Purpose and intended uses and/or effects	The Tactical Operations Team may be activated at the discretion of the Patrol Division Watch Commander, or an Area Commander who is on the scene and assumes Incident Command. This is covered in Oakland Police Policy DGO K-5. Tactical team entry element operators are assigned these rifles.

GA Precision Bolt Action .308 Win Rifle	
Description	The rifle has a 22" barrel, internal magazine (four round capacity), manual safety selector switch, and manual bolt action. The rifle is chambered for .308 Win ammunition.
Manufacturer's Product Description	The rifle is a custom GA Precision product built for Oakland PD, based on their Crusader model. It is built off of the Remington 700 short-action receiver platform, but manufactured and outfit by GA Precision, using a variety of components from different manufacturers. The barrel is manufactured by Broughton; it is 22" long, fluted, and has a 1/11.25" twist. The rifle stock is manufactured by Manner. The trigger group is a custom build by GA Precision. The scopes are manufactured by Nightforce (NX8), with Badger Ordnance scope rings and bases. The bipods are manufactured by Harris. The rifles were built from different components, but serialized under GA Precision.

Capabilities / How the item works	Bolt-action centerfire rifle, capable of firing a .308 round and striking a target at ranges up to 1000 yards in the hands of a trained operator.
Expected lifespan	None indicated, but with care item can last up to 30 years.
Quantity	12 owned
Purpose and intended uses and/or effects	The Tactical Operations Team may be activated at the discretion of the Patrol Division Watch Commander, or an Area Commander who is on the scene and assumes Incident Command. GA Precision Bolt Action .308 Win Rifles are assigned to the Sniper element of the Tactical Operations Team.

Speer LE Gold Dot .223 75 Grain Ammunition	
Description	.223 caliber centerfire rifle ammunition for AR-15 pattern rifles.
Manufacturer's Product Description	SPEER LE Gold Dot Duty Rifle brings proven bullet technology to rifle platform. The Gold Dot bullet was the first high performance, bonded-core bullet available in handgun ammunition, and has since set the bar for duty ammunition. The nation's number one law enforcement option is now available in rifle ammunition for agencies everywhere. Gold Dot rifle bullets are optimized to ensure expansion out of barrels down to 10" at a wide variety of velocities out to 200 yards.
Capabilities / How the item works	Rifle cartridge – when the trigger for the firearm is pulled, the firing pin strikes the primer which in turn ignites the gunpowder inside the casing. The bullet is propelled forward out the end of the barrel. Depending on the rifle through which it was fired, a .223 caliber round is capable of causing great bodily injury or death through a combination of temporary and permanent wound cavities.
Expected lifespan	~10 years
Quantity	~10 cases owned
Purpose and intended uses and/or effects	.223 caliber or 5.56mm rifle ammunition used in conjunction with an AR-15 type rifle provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns.

Federal .223 55 Grain Ammunition	
Description	.223 caliber centerfire rifle ammunition for AR-15 pattern rifles.
Manufacturer's Product Description	American Eagle® rifle ammunition offers consistent, accurate performance at a price that's perfect for high-volume shooting. The loads feature quality bullets, reloadable brass cases and dependable primers. <ul style="list-style-type: none"> • Ideal for target practice • Accurate and reliable • Consistent primers and brass

Capabilities / How the item works	Rifle cartridge – when the trigger for the firearm is pulled, the firing pin strikes the primer which in turn ignites the gunpowder inside the casing. The bullet is propelled forward out the end of the barrel. Depending on the rifle through which it was fired, a .223 caliber round is capable of causing great bodily injury or death through a combination of temporary and permanent wound cavities.
Expected lifespan	~10 years
Quantity	~30 cases owned
Purpose and intended uses and/or effects	.223 practice ammunition used in rifle training

Winchester Ranger 556B 64 Grain Ammunition	
Description	5.56 caliber centerfire rifle ammunition for AR-15 pattern rifles.
Manufacturer’s Product Description	Rifle cartridge – when the trigger for the firearm is pulled, the firing pin strikes the primer which in turn ignites the gunpowder inside the casing. The bullet is propelled forward out the end of the barrel.
Capabilities / How the item works	Rifle cartridge – when the trigger for the firearm is pulled, the firing pin strikes the primer which in turn ignites the gunpowder inside the casing. The bullet is propelled forward out the end of the barrel. Depending on the rifle through which it was fired, a .223 caliber round is capable of causing great bodily injury or death through a combination of temporary and permanent wound cavities.
Expected lifespan	~10 years
Quantity	~10 cases
Purpose and intended uses and/or effects	5.56 ammunition used for training

Federal Tactical Bonded 308 Win 165 Grain Ammunition	
Description	.308 caliber centerfire rifle ammunition
Manufacturer’s Product Description	The Tactical Bonded line is a trusted partner for some of the most intense conditions. Made exclusively for law enforcement, it achieves accuracy and terminal performance that defeats tough barriers with minimal deviation.

Capabilities / How the item works	Rifle cartridge – when the trigger for the firearm is pulled, the firing pin strikes the primer which in turn ignites the gunpowder inside the casing. The bullet is propelled forward out the end of the barrel. Depending on the rifle through which it was fired, a .308 caliber round is capable of causing great bodily injury or death through a combination of temporary and permanent wound cavities.
Expected lifespan	10 years
Quantity	~12 cases
Purpose and intended uses and/or effects	Training and deployment round for the OPD sniper rifle. It affords the ability to engage lethal threats with precision at long distances behind barriers such as glass.

Hornady 308 WIN TAP 168 Grain Ammunition	
Description	.308 caliber centerfire rifle ammunition
Manufacturer’s Product Description	Hornady 308 WIN TAP 168 gr. ELD MATCH TAP PRECISION ammunition was designed as an improvement on the 168 gr. A-MAX TAP PRECISION load by incorporating the new ELD Match bullet. The 168 gr. ELD Match bullet with Heat Shield tip delivers the excellent terminal performance TAP Precision is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target.
Capabilities / How the item works	Rifle cartridge – when the trigger for the firearm is pulled, the firing pin strikes the primer which in turn ignites the gunpowder inside the casing. The bullet is propelled forward out the end of the barrel. Depending on the rifle through which it was fired, a .308 caliber round is capable of causing great bodily injury or death through a combination of temporary and permanent wound cavities.
Expected lifespan	10 years
Quantity	~33 cases
Purpose and intended uses and/or effects	Training and deployment round for the OPD sniper rifle. It affords the ability to engage lethal threats with precision at long distances behind barriers such as glass.

Remington 700 Rifle	
Description	Bolt-action .308 caliber rifle.

Manufacturer's Product Description	<p>The Model 700 SPS Tactical is a highly maneuverable member of the family. It's built for tack-driving accuracy with a 20" heavy-contour tactical-style barrel and dual-point pillar bedding in its black synthetic stock. Hogue® overmoldings on the stock facilitate sure handling, and it has a semi-beavertail fore-end for added stability off a rest.</p> <ul style="list-style-type: none"> • 20" heavy barrel • X-Mark Pro® externally adjustable trigger • Hogue® overmolded pillar-bedded stock • Durable satin black oxide metal finish • Hinged floorplate magazine • Select models - SKU's 84205 and 85538, feature 5/8x24 threaded muzzles with thread protectors, ready to accept a range of muzzle devices or silencers. • SuperCell® Recoil Pad
Capabilities / How the item works	<p>Bolt-action centerfire rifle, capable of firing a .308 round and striking a target at ranges up to 1000 yards in the hands of a trained operator.</p>
Expected lifespan	<p>None indicated, but with care item can last over 30 years.</p>
Quantity	<p>1 owned</p>
Purpose and intended uses and/or effects	<p>Last example of the previously issued rifle for the Sniper Team. Replaced by GA Precision rifles, above. Kept for training and testing purposes.</p>

Seekins Precision SP10 Rifle	
Description	<p>AR-10 pattern semi-automatic .308 caliber rifle</p>
Manufacturer's Product Description	<p>The SP10 has been specifically designed and tested for our nation's most elite Special Operations warriors. The SP10's proprietary design of the upper receiver and handguard provides a rigid, no-flex platform for repeatable, extreme accuracy under any condition. The SP10 lower receiver offers full ambidextrous controls allowing effective, efficient manipulation of the weapon from either side. The SP10 is the perfect large-frame AR platform for hunting, competition, or duty use. NOW AVAILABLE in 7 semi-custom color options to match your specific needs.</p> <p>Calibers:</p> <ul style="list-style-type: none"> • 6 Creedmoor/ 1:8 twist • 6.5 Creedmoor/ 1:8 twist

	<ul style="list-style-type: none"> .308/ 1:11.25 <p>Specs:</p> <ul style="list-style-type: none"> Weight: 10.5lbs Barrel: .308 18"; 6 & 6.5 Creedmoor 22" 5R 416 Stainless Steel Receivers: IRMT Upper/SP10 Lower 7075-T6 billet Handguard: 15" SP3R MLOK Gas Block: Seekins Low Profile Adjustable Gas Block Trigger: Timney trigger, single stage set at 3lbs Colors: Armorer Black, FDE, OD Green, Sniper Gray, Battle Worn FDE, Battle Worn OD Green Finish: Black oxide coating Stock: Seekins 10X Muzzle Device: Seekins ATC brake 5/8X24
Capabilities / How the item works	Semi-automatic AR-10 pattern rifle, capable of firing a .308 round and striking a target at ranges up to 1000 yards in the hands of a trained operator.
Expected lifespan	None indicated, but with care item can last over 30 years.
Quantity	15 ordered
Purpose and intended uses and/or effects	Designed to augment or supplant bolt-action sniper rifles, the AR-10 rifle allows for the Department to use the superior ballistic performance of the .308 / 7.26 NATO cartridge for long-distance precision shooting while maintaining the abilities afforded by the semi-automatic AR-10 workings that provide benefits in follow-up shots if needed, ergonomics, and ease of maintenance. The Department's Seekins rifles will be customized with certain accessories (e.g., rifle scopes, handguards, or trigger assemblies) that do not alter the primary functions (semi-automatic only fire) of the rifle nor add additional weapons (e.g., bayonets, grenade launchers) to the rifle.

Fiscal Costs

Initial Costs

The Oakland Police Department (OPD) currently owns/possesses/uses the equipment.

Initial costs of the items were approximately:

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Item	Cost/Unit	Total Initial Cost for Owned Equipment
Colt Rifle	~\$1100/unit	~\$79,200
Noveske Rifle	~\$1500/unit	~\$37,500
BCM Rifle	~\$1400/unit	~\$42,000
GA Precision Rifle	~\$9000/unit	~\$108,000
Remington 700 Rifle	~\$1400/unit	~\$1,400
Seekins Precision Rifle	~\$6804.10/unit	\$102,061.50
Speer .223 Ammunition	\$315/case	~\$3,150
Winchester 5.56 Ammunition	\$300/case	~\$3,000
Federal .223 Ammunition	\$182/case	~\$5,460
Federal .308 Ammunition	\$499/case	~\$5,988
Hornady .308 Ammunition	\$215/case	~\$7,095

The Department also has ongoing costs related to the purchasing of ammunition; during a typical year every use of ammunition during the course of the year is during training.

There is no cost to the Department for any privately owned rifles. **NOTE:** Patrol rifle officers are not allowed to deploy privately-owned rifles in lieu of their issued patrol rifle. Only members of the Tactical Team who are trained and issued an AR-15 pattern rifle (Entry and Sniper Team) may deploy a privately-owned rifle that has been approved by their team leader. The majority of these members use the department’s issued item.

OPD proposes to obtain the equipment. Initial costs are anticipated to be:

Estimated or anticipated costs for each proposed use

Patrol rifles: Staff assigned patrol rifles are on-duty and respond during their normal shift.

Tactical team rifles: Staff assigned to the entry or sniper teams may be on duty during incidents requiring the tactical team. If they are, they may deploy as patrol officers and use their assigned rifles. For a tactical team call-out, other members of the team will respond even if they are off-duty, resulting in overtime expenditures. The amount of expenditure is based on the time the incident takes to resolve.

Cost of deployment / discharge: Beyond any regular or overtime staff costs (discussed above), the cost of deployment of these items is nominal; the rifle is typically stored in the officer’s

patrol vehicle or in the equipment vehicle, so there is no added cost of transportation. For discharges, beyond the cost of each round of ammunition, there is the associated accumulation of maintenance costs (wear and tear) from utilizing the machine. As noted, barrels typically have a service life of around 15k rounds, after which they need to be replaced. While rare, the discharge of a patrol rifle to strike another person may have serious costs, including loss of life. Even justified uses of lethal force may result in costly litigation or other costs. These costs are likely similar to the costs anticipated with the discharge of an officer's service handgun at another.

Estimated or anticipated costs of potential adverse impacts

There is no way of anticipating every possible adverse impact, and there may be some impacts that occur which are extremely unlikely or unforeseeable. Additionally, even some known possible adverse effects may be so remote that they were not assessed for the purposes of this report. Furthermore, injuries may result as a consequence (unintended or not) of the use of controlled equipment. If the controlled equipment is a weapon, then the cost of injuries resulting from use of that weapon can vary considerably. Since persons in OPD's custody are typically treated at Alameda County Hospital, Highland Campus, the costs for this treatment, if not covered by insurance or other means, may be paid with public funds. Recovery from injuries and/or trauma relating from situations in which controlled equipment is used could include ongoing costs such as medications or counseling. Finally, costs of even likely adverse effects may vary wildly based on other circumstances which are difficult to predict and can vary from incident to incident. Keeping this in mind, some potential adverse effects and their possible costs are:

Deliberate misuse might cause the Department to be exposed to liability, which could include monetary judgments against the City. In the past, victims of misuse of military equipment have successfully litigated settlements from the City of Oakland. The aim of this policy to prevent uses of these weapons that result in litigation and settlements.

Unintentional misuse might cause the Department to be exposed to liability, which could include monetary judgments against the City.

Failures of the equipment might cause the Department to have to purchase additional items, at a cost per item as indicated.

Potential negative impacts include larger entry and exit wounds than from handgun bullets, more body tissue destruction; emotional trauma to vulnerable and/or minor bystanders; and potential litigation costs.

Estimated or anticipated ongoing costs

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Costs for operation and training include ammunition – currently approximately \$40,000 per year.

Initial training for the patrol rifle program is a basic rifle school, which is 40 hours (one week). A typical school has about 10-12 candidates and 2-3 instructors, all of whom must be absent from their regular duties for that week where they are at the school. If that person works an essential job (e.g., as a patrol officer), then overtime expenditures may be used to “backfill” that person’s position if needed to achieve minimum staffing. Candidates in the patrol rifle school are on regular time when attending the school, instructors may be on overtime depending on their regular duty assignment.

Initial training for the Tactical Team Entry or Sniper element is a three-week (120 hour) school. A typical school has 5-10 candidates, 2-3 dedicated instructors, and uses additional instructors or personnel as needed (e.g., as role players for scenarios). Candidates in the Tactical Team school are on regular time when attending the school, instructors may be on overtime depending on their regular duty assignment. All candidates must be absent from their regular duty assignment during the school; if that person works an essential job (e.g., as a patrol officer), then overtime expenditures may be used to “backfill” that person’s position if needed to achieve minimum staffing.

Training costs also include rental of a range facility (typically around \$60/hour). The patrol rifle program has four days of training per quarter (~\$10k/yr range fees, 10 hours per officer), and the Tactical team typically rents a range at least once per month (~\$8000/yr, 10 hours per officer who attends training). Additionally, some training may either require the person attending training to be on overtime, or for overtime to backfill that person’s position while they are at training. Unknown yearly costs.

Maintenance and storage have costs – while the rifles have long lifespans, like any machine they occasionally need replacement of parts. Depending on the part, the cost per item can range from fractions of a dollar (for small springs) to several hundred dollars (for a new barrel). Storage is typically done in the Police buildings, but this comes with an opportunity cost for other storage.

Upgrade and replacement will typically require purchase of an entirely new rifle, at a cost of between \$1,000-\$9,000 depending on the model and capabilities. Rifle staff report replacing less than one (1) complete rifle per year; more typical is replacement of parts that may wear out or otherwise be on a replacement schedule, with funding for these expenditures coming from the Special Operations Division budget.

Impacts

Reasonably anticipated impacts

Deliberate misuse.

Though unlikely, it is possible that Department Rifles and Associated Ammunition may be deliberately misused by employees. Some of the ways that the Department attempts to prevent deliberate misuse is through background checks of prospective employees, supervision and training, strict policy guidelines, robust reporting and accountability practices, and discipline for deliberate misconduct up to and including termination. Suspected criminal misuse of equipment may also be forwarded to the District Attorney's office or other appropriate prosecuting agency for charging consideration.

Unintentional misuse.

Unintentional misuse of Department Rifles and Associated Ammunition may come in many forms, from unfamiliarity or lack of training to the encountering of a scenario that was not anticipated in training or policy. The Department attempts to prevent unintentional misuse through thorough training, clear policy prescriptions, and robust review processes such as force reports, force review boards, and pursuit review boards.

Perception of militarization or exacerbation of a police/community divide.

While it is not the intent of the Department that this occur, the Department does recognize the possibility that its use of Department Rifles and Associated Ammunition may lead to a perception of militarization of the Department, or an exacerbation of any existing divides between the Department and the community it serves and is a part of. The Department also recognizes that persons who have experienced these types of weapons in negative lights (e.g., having escaped from totalitarian countries with oppressive security forces, having been the victim of community violence where the perpetrators used these types of weapons, etc.) may feel triggered or mentally impacted by the sight of officers deploying or using these weapons. The Department attempts to overcome challenges such as this by taking full advantage of community forums required by policy and law (see for instance the mandated community engagement meeting in DGO K-07 and CA Government Code § 7072(b)), by completing full and robust reports such as this one, and by collaborating with the Police Commission in the creation of use policies and procedural safeguards surrounding this equipment.

Impact on unintended persons

Any time a firearm is discharged by law enforcement, there exists the possibility that the round will strike something or someone that is not the intended target. This impact is noticeably decreased in rifles as compared to duty handguns due to the inherent accuracy of

a shoulder-fired rifle compared to a handgun. However, this possibility exists and is remedied by training; patrol rifle officers train at least four times per year whereas Tactical Team members train at least once per month. Accuracy standards of at least 80% are adhered to during training and qualification, and members who do not pass qualification are either remedially trained until they can successfully complete the qualification (in the interim not able to deploy) or may be removed from the program entirely.

Additionally, the Department has instituted safeguards around limiting the amount of officers used as “armed cover” (having firearms ready to use as a lethal force option) during high-risk incident, as seen most notably in the Dedicated Arrest Team (DAT) policy (TB III-P.03). The Department places a large amount of emphasis on ensuring that supervisors and commanders limit the number of officers pointing firearms at any type to avoid issues such as sympathetic fire or a number of rounds fired that is disproportionate to the situation at hand.

Finally, the possibility exists that an errant round misses its intended target, passes through an obstacle (such as dry wall), and strikes another person. While the Department works hard to avoid this issue through selection, training, and qualification, the specific ammunition that the Department uses has a ballistic profile through common materials – such as drywall, sheet metal, or auto glass – that is similar to the duty handgun round.

Ballistic Differences in Rifle Rounds

The Department is aware of the differences in ballistics between duty handgun rounds (issued to every sworn officer) and rifle-caliber rounds. Rifle caliber rounds move at a much higher velocity, and when striking the human body may cause both temporary and permanent wound cavities that are larger than those caused by the handgun. However, the Department’s approach to all lethal force is one centered around the protection and sanctity of human life – such that the Department and its officers limit the reliance on force generally, and especially on lethal force, and the Department enacts strict training and controls around all force, with a focus on limiting lethal force as much as is possible.

Mitigations

Use of force and de-escalation policy - [DGO K-03](#)

Controlled and military equipment frequently takes the form of a force option, or else is often used during high risk situations where force may be used. OPD, in concert with the Police Commission, created a state-of-the-art use of force policy that centers the Department’s mission, purpose, and core principles, provides clear guidance that force is only allowed

when reasonable, necessary, and proportional, and makes clear the consequences of unreasonable force. Additionally, OPD's use of force policy incorporates a robust de-escalation policy (Section C), which mandates that officers use de-escalation tactics and techniques in order to reduce the need for force when safe and feasible.

The entirety of this policy – which encapsulates OPD's values surrounding force and commitment to de-escalation – is a clear general procedural mitigation to the possible adverse impacts of the use of this equipment.

Force reporting and review policy and practice – DGOs [K-04](#) and [K-04.1](#)

Though the Department expects that every use of this equipment will be within the boundaries of policy and law, the Department also has clear procedures regarding force reporting and review in place. DGO K-04 and its attendant special orders require that force by officers – including force where controlled equipment was used – be properly reported and reviewed, with the level of review commensurate to the severity of the force incident. Additionally, for severe uses of force or where a use of force had severe outcomes, the Department utilizes Force Review Boards, led by top Department command staff and often attended and observed by Community Police Review Agency staff or Police Commission Chairs, to review every part of a force incident. These boards not only determine whether the force was proper, but also have wide latitude to suggest changes in policy, training, or practice, including with controlled equipment.

OPD's force reporting and review policies and practices serve as important procedural mitigations to the possible adverse impacts of the use of this equipment.

Complaint receipt and investigation procedures – [DGO M-03](#)

The use of controlled equipment, as with any use of the police powers, is subject to the rules and laws that govern the Department and its employees. Complaints and allegations that the Department or its employees have violated these rules or laws are treated with the utmost seriousness, including proper intake at the Internal Affairs Division and investigation by the appropriate investigative individual. Where allegations are found to be substantiated, the Department uses a progressive discipline structure to serve both deterrent and rehabilitative functions. Finally, deliberate misconduct or actions contrary to the Department's values are not tolerated, and can lead to termination of employment.

OPD's complaint receipt and investigation procedures serve as important procedural mitigations to the possible adverse impacts of the use of this equipment.

Community outreach and specific inquiry pathways – DGO K-07

Use of controlled equipment, especially equipment that may have analogues used by militaries or quasi-military federal law enforcement, can drive perceptions of a militarized police force that is pre-disposed to the use of force as opposed to thoughtful, deliberate resolutions to incidents using de-escalation and minimizing the use of force. An important procedural mitigation to this type of perception is regularly communicating with the community served, as a way for information to be shared in both directions. This serves to dispel common misconceptions as well as provide valuable perspective for the Department and its employees. OPD uses community outreach, such as social media, community events, and a specific, annual community forum as required by DGO K-07. Additionally, OPD's overarching controlled equipment policy sets forth processes for inquiries about the equipment.

Equipment-specific use policy and Police Commission oversight – OMC 9.65

While most every law enforcement agency is bound by state law (Government Code § 7070 et. seq.), the very nature of police oversight in Oakland provides one of the most powerful procedural mitigations of potentially adverse impacts. For instance, state law requires that most agencies have their controlled equipment use policies approved by their governing body (e.g., City Council, or Board of Supervisors). In the case of OPD, however, there is an additional layer of oversight in the Police Commission, which must review any controlled equipment use policy prior to it being approved by the City Council. This requirement, set forth in Oakland's municipal code section 9.65, is a procedural mitigation to the possible adverse impacts of the use of this equipment.

Technical safeguards

Every rifle used by the Department is semi-automatic – for each round fired, the trigger must be pulled. Though the AR-15 platform is capable of burst or even automatic fire, the Department specifically has not obtained rifles with this capacity to decrease the chances of accidental misuse or striking an unintended target. Additionally, every AR-15 patterned rifle has a manual safety which must be disengaged before the weapon is fired.

For the .223 ammunition that is issued for duty use by patrol rifle officers, the Department specifically chose the Speer LE Gold Dot round because the bullet is bonded, providing superior performance through thin barriers such as auto glass, which still reliably not over-penetrating when tested in gelatin ballistic blocks.

For the Department's .308 ammunition, the larger bullet may provide more energy on target. This ammunition is only used in the Department's sniper rifles, which all are modified with special purpose scopes that allow for the trained members of the sniper element to achieve a high degree of accuracy.

Procedural safeguards

Unlike other agencies, OPD does not issue every officer a patrol rifle. Through a rigorous selection process, OPD is able to control which officers are provided access to this tool. Additionally, selections to the Tactical Team are further vetted. Finally, all persons who deploy a rifle must attend both initial training (40 hours for PRO, 3 weeks for Tactical Team) and ongoing training in order to stay proficient.

During training, members do more than simply learn how to fire the rifle accurately; they also spend much of training on tactical scenarios designed to improve their judgment, de-escalation, and critical thinking skills. These include scenarios with “no-shoot” outcomes – where the exercise is designed to induce clear thinking under stress and proper threat assessment. A typical patrol rifle school involves approximately 2.5 of 5 days learning how to fire the rifle and preparing for a qualification and 2.5 of 5 days working on tactical decision making and skill building. Similarly, patrol rifle quarterly training typically involves half the day reinforcing accuracy and qualifying with the rifle and the other half engaging in tactics and scenarios. The Tactical Team typically breaks their twice/month training into one day of live fire with both rifle and handguns, and the other day of nothing but scenarios and decision-making exercises.

Alternatives

De-escalation and alternative strategies

As mentioned in the Mitigations section, above, OPD officers are mandated to use de-escalation strategies and tactics when safe and feasible. These strategies and tactics, which are predicated on de-escalation best practices around communication, containment, positioning, and time/distance/cover, reflect the Department’s commitment to de-escalation over the reliance on force to compel compliance.

However, even during de-escalation strategies and actions, controlled equipment may be used or ready to further a safe outcome to the event for the engaged person, the community, and the officers. Generally, a built-in alternative to the actual use of controlled equipment – especially as a force option – is its use as a tool to provide safety, information, or containment to an incident so that officers can bring the situation under control and hopefully encourage a peaceful outcome. This, in conjunction with other de-escalation or alternative strategies, provides a baseline for OPD officers in the conduct of their duties when using or contemplating the use of this controlled equipment.

It is also instructive to consider the possible adverse costs of not possessing this equipment. For instance, the unavailability of a particular tool may adversely impact the safety of police personnel and the community by limiting de-escalation strategies, exposing personnel to greater risk, or limiting the options available to safely resolve situations.

There are other manufacturers of AR-15 pattern rifles, AR-10 pattern rifles, and bolt-action precision rifles. However, since these are standardized items, most items will have the same or similar capabilities.

Location

Department Rifles and Associated Ammunition will typically be used within the areas that OPD has jurisdiction or in areas of the State of California where OPD is specifically conducting operations or investigations. This includes the entirety of the City of Oakland, and may include neighboring jurisdictions or other areas within the State.

Third Party Dependence

- This item does not require third-party actors for operation.
- This item does require third-part actors for operation:

Track Record

As noted, many other agencies issue patrol rifles to every sworn officer. The patrol rifle is an integral part of American law enforcement, mainly because the weapon system allows officers to keep distance and match firepower against weapons that are readily available to private citizens.

The City of Santa Rosa reports that they issue a patrol rifle as standard issue to every sworn officer and, as standard issue, do not report it pursuant to AB 481. The City of Santa Cruz also issues a patrol rifle to all officers, but they do report it pursuant to AB 481.

The City of Berkeley Police Department writes in its impact report regarding rifles that, “[t]he M4 patterned rifle, which fires the .223 Remington cartridge, is a superior firearm to stop a

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lethal threat compared to the issued pistols to police officers, in that officers equipped with this firearm shoot less rounds, fire more accurately, and are less likely to fire errant rounds. Highly volatile and violent incidents, such as a hostage situation, can be more safely and efficiently resolved with a rifle.”

In the most recent data available (2022 deployments), OPD patrol rifle officers report 129 deployments across all areas of the city since January 2022 (since this is for individual deployments and many incidents involve more than one rifle officer on scene, this data likely represents less than 129 total incidents).

There have been no incidents of rifle discharge at persons during 2022. Since 2017, OPD has had at least four (4) lethal force incidents specifically involving rifles:

- In 2017, a person with a rifle was firing at community members and officers. The person was shot and killed by a tactical team member with a sniper rifle;
- In 2018, a person was reported to be armed with a firearm asleep between two buildings. The person was shot and killed by three patrol rifle officers and one tactical team officer with an AR-15 pattern Department rifle;
- In 2020, a person was in the midst of an armed robbery caravan; ran over and severely injured an officer using the vehicle. The person was shot and killed by a tactical team officer using a Department rifle;
- In 2021, officers were attempting to arrest a person with a warrant for a violent crime. During the arrest attempt, a tactical team officer shot the person with a Department rifle. The person survived.

The need for law enforcement to have access to precision rifles to counter armed persons has been shown in several incidents, such as the North Hollywood Shootout. Additionally, the proliferation of firearms in American society, especially since the pandemic, unfortunately requires that law enforcement be prepared to overcome persons armed with many different types of firearms.