



OAKLAND POLICE COMMISSION

SPECIAL MEETING AGENDA

January 10, 2025 - 5:30 PM

City Hall Council Chambers (1 Frank H. Ogawa Plaza, Oakland)

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing and to oversee the Office of the Inspector General, led by the civilian Office of the Inspector General for the Department, as well as the Community Police Review Agency (CPRA), led by the Executive Director of the Agency, which investigates police misconduct and recommends discipline.

Please note that Zoom links will be for observation only.
Public participation via Zoom is not possible currently.



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PUBLIC PARTICIPATION

The Oakland Police Commission welcomes public participation. We are currently unable to implement hybrid meetings. Please see below for information on how you can observe and/or participate:

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting by video conference, please click on this link <https://us02web.zoom.us/j/82592509323> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a web page entitled "Joining a Meeting"
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+16699009128,,82592509323# US (San Jose)+16694449171,,82592509323# US

Webinar ID: 825 9250 9323

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a web page entitled "Joining a Meeting by Phone."

Use of Zoom is limited to observing, public comment will not be taken via Zoom

PROVIDE PUBLIC COMMENT IN PERSON:

- Public comment on each agenda item will be taken. Members of the public wishing to comment must fill out a speaker card for each item they wish to comment on. Speaker cards will be accepted up until Public Comment for each item. Please submit your cards to the Chief of Staff before being recognized by the presiding officer.
- Comments must be made on a specific agenda item covered in the meeting that the comment was submitted for, and that item must be written on the speaker card, or they will be designated Open Forum comments.
- Comments designated for Open Forum, either intentionally or due to the comments being outside of the scope of the meeting's agenda, and submitted without including a written agenda item, will be limited to one comment per person.

E-COMMENT:

- If you plan to attend virtually via ZOOM, please feel free to submit written e-comments to: https://docs.google.com/forms/d/e/1FAIpQLScRaVVFQKhsnzMk_wa5Q1bPCwf-Osfv8nGB_I8ZwM6fVESZhw/viewform?usp=sf_link.
- E-comments must be submitted at least **24 hours** before the meeting with the agenda item to which it pertains.
- All participant comments are limited to 2 minutes. Please ensure your e-submission does not exceed this time limit.
- Open Forum comments are limited to one per person.

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I. **Call to Order, Welcome, Roll Call, Determination of Quorum, and (Read-Out from Prior Meeting, if any)**

Chair: Ricardo Garcia-Acosta

Roll Call: Commissioners Wilson Riles, Shawana Booker, Shane Williams, Samuel Dawit, and Alternate Commissioner Omar Farmer

Excused: Angela Jackson-Castain

II. **Closed Session (approximately 5:30 PM - 6:30 PM)**

The Police Commission will take Public Comment on the Closed Session items.

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION (Government Code Section 54956.9(d)(1))

Delphine Allen et al., v. City of Oakland, et al. N.D. Cal No, 00-cv-4599-WHO

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Government Code Section 54957(b))

Title not disclosed under personnel privacy laws, California's Brown Act, and City's Sunshine Ordinance

III. **Redetermination of Quorum and (Read-Out from Closed Session and/or announcements, if any)**

Chair: Ricardo Garcia-Acosta

Roll Call: Commissioners Wilson Riles, Shawana Booker, Shane Williams, Samuel Dawit, and Alternate Commissioner Omar Farmer

Excused: Angela Jackson-Castain

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IV. Pursuit Policy Update

Chair Garcia-Acosta will provide an overview of the Oakland Police Department's (OPD) Pursuit Policy, along with the Commission's initial recommendations submitted to the City Council. The update will cover the policy's current status, plans for community outreach, and the anticipated timeline for the Commission to review proposed revisions from key stakeholders. (*Attachment 1*)

Pursuit Policy Resources:

- [Pursuit Policy Documents – including the actual policy, DGO J-4, and Police Commission recommendations \(Police Pursuits Policy Review\)](#)
 - a. Discussion
 - b. Public Comment
 - c. Action, if any

V. Open Forum Part 1 (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters not listed on tonight's agenda but related to the Commission's work should submit a speaker card before this item is addressed. Comments regarding agenda items should be reserved until the respective agenda item is called for discussion. Speakers unable to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2.

This is a recurring item.

- a. Discussion
- b. Public Comment
- c. Action, if any

VI. Oakland Police Department Update

Representatives of the Oakland Police Department will provide an update. Topics discussed in the update may include NSA Updates, risk analysis, crime response, a preview of topics that may be placed on a future agenda, responses to community member questions, and specific topics requested by the Commission.

This is a recurring item. (Attachment 2)

- a. Discussion
- b. Public Comment
- c. Action, if any

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VII. **Ad Hoc Committee Reports**

This is an opportunity for Chair Garcia-Acosta to provide general updates about ad hoc committees, if applicable, and for representatives from active or upcoming ad hoc committees to share updates on their work, upcoming meetings, events, etc. Please be advised that ad hoc committee meeting discussions are fluid and may not have an official agenda. Recordings of meetings and minutes can be found on the Commission's YouTube channel (<https://www.youtube.com/@oaklandpolicecommission5962>) and the Commission's website (<https://www.oaklandca.gov/boards-commissions/police-commission#join-ad-hoc-committees>).

This is a recurring item.

Staff Searches Ad Hoc: Commissioner Garcia-Acosta (Chair)

The Staff Search Ad Hoc Committee defines the role, attracts a diverse pool of qualified candidates, and manages a thorough and fair evaluation process. This includes screening applications, conducting interviews, and presenting the most suitable finalists to the hiring authority. The committee ensures an unbiased selection process and promotes diversity and inclusion. Committee Chair Garcia-Acosta will provide an update about the search progress and next steps. *These meetings are not open to the public.*

- a. Discussion
- b. Public Comment
- c. Action, if any

Discipline Matrix Ad Hoc: Commissioner Garcia-Acosta (Chair)

The Discipline Ad Hoc committee is responsible for reviewing and providing guidance on the Oakland Police Department's Discipline Matrix to ensure it aligns with the objective of fair and consistent disciplinary practices. The committee works to ensure that the matrix, associated policies, and resulting disciplinary actions reflect contemporary industry standards for progressive discipline. This includes recommending updates, possibly reviewing cases for adherence to these standards, and ensuring transparency and accountability in the disciplinary process. Committee Chair Garcia-Acosta will provide an update on the status and/or next steps, if applicable. *These meetings are open to the public every Wednesday from 6 p.m. to 8 p.m.*

- a. Discussion
- b. Public Comment
- c. Action, if any

VIII. **Upcoming/Future Agenda Items**

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. The Commission will work on creating a list of agenda items for future meetings.

This is a recurring item.

- a. Discussion
- b. Public Comment
- c. Action, if any

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- IX. **Open Forum Part 2** (2 minutes per speaker, 15 minutes total)
Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should submit a speaker card before the start of this item. Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission's Chairperson. ***This is a recurring item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

- X. **Re-adjourn to Closed Session (if needed) and Read-Out of Closed Session (if any)**

- a. Discussion
- b. Public Comment
- c. Action, if any

- XII. **Adjournment**

NOTICE: In compliance with the Americans with Disabilities Act and Equal Access Ordinance, for those requiring special assistance to access the video conference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact the Police Commission's departmental email at OPC@oaklandcommission.org for assistance. Notification at least 72 hours before the meeting will help enable reasonable arrangements to ensure accessibility to the meeting and to provide the required accommodations, auxiliary aids, or services



News from the Oakland Police Commission

FOR IMMEDIATE RELEASE

December 30, 2024

CONTACT: Commission Chair Ricardo Garcia-Acosta, RGarcia-Acosta@oaklandcommission.org

Statement

The Oakland Police Commission would like to thank Governor Newsom for the support, resources, and continued leadership and commitment to public safety in our beautiful City of Oakland. We have seen the significant and positive impacts that have resulted in the Oakland Police Department's (OPD) coordination with CHP and understand that there is still significant work to be done regarding OPD's pursuit policy and practices.

We give our commitment to respond to the call for action and to do our part to work with city leadership to make Oakland a safer place to work, live, and visit by implementing smart policies and best practices to deter reckless behavior in our city streets.

Respectfully,

Ricardo Garcia-Acosta

Oakland Police Commission Chair

Oakland Police Commission's Pursuit Policy Community Engagement Ad Hoc Committee

TOWNHALL MEETING

You're invited to an informational session and feedback opportunity on the OPD Pursuit Policy.
We hope to see you there – your voice matters!



Wednesday
15 January, 2025



6:30 PM -
8:00 PM



East Bay Church of Religious Science
4130 Telegraph Ave, Oakland, CA

VIRTUAL ACCESS



<https://us02web.zoom.us/j/81783012269> || +16699009128,,81783012269#1US
(San Jose) +16694449171,,81783012269# US || Webinar ID: 817 8301 2269

Draft Review of Departmental General Order J04 on Pursuit Policy, etc.

From: Oakland Police Commissioner Riles, Chairperson of Community Policing Ad Hoc

To: Community Policing Ad Hoc

Re: Directed Review from the Oakland City Council

INTRODUCTION:

On May 21 at a City Council meeting, with a vote of two excused and one abstaining, the Council passed with five ayes the following motion:

Subject: Directing The Oakland Police Commission To Propose Changes To OPD's Pursuit Policies From: Councilmember Jenkins And Reid Recommendation: Adopt A Resolution Directing The Oakland Police Commission To Propose Changes To The Following Oakland Police Department Policies: (1) Departmental General Order J04 On Pursuit Driving; (2) Special Orders 9192 And 9212 On Vehicle Pursuits; And (3) Training Bulletin III-B.9 On Pursuit Intervention Maneuver Techniques, For Submission To The City Council Pursuant To Section 604(B)(4) Of The Oakland City Charter

"We have to be balanced with balancing public safety, with pedestrian safety, with the safety of our officers, with the safety of bystanders," Councilmember Jenkins said at the meeting. "We also have a huge perception issue that we have to tackle as elected leaders in this town that Oakland is open for crime."

The police commission is being asked to bring its report on police pursuits and proposed changes back to the City Council by Sept. 24.

The matter had previously been approved for presentation to the Council by four ayes at the Council Public Safety Committee on May 14.

This policy review action was assigned to the Community Policing Ad Hoc Committee of the Police Commission by the Commission Chairperson, Marsha Peterson. Members of the Community Policing Ad Hoc, besides Commissioner Riles, include Commissioner Ricardo Garcia-Acosta, Commissioner Regina Jackson, Pastor Jacqueline Thompson, Jose Dorado, Mike Nisperos, Deacon Reginald Lyles, Sergeant. Alain Manguy, and Sergeant G. Urquiza.

This review will derive from four sources: (1) A reading of the document *Vehicular Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks* which was compiled by both the Community Oriented Police Services (U.S. Department of Justice) and the Police Executive Research Forum published in 2023 and recommended to the Commission by both Governor Gavin Newsom and Sergeant G. Urquiza of OPD; (2) a public, in-the-community forum held on July 31 with a presentation from Sergeant G. Urquiza, Captain L. Ausmus, and Captain E. Perez-Angeles and with a second presentation from Joseph Micallef, Inspector

General Policy Analyst, presenting on “OPD Pursuit Policy: Comparisons to Similar Jurisdictions in California and Nationwide; this forum included questions from the Community Policing Ad Hoc committee members and questions from the audience present with answers; (3) discussion of the information gathered from sources (1) and (2) by the Community Policing Ad Hoc Committee members with inclusion in the discussion and comments from Professor Geoffrey P. Alpert of the University of South Carolina Department of Criminology and Criminal Justice and author of the book, *Police Pursuit Driving: Policy and Research* and who was the major "architect" of Oakland’s policy; (4) readings of well researched media articles from The San Francisco Chronicle and The Oaklandside combined with common sense from the participants and contributors. In the in-the-community public forum there was verbal participation from residents, merchants, and other interested parties. Such persons also participated in written fashion outside of the forum. There were no discussions with crime perpetrators who had done crimes and driven away from the police nor with individual patrol officers who had seen crimes and had not pursued the perpetrators. There was hearsay from those participants in this review who did speak to people in these last two categories.

POLICY PRESENTATION:

The presentations from the forum will not be repeated here.

However, it is important to know that OPD’s presentation began with an overview that stated the two balancing considerations that shape Oakland’s pursuit policy:

- The primary consideration when deciding to engage in a pursuit is the protection of human life and the overall safety of the community.
- Vehicle pursuits are inherently dangerous, but at times, it may be necessary to apprehend individuals who are involved in dangerous criminal activity that harms the community, and who elect to attempt to evade apprehension by fleeing from law enforcement utilizing a vehicle.

There seems to be no debate on anyone's part that increased, more aggressive police pursuits put lives at risk. The headline of the Chronicle article was as follows: "Police chases are killing more and more Americans. With lax rules, it's no accident." The headline of the Oaklandside article was as follows: "Allowing for more Oakland police chases is 'signing death warrants,' expert says." It seems that the last review of OPD's pursuit policy came after the death of two residents: in June 2022 pursuits killed 28-year-old Lolomanaia Soakai and 44-year-old Augustin Coyote in October of 2022 whose family had no recourse because his truck was struck by the car that was attempting to escape. It is also noteworthy that the main thoroughfares where such pursuits almost always take place are in the neighborhoods most heavily populated by low-income people-of-color. These are the neighborhoods in the City with which OPD most needs improved trust and cooperation. The document, *Vehicular Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks*, reflects this acknowledgment of the increased risk to injury and life: on page 34 it says, "Agencies must be cautious when adding crime categories to avoid undermining the intent of a restrictive policy."

Sergeant G. Urquiza's presentation listed nineteen (19) risk factors that are to be weighted before initiating a pursuit and then continuously throughout the pursuit. These risk factors do not necessarily require the termination of the pursuit but they "shall be part of the officer's risk assessment" relating to initiating or continuing a pursuit. Those factors are as follows:

1. The volume of vehicular and pedestrian traffic in the area;
2. Traffic conditions;
3. Location of pursuit;
4. Safety of the public in the area of the pursuit (e.g., the presence of children, the elderly, or disabled, the proximity to hospital or school zones in the vicinity of the pursuit);
5. Safety of the pursuing officers;
6. Speeds of both officer and suspect vehicles;
7. Familiarity of the officer and supervisor with the area of the pursuit;
8. Road and weather conditions;
9. Time of day;
10. Quality of communications between the pursuing units, the Communications Section, and/or supervisor;
11. The performance capabilities of the police vehicle or the operation of the emergency lights and siren;
12. Availability of air or field support;
13. Whether the officer has a ride-along passenger with him/her;
14. Whether the suspect is known and can be apprehended at a later time;
15. Whether the suspect is known to be a juvenile;
16. When a non-suspect vehicle and/or pedestrian accident has occurred during a pursuit;
17. The safety of occupants in the fleeing vehicle;
18. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; and
19. The pursued vehicle's location is no longer known.

It is argued by some that Oakland's policy is more restrictive than the pursuit policies in other communities; realizing the differences of circumstances in communities, this characterization is debatable. In his presentation Joseph Micallef, Inspector General Policy Analyst, compared Oakland's policy with those of four communities in California (San Jose, San Francisco, Fremont, and LA County) and four communities outside of California (Detroit, Mi; Washington, D.C.; Rochester, NY; and Atlanta, Ga.) based on similarities in homicide rates. Oakland is more permissive than Atlanta in terms of which crimes are authorized for pursuits. Oakland is comparatively permissive in the use of pursuit intervention methods and technologies. Oakland's requirement for the 'OK' from a supervisor, to initiate a pursuit and to pursue beyond a speed of fifty miles per hour, takes seconds. Although Oakland's pursuits dropped from 130 in 2022, to 85 in 2023, and to 38 YTD in 2024, the average speed was 58.63 mph (2022), 60.04 mph (2023), and 65.60 mph (2024 YTD).

San Francisco's change in pursuit policy was accomplished by a ballot measure (Measure E); this maybe the source of the politics around pursuit policy in the Bay Area.

The Community Police Ad Hoc Committee did receive comment on pursuit policy from EmpowerOak, an organization founded by former Councilmember and Mayoral candidate, Loren Taylor, that questioned the requirement for Oakland officers to consider nineteen (19) risk factors. This communication questioned the value of having a police commission and criticized the paper work that burdens Oakland police officers as they deal with achieving the reform changes required by the Courts as a result of the Negotiated Settlement Agreement. It is hoped that the looseness of management and oversight that resulted in the dastardly behavior of the Riders and that resulted in the scandals that followed will not be forgotten in the 'heat' of politics. And, it is hoped that the 81% voter approval for the latest iteration of the Police Commission (Measure S1) be remembered. EmpowerOak was heard. Yes, the Oakland Police officers are faced with a great deal of scrutiny.

It was argued that the criminals exploit the rules imposed on police. And "that's why criminals can get away with burglary, car theft, and reckless driving." Page 16 of *Vehicular Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks* says "Research suggests that if the police did not chase offenders, there would be no significant increase in the number of suspects who flee. Additional research suggests that agencies with more restrictive pursuit policies do not have higher crime rates." After that specific examples are given in that document. Professor Alpert presented the Ad Hoc Committee a copy of a study done by the New York University School of Law titled *Measuring the Costs and Benefits Associated with Vehicle Pursuit Policies in Roanoke City and Roanoke County, VA*. This document concluded that "These findings suggest that restrictive vehicle pursuit policies have district effects depending on the local context." And, that "Moreover, these policies have the potential to increase the overall effectiveness of the police by minimizing low level, socially costly arrests." It was noted in the Community Ad Hoc Committee discussion that almost no police agency in California chases criminal escapees who are on motorcycles and there has not been a significant, measurable increase in criminals escaping on motorcycles.

Professor Albert also noted the exceptional, current safety record of Oakland police pursuits, compared to the records of other jurisdictions. That is not to say that there were no collisions. And it is noted that 26% of these pursuits end in arrest. However, considering that there are a number of alternative means for identifying and apprehending criminal perpetrators that have not been fully explored in Oakland or that have not been expanded to their most expeditious degree, the balancing of the risk to life with the opportunity for apprehension is thereby not fully actualized; vehicular pursuit is not the sole means to accomplish apprehension.

RECOMMENDATION:

The Commission recommends no change in the two priorities, the balance between which, shape the pursuit policies. All sources, including the Oakland City Council, expressed the appropriateness of balancing the shaping of police pursuit policy between these two priorities.

The Commission recommends the continued weighing of the nineteen (19) risk factors outlined above to initiate and continue a pursuit. It is noted that more streets have been narrowed with restaurant street furniture, bus lanes, and bike lanes; there are scooters, skateboards, motorcycles, and motorized chairs on our streets; and, all too often, those persons using these vehicles are playing music loud or wearing headphones such that they are likely to hear police sirens too late. All of this is not even to speak of the apparent increase in aggressive, rude, risky driving on our streets that seems to have appeared after the end of the pandemic. The Highway Patrol statistics quoted by the Governor came at a time prior to the start of the school year; there are now more young people on the street coming to and from school. And, even without driving at pursuit speeds, regular drivers must be careful of car doors opening into narrowed driving lanes and be careful of street disrepair.

The Commission recommends that pursuits continue to require the ‘OK’ of a supervisor. Oakland patrol officers are younger than in previous years and most likely less familiar with Oakland streets. Nineteen (19) risk factors are a lot of judgments to make in the heat of the moment; so, the thoughts and judgments of a more seasoned superior makes a lot of sense.

The Commission does not recommend a change in the requirement that a pursuit only be initiated “when there is reasonable suspicion to believe a person committed a violent forcible crime and/or a crime involving a firearm, or probable cause that the person is in possession of a firearm.” It has been argued that this restriction encourages criminality; page 16 of *Vehicular Pursuits* calls that a myth. However, “street accounts,” without evidentiary solidity, should not be totally discounted; neither should lives be put at greater risk on that account.

Therefore, the Commission recommends that the Public Safety Committee of the Council take more leadership in encouraging and supporting OPD to seek alternative means of tracking crime perpetrators in those categories that fall outside of those where perpetrators are suspected of committing a violent forcible crime and/or a crime involving a firearm. OPD has already

considered the StarChase system (GPS darts) and found it wanting. OPD is interested in fixed wing manned and drone systems that are able to stay aloft longer and more frequently than the helicopters. Officers have also used the Tesla Sentry Mode that through multiple cameras records activity all around the car. Some merchants have volunteered to place cameras on the outside of their establishments and have them networked so that perpetrators vehicles could be tracked. Neighborhood Councils have also volunteered to participate in such networked-camera vehicle tracking. Such systems, with the nips and tucks of the Privacy Commission, would have the added advantage of building trust between OPD and the community.

Finally, the Commission recommends that the Council Public Safety Committee take every opportunity to pierce the many misperceptions about crime and criminality; and educate our public in Oakland about evidence based and fact-based truths. Rather than using Statewide or National averages for the effectiveness of staffing or tactics, the Commission recommends that the Council Public Safety Committee use analyses and studies specific to the context of Oakland with its broader view of crime reduction that goes beyond simply arrests. Three of the last few Police Chiefs have said that Oakland will never be able to arrest its way to lower crime rates. Crime erupts out of neighborhoods in distress and out of folks coming out of prisons and jails unable to get a job and unprepared to reenter our communities. Vice President Kamala Harris instituted a program called Back On Track to reduce this recidivism. More than thirty (30) years ago Oakland initiated Community Crime Prevention Councils but never fully implemented them; not at all in the neighborhoods most in need of such a program...these are the neighborhoods which repeatedly and consistently demand calls-for-service from OPD. A fully implemented Crime Prevention Council could reduce calls-for-service. MACRO in the Fire Department and the numerous programs in the Department of Violence Prevention such as Violence Interrupters and Ceasefire also are in need of attention from the Public Safety Committee. The Commission urges the Public Safety Committee of the Council to 'step up' and play the role that only it can play.



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GENERAL
ORDER

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Pursuit Driving

Effective Date
25 Aug 14

Evaluation Coordinator:
Training Section Commander

Evaluation Due Date:
25 Feb 15

Automatic Revision Cycle:
3 Years

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3 Years

PURSUIT DRIVING

The purpose of this order is to establish Departmental policy and procedures for vehicle pursuits.

I. VALUE STATEMENT

The protection of human life shall be the primary consideration when deciding to engage in a vehicle pursuit. Vehicle pursuits are inherently dangerous, but at times may be necessary to apprehend dangerous criminals who evade police in an attempt to escape. However, the decision to engage in a vehicle pursuit to immediately apprehend a fleeing suspect requires a careful weighing of the risks to the safety of officers, motorists, bystanders and the general public versus the benefit to public safety. Therefore, this policy only allows vehicle pursuits for violent forcible crimes and/or crimes involving the use or possession of firearms.

II. ENGAGING IN A VEHICLE PURSUIT

A. What is a vehicle pursuit

A **Vehicle Pursuit** is an event involving one or more law enforcement officers attempting to apprehend a suspected or actual violator of the law in a motor vehicle while the driver is using evasive tactics, such as high speed driving, driving off a highway or turning suddenly and failing to yield to the officer's signal to stop.

B. When a pursuit may be initiated

Vehicle pursuits may only be initiated when there is **reasonable suspicion** to believe the suspect committed a violent forcible crime (See Appendix A) and/or a crime involving the use of a firearm, or **probable cause** that the suspect is in possession of a firearm.

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A monitoring commander may authorize a pursuit for a crime not involving a violent forcible crime or firearms, under exigent circumstances, when the fleeing suspect's actions pose an immediate and serious threat to officers and the public. A pursuit report shall be completed and forwarded to the Department Safety Coordinator for all pursuits initiated under exigent circumstances and shall go before the Department Safety Committee for a full review to determine policy compliance.

C. When a pursuit must be terminated

Pursuits shall be terminated whenever the totality of circumstances known or which should be known to involved personnel during the pursuit indicate that the risks in continuing the pursuit reasonably appear to outweigh the risks resulting from terminating the pursuit.

III. RISK FACTORS

Involved personnel shall consider all Risk Factors, in determining whether to initiate and continue a vehicle pursuit, including but not limited to:

1. The volume of vehicular and pedestrian traffic in the area;
2. Traffic conditions;
3. Location of pursuit;
4. Safety of the public in the area of the pursuit (e.g., the presence of children, the elderly or disabled, the proximity to hospital or school zones in the vicinity of the pursuit);
5. Safety of the pursuing officers;
6. Speeds of both officer and suspect vehicles;
7. Familiarity of the officer and supervisor with the area of the pursuit;
8. Road and weather conditions;
9. Time of day;
10. Quality of communications between the pursuing units, the Communications Section, and/or supervisor;
11. The performance capabilities of the police vehicle or the operation of the emergency lights and siren;

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12. Availability of air or field support;
13. Whether the officer has a ride-along passenger with him/her;
14. Whether the suspect is known and can be apprehended at a later time;
15. Whether the suspect is known to be a juvenile;
16. When a non-suspect vehicle and/or pedestrian accident has occurred during a pursuit;
17. The safety of occupants in the fleeing vehicle;
18. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; and
19. The pursued vehicle's location is no longer known.

IV. DUTIES OF INVOLVED PERSONNEL

“Involved personnel” refers to officers, supervisors and commanders who are involved in the pursuit of the fleeing suspect or making command and control decisions relative to the pursuit.

A supervisor or commander, who becomes engaged in the pursuit, shall relinquish his/her supervisory control to an uninvolved supervisor or commander as soon as reasonably practical.

A passenger officer in a pursuit vehicle is considered involved personnel and shall be held accountable for advising the driver whenever a pursuit should be terminated.

Involved personnel shall comply with all other policy requirements including the driving rules, notification and reporting requirements.

A. Initiating a pursuit

1. When initiating a pursuit, involved officers must ensure there is:
 - a. **Reasonable Suspicion** the pursuit is for a violent forcible crime and/or a crime involving the use of a firearm; or
 - b. **Probable Cause** that the suspect is in possession of a firearm.

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2. All vehicle pursuits shall be conducted with red light and siren, as required by 21005 VC, and with due regard and caution for the safety of all persons using the highway, as required by 21056 VC.
3. During a pursuit, involved officers and monitoring supervisors/commanders shall continually consider the Risk Factors and whether the pursuit should be terminated in order to protect officers and the public from the risks associated with the pursuit. All involved personnel may be required to explain their decision making and analysis of the risk factors.

B. Terminating a vehicle pursuit

1. Vehicle Pursuits shall be terminated when, after evaluating the risk factors and the safety risks to officers and the public, the risks outweigh the benefits of immediately apprehending fleeing suspects.

Involved officers and monitoring supervisors/commanders are responsible for terminating a pursuit whenever the need to immediately apprehend a fleeing suspect is outweighed by the need to protect officers and the general public from harm.

2. The Communications Section shall be notified when a decision is made to terminate a pursuit. The pursuing unit(s) shall immediately:
 - a. Disengage the pursuit by turning off from the pursued vehicle's direction of travel or pulling to the curb¹. Units **shall not** trail or parallel the previously-pursued vehicle;
 - b. Deactivate their emergency red lights and siren; and
 - c. Obey all speed and traffic laws.

Involved personnel shall comply with all other policy requirements including the driving, notification and reporting requirements.

¹ Circumstances may occur where it is not possible to turn off from the pursued vehicle's direction of travel and/or it is unsafe to pull to the curb (e.g., on the freeway). Accordingly, members shall follow parts b and c of Section IV.B.2 above and seek: the next exit point from the roadway to turn off of the path or a safe location to pull to the curb.

V. AUTHORIZED UNITS AND OFFICER RESPONSIBILITY

Only two units shall be authorized to engage in a vehicle pursuit, unless additional units are approved by a supervisor or commander via radio or other communication.

The requirements of this policy apply equally to the driver and passenger officers of primary and secondary units.

A. Primary Unit

1. The officer(s) who initiates a pursuit is designated as the primary pursuit unit in control of the pursuit until control is relinquished to another unit or otherwise directed by a supervisor or commander.
 - a. The responsibility of the primary unit is to safely apprehend fleeing suspects without unnecessarily endangering the lives and safety of officers or the general public.
 - b. The primary unit shall make the initial decision to continue in a pursuit until a supervisor/commander authorizes or terminates the pursuit.
 - c. Communications Notification
2. Upon initiating a pursuit, the primary unit shall immediately, or as soon as reasonably practical, notify the dispatcher on a radio channel of:
 - a. Reasons for the pursuit and suspected or known law violations;
 - b. Description of the fleeing vehicle;
 - c. Number and description of occupants, if known; and
 - d. Continually report location, direction of travel, traffic conditions and speeds
3. Supervisory approval

The primary unit shall notify the immediate supervisor as soon as reasonably practical and obtain verbal approval for the pursuit. If immediate verbal approval is not given, the primary unit shall terminate the pursuit. In the event the immediate supervisor is not available, another supervisor may authorize the pursuit and assume the responsibility for supervising the pursuit.

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4. Broadcast Progress

The primary unit shall be responsible for broadcasting the progress of the pursuit, unless relieved by a secondary unit, or if required to relinquish the responsibility to the secondary unit in order to concentrate on pursuit driving.

5. Driving requirements

The primary unit shall be required to:

- a. Activate the vehicle's emergency red lights and/or auxiliary lights;
- b. Continuously sound the siren as a warning to other drivers and pedestrians; and
- c. Maintain contact with the Communications Section.

B. Secondary Unit

The secondary unit shall notify the Communication Division and immediate supervisor or supervisor monitoring the pursuit immediately when responding or joining as the secondary unit.

1. The secondary unit shall meet the same driving requirements as specified for the primary unit above.
2. The secondary unit must remain a safe distance behind the primary unit unless authorized to assume the primary officer role or if the primary unit is unable to continue the pursuit.
3. The secondary unit also has a responsibility of assessing the pursuit and making a determination to continue or terminate the pursuit.
4. When practical, the secondary officer/unit shall assume responsibility of providing updates to the Communications Section when engaged in the pursuit.

C. Additional Units

1. A monitoring supervisor or commander may authorize more units to become engaged in the vehicle pursuit if warranted by the circumstances. The supervisor or commander must specifically state the number of additional units that are allowed to be in the pursuit.

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2. Additional units shall meet all requirements specified for the secondary unit above.

D. Other Units

1. An unmarked unit may initiate or join a pursuit but shall disengage immediately when marked units become available and are in position to take over the pursuit. As soon as practical, the first marked unit becomes the primary pursuing unit.
2. A motorcycle unit may initiate a pursuit but shall disengage immediately when a marked unit joins the pursuit. Motorcycle units shall not continue or join in a pursuit as a cover unit due to the elevated risk involved.
3. Units transporting prisoners, victims, witnesses, civilians, an officer in the back seat without ability to exit the vehicle; or units with a civilian ride-along are prohibited from initiating, engaging or joining in a pursuit. This does not prohibit units with a civilian ride-along or an officer in the back seat without the ability to exit from trailing a pursuit (See Part VII. A “Trailing”).
4. Employees (non-sworn) are prohibited from initiating, engaging or joining in a vehicle pursuit.

VI. DRIVING RULES, TACTICS AND TECHNIQUES

The following rules and guidelines apply and involved officers and monitoring supervisors/commanders are required to adhere to these requirements:

- A. Vehicle pursuits are subject to the provisions of California Vehicle Code Sections 21055(a)/21056 and the requirements of this policy that involved personnel **(1) activate the vehicle's emergency red and/or auxiliary lights; and (2) continuously sound the siren as a warning to drivers and pedestrians.**
- B. A Code 3 response is governed by DGO J-4.1, EMERGENCY DRIVING REGULATIONS.
- C. Pursuit Intervention Maneuver (PIM) techniques
 1. PIM techniques shall only be used after receiving approval from a supervisor/commander or when exigent circumstances exist.

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2. PIM techniques, as specified in Training Bulletin III-B.9, PURSUIT INTERVENTION MANEUVER TECHNIQUES, may be utilized in order to apprehend the suspect by bringing a pursuit to a safe conclusion and minimizing the risk to public safety and reducing property damage.
3. In determining whether to request and/or authorize the use of PIM techniques, the involved officers and the monitoring supervisor/commander shall continually consider: (a) the gravity of the offense and (b) the importance of and necessity for the immediate apprehension in relationship to public safety and the Risk Factors enumerated in this policy.

VII. ROLE OF AUXILIARY/UNINVOLVED UNITS

Assisting units and uninvolved personnel shall comply with all policy requirements, including driving, notification and reporting requirements.

A. Trailing

Trailing is the following of a pursuit and/or responding to the area of a pursuit. Trailing is conducted to provide assistance in the apprehension of a fleeing suspect, to provide information relative to the initiating crime or subsequent crimes, to assist in the recovery of any discarded evidence or to provide for the safety of those involved in or in the area of the pursuit. Although Trailing has a function of a vehicle pursuit (i.e. apprehension of a fleeing suspect), Trailing is not a vehicle pursuit because the officer is not signaling the driver to stop.

1. Trailing with helicopter support

Upon notification by the helicopter unit of visual contact with the fleeing vehicle, all ground units, unless authorized to continue by a commander, **shall disengage from the pursuit of the vehicle by deactivating the emergency lights and siren and obeying all speed and traffic laws (Code 2 status.)** After disengaging from the pursuit, members may trail the fleeing vehicle by responding to the directions of the helicopter unit, **with the intent of not being seen by the suspect** and to facilitate the arrest or detention of the driver and/or occupants of the vehicle.

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2. Trailing without helicopter support

Trailing requires that units maintain sufficient distance from the pursuit units and/or the pursued vehicle by deactivating their emergency lights and siren and obeying all speed and traffic laws in order to clearly establish the absence of participation in the pursuit (Code 2 status.)

3. Trailing to conduct Safety Measures or additional duties

Officers must obey all speed and traffic laws and drive in a non-emergency status (Code 2) when responding to the area of the pursuit to assist with evidence recovery, clearing intersections, traffic control or with duties involved in the termination of the pursuit, unless emergency response (Code 3) is authorized by a supervisor or commander.

Upon arrival at an intersection along the pursuit path, uninvolved units shall activate their emergency lights and siren, as necessary, to alert and safely clear vehicular and pedestrian traffic from the pursuit path.

4. Trailing may be done by:

- a. The primary or secondary units who relinquish control of the pursuit to another unit, the helicopter unit or other jurisdiction;
- b. Uninvolved Area Officers;
- c. Adjacent² Area Officers; or
- d. Non-Adjacent² Area Officers with supervisory approval.

5. Trailing outside of the city requires supervisory or command approval.

B. Area and Adjacent Area Officers

Trailing should be conducted primarily by officers assigned to the Area or Adjacent Area to the pursuit.

² Adjacent Area is defined as sharing a border with the Area where the pursuit is occurring. Non-Adjacent Area is defined as not sharing a border with the Area where the pursuit is occurring.

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C. Non-Adjacent Area Officers

Officers assigned to the Non-Adjacent Areas to the pursuit should remain in their assigned area and should not become involved in the pursuit unless directed by a supervisor.

VIII. SUPERVISORY AND COMMAND RESPONSIBILITY

A. Supervisors and commanders shall provide appropriate levels of supervision and command and control at all times during a vehicle pursuit.

1. A supervisor/commander shall monitor the pursuit via radio transmissions and maintain control of the pursuit through clear directives and communications with involved officers and relevant personnel.
2. Upon notification of a pursuit, the supervisor or commander shall assume command, control, and responsibility of the pursuit and shall verbally authorize or terminate the pursuit.
3. The immediate supervisor of the primary unit shall have primary responsibility for supervising and monitoring the pursuit. In the event the immediate supervisor is unavailable, the pursuit may be authorized and monitored by the following:
 - a. Supervisor from the same Area;
 - b. Another field supervisor (i.e., adjacent Area supervisor, specialized unit supervisor, etc.);
 - c. Area Commander or other commander; or
 - d. Communications Section Sergeant/Commander

The monitoring supervisor, if not the immediate supervisor, shall complete the Pursuit Report.

B. The duties of the monitoring supervisor include consideration of the following factors in making supervisory decisions related to the pursuit:

1. The supervisor/commander reasonably believes that the pursuing unit has:
 - a. Reasonable suspicion the pursuit involves a violent forcible crime and/or a crime involving the use of a firearm; or

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- b. Probable cause that the suspect is in possession of a firearm;
 2. The pursuit is justified based on an evaluation of the Risk Factors;
 3. Proper type and number of units are involved in the pursuit;
 4. Available aircraft has been requested;
 5. Proper communication protocols and radio channel are used;
 6. Affected agencies are being notified;
 7. The decision to request an outside agency's assistance;
 8. The decision to grant assistance in response to the request of an outside agency conducting its own vehicle pursuit; and
 9. The decision whether or not to terminate the pursuit.
- C. The monitoring supervisor of the pursuing officer shall have the primary responsibility for supervising the pursuit and evaluating the risk factors in deciding whether a pursuit should continue. If the pursuing officer's immediate supervisor is unavailable, another supervisor or commander may assume primary supervisory responsibility and transmit that decision.
 1. Upon making a decision to terminate or continue a pursuit, the supervisor shall communicate it to the pursuing units.
 2. If practical, a supervisor/commander shall not be actively involved in a pursuit.
- D. The supervisor/commander shall proceed to the termination point of the pursuit and direct the actions of field personnel unless relieved by a higher ranking officer.
- E. Accountability

Supervisor/commanders shall be held equally accountable for authorizing the continuation of a pursuit.

 1. Involved officers and the approving supervisor/commander shall be held accountable for the continuation of a pursuit they knew or reasonably should know violates policy.

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2. Upon termination of the pursuit the supervisor shall, when operationally feasible, debrief the pursuit with those members involved in the pursuit.

IX. PURSUITS INTO OTHER JURISDICTIONS

- A. When a pursuit extends into the jurisdiction of another law enforcement agency, the monitoring supervisor or commander shall determine whether to terminate or relinquish the pursuit. In making this determination, the following factors, in addition to the Risk Factors, shall be considered:
 1. Whether involved OPD officers are familiar with the area;
 2. The distance involved;
 3. Communication limitations; and
 4. Whether the pursuit can be assumed by another agency.
- B. The involved officers or supervisor/commander shall request the Communications Section notify the other jurisdiction of the pursuit.
- C. The involved officer or supervisor/commander shall inform the Communications Section if assistance from another agency will likely be needed.
- D. If it is determined that the pursuit is to be relinquished to another agency, the request shall be clearly relayed by the Communications Section to that agency and confirmation of acceptance of the pursuit shall be obtained before the pursuit is relinquished. Mere notification to another agency of a pursuit in progress shall not constitute a request to join or transfer responsibilities for the pursuit.
- E. When a pursuit is terminated, the involved officers, supervisor or commander shall immediately notify the Communications Section who shall broadcast to all involved personnel, pursuit units and auxiliary units to abandon the pursuit. This information shall also be immediately relayed to any other involved agency.
- F. When a pursuit is taken over by another agency, the officer engaged in the initial pursuit shall proceed, if practical and with supervisor or command approval, to the termination point in Code 2 status to provide information which may be required for the arrest.

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- G. The control and management of a scene which terminates in another agency's jurisdiction is the responsibility of that agency. Any officer at the termination point shall coordinate their actions with the other agency and update the appropriate OPD supervisor/commander as necessary

X. OUTSIDE AGENCY PURSUITS WITHIN THE CITY OF OAKLAND

At times outside agencies will initiate a vehicle pursuit within the City of Oakland or continue a pursuit that started elsewhere into Oakland city limits. The policy of the department in responding to outside agency pursuits occurring within city limits is as follows:

- A. The Department may participate in outside agency pursuits occurring in Oakland only when the pursuit meets OPD Department Policy criteria for a pursuit.
- B. The outside agency must formally request the involvement of OPD; notification that a pursuit is in progress and in Oakland does not constitute a formal request.
- C. Only authorized personnel at the level of sergeant or commander may approve OPD's participation in an outside agency pursuit.
- D. The notification of the decision to decline or accept the outside agency's request to join and/or take over control of their pursuit shall be relayed by the Communications Section.
- E. In determining whether to approve OPD's participation and the nature of OPD's participation, the following factors shall be considered:
1. Whether OPD should take over the pursuit or engage as a secondary unit;
 2. Evaluate the Risk Factors (Part II);
 3. Whether the outside agency already has two (2) or more vehicles involved in the pursuit; and
 4. Whether there is adequate communications between the outside agency and OPD units.
- F. Upon authorization of OPD's involvement in the outside agency pursuit, the authorizing sergeant or commander shall designate the units authorized to engage in the pursuit and inform the designated units of the specific role authorized.

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- G. Authorized units/involved officers shall comply with the provisions of this order when participating in a pursuit involving an outside agency.
- H. If necessary, the monitoring supervisor/commander shall direct an appropriate number of units to the vicinity/direction of flight of the pursuit in an appropriate response mode to assist the outside agency, but not to become actively involved in the pursuit.
- I. OPD has the primary responsibility for the control, coordination and management of all police personnel at the termination point, inside Oakland city limits, of an outside agency pursuit that was joined or taken over by OPD.
- J. The involved officers and monitoring supervisor/commander shall continually consider the gravity of the offense and the importance of and necessity for the immediate apprehension in relationship to public safety and Risk Factors (Part II) in determining whether to terminate engagement or assistance in the pursuit. If a decision is made to terminate OPD participation in an outside agency's pursuit, involved personnel shall notify the Communications Section. The Communication Section shall then notify the outside agency.
- K. Nothing in this policy prohibits officers in the area of the pursuit, when not authorized to join and/or take over an outside agency pursuit within the City of Oakland, from providing traffic control measures to protect other drivers or pedestrians.

XI. HELICOPTER SUPPORT

- A. The Helicopter Unit shall respond, when practical, to the scene of a pursuit to assist and coordinate ground activities.
- B. When visual contact with a pursuit is made, the helicopter unit shall notify the Communications Section.
- C. Upon notification by the helicopter unit of visual contact with the fleeing vehicle, all ground units shall disengage from the pursuit of the vehicle by **deactivating the emergency lights and siren and obey all speed and traffic laws**. After disengaging from the pursuit, members may trail the fleeing vehicle by responding to the direction of the helicopter unit, **with the intent of not being seen by the suspect** and to facilitate the arrest or detention of the driver and/or occupants of the vehicle (See Part VII. A "Trailing".)

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A Commander, under exigent circumstance, may authorize ground units to not disengage and continue in direct pursuit. When this occurs a pursuit report shall be completed and forwarded to the Department Safety Coordinator and shall go before the Department Safety Committee for a full review to determine policy compliance.

- D. In order to assist ground units, the helicopter unit shall be used for, but not limited to:
1. Identify and broadcast the direction of flight and the number of ground units trailing or involved in a pursuit;
 2. Advise trailing or pursuing officers and the monitoring supervisor/commander of potential hazards/safety risks to be considered in continuing or terminating a pursuit;
 3. Facilitate coordination of ground units for arrest procedures;
 4. Video record the pursuit and the post-pursuit activity, when available; and
 5. Provide information on risk factors to be evaluated in deciding whether the pursuit should be continued or terminated.
- E. Supervisors or Commanders may terminate the entire pursuit, including helicopter support, and shall notify the Communications Section. Upon notification of such termination members shall comply with policy requirements for terminating a vehicle pursuit, as specified in Part IV.B, and the helicopter unit shall return to normal service.
- F. A Supervisor or Commander may utilize the helicopter, if available, to continue observing the direction of flight of the fleeing vehicle/suspect after the pursuit has been terminated to facilitate coordination of ground units for arrest procedures.
- G. A Supervisor or Commander may authorize ground units to re-engage in a pursuit should the helicopter unit be redirected or circumstances arise that restrict or prevent the helicopter unit from safely continuing.

XII. POST PURSUIT APPREHENSION

Applicable Department policies relevant to the apprehension of outstanding suspects following the end of a vehicle pursuit include but are not limited to:

- TB III-B.9, High-Risk Vehicle Stops;

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- TB III-Z, Gaining The Advantage Over A Suspect In A Foot Pursuit;
- DGO K-3, Use Of Force; and
- DGO K-5, Tactical Operations Team

XIII. REPORTING REQUIREMENTS

A. State Reporting Requirement

California Vehicle Code Section 14602.1 requires that every local law enforcement agency complete a California Highway Patrol (CHP) report concerning a police pursuit, and forward to the CHP. A CHP 187A form is not required for a “Non-Response Pursuit” (see Parts G and H of this Section.)

B. Level 1 – Supervisor/Commander Responsibilities

1. If a vehicle pursuit within the City of Oakland results in a death or injury likely to cause death, the assigned supervisor/commander shall:
 - a. Ensure medical assistance is summoned;
 - b. Respond to the scene;
 - c. Ensure the scene is secured;
 - d. Ensure a Crime Scene Security Log is maintained to record the time and identifying information of all persons entering and exiting the scene, to include:
 - 1) Department personnel;
 - 2) Medical personnel;
 - 3) Fire Department unit number and personnel; and
 - 4) Other persons.
 - e. Ensure the Crime Scene Security Log is delivered to the appropriate investigator (criminal and/or traffic) for inclusion in the investigative case file;
 - f. Ensure the Area Commander is notified and briefed of the incident;

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- g. Ensure the Fatal Accident Standby Team (FAST) is notified;
 - h. Ensure the Internal Affairs Division (IAD) is notified;
 - i. Ensure the Homicide Section is notified and briefed of the incident, if OPD personnel are involved in the pursuit;
 - j. Ensure involved and witness personnel have been separated and advised that communication is prohibited;
 - k. Attempt to obtain and document a Public Safety Statement, to include:
 - 1) A verbal account from involved personnel to help determine the general circumstances of the incident;
 - 2) Assess the need for resources and notifications;
 - 3) Help set the perimeter;
 - 4) Locate injured persons;
 - 5) Determine the nature of the evidence to seek;
 - 6) Identify the number of suspects involved;
 - 7) Identify the number of suspects outstanding; and
 - 8) The supervisor shall not ask the involved personnel to provide a step-by-step narrative of the incident or to provide a motive for their actions.
- 2. Coordinate the apprehension of the suspect, if still outstanding;
 - 3. Coordinate the preliminary investigation with Departmental investigators including but not limited to:
 - a. Identifying involved and witness personnel;
 - b. Ensuring the preservation of evidence; and
 - c. Identifying other witnesses
 - 4. Assist Traffic investigators to ensure proper statements are taken;

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5. Respond to the location of a witness who has declined to give a statement or has refused to give witness identification information when requested by a member or employee. The outcome shall be documented in the member's Supplemental Report after the supervisor has talked to the witness;
 6. Separate and prohibit communication between involved and witness personnel;
 7. Ensure involved personnel limit any discussion of the incident to information necessary:
 - a. For a Public Safety Statement;
 - b. To assist in the investigation; or
 - c. Leading to the apprehension of the suspect.
 8. Ensure personnel complete a Supplemental Report who were on scene at the time of the incident (not including involved or witness personnel) or were assigned to assist at the scene;
 9. Offense/Supplemental Reports shall be prepared independently without discussing the details of the incident with other personnel on scene. Group reporting and interviewing is prohibited;
 10. Contact and provide the IAD investigator with complaint information, if notified of an allegation of misconduct.
- C. Level 2 – Primary Officer Reporting Responsibilities
1. Complete an offense report and other documentation, as required, to document the details of the pursuit³; and
 2. Submit the completed offense report and other documentation to his/her supervisor for review.
- D. Level 2 – Supervisor/Commander Responsibilities
1. For Level 2 vehicle pursuits, the supervisor/commander shall:
 - a. Ensure medical assistance is summoned, if necessary;

³ See Part XV, IMPOUNDING VEHICLES UNDER AUTHORITY 14602.7 CVC

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- b. Respond to the termination point of the pursuit;
- c. Ensure the scene is secured;
- d. Coordinate the apprehension of the suspect, if still outstanding;
- e. Ensure the on-duty Area Commander or Watch Commander is notified and briefed of the incident;
- f. Ensure involved and witness personnel, outside agency personnel and private person witnesses are identified;
- g. Designate personnel to prepare a vehicle collision report, if required;
- h. In the event of a collision involving a police vehicle, conduct a separate, personal interview with involved and witness personnel including, if necessary, a written statement;
- i. Ensure the suspect is admonished and an attempt is made to take a statement, when possible. A suspect shall not be admonished in any case in which there is a Criminal Investigation Division (CID) callout unless an approved exception exists as specified in RWM S-01, STATEMENTS;
- j. Contact and provide the Communications Section with the required pursuit information for entry on the Pursuit Tracking Log;
- k. By the end of the reporting supervisor's next scheduled work day, send a copy of the Pursuit Report face sheet to BFO Admin for tracking purposes; and
- l. Within seven (7) calendar days of the pursuit, the reporting supervisor/commander shall:
 - 1) Review the Offense Report and other documentation;
 - 2) Complete the appropriate Pursuit Report for each incident;
 - 3) The narrative of the Pursuit Report shall include but not limited to the following:

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- a) A brief summary of the pursuit including the events that led to engaging in the pursuit;
 - b) Document any discrepancies of interviews (or statements) of non-personnel and personnel witnesses;
 - c) Based on the analysis of the facts revealed by the investigation, make a determination as to whether the pursuit was in compliance with Departmental policy;
 - d) Document any relevant training issues revealed by the investigation; and
 - e) Analysis of relevant evidence including PDRD video.
2. Endorse (signature required) the Pursuit Review Tracking Sheet (TF-3257).
 3. Prepare a Pursuit Report packet to include:
 - a. Original Pursuit Report (TF-3051);
 - b. Original signed Pursuit Review Tracking Sheet (TF-3257);
 - c. Copy of CHP 187A form;
 - d. Copy of Collision Report;
 - e. Copy of Radio purge;
 - f. Copy of the electronic recording file (PDRD), if available, or that a request for a copy is documented;
 - g. Photographs, if available;
 - h. Copy of any statements, if taken;
 - i. Copy of Offense Report; and
 - j. Ancillary documents.

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4. Prepare and forward the original CHP 187A report to the Department Safety Coordinator;
 5. Maintain a copy of the Pursuit Report for his/her file for one (1) year from the date of the pursuit; and
 6. Forward the Pursuit Report packet for review through the appropriate chain-of-review.⁴
- E. Level 3 – Primary Officer Reporting Responsibilities
1. Complete an offense report and/or other documentation, as required, to document the details of the pursuit; and
 2. Submit the completed offense report and/or other documentation to his/her supervisor for review by the end of tour of duty.
- F. Level 3 - Supervisor/Commander Responsibilities
- For Level 3 pursuits, the supervisor/commander shall:
1. Respond to the termination point of the pursuit;
 2. Review the Offense Report and/or other documentation;
 3. Contact and provide the Communications Section with the required pursuit information for entry on the Pursuit Tracking Log;
 4. Prepare and forward the original CHP 187A report to the Department Safety Coordinator;
 5. Prepare and endorse (signature required) a Pursuit Review Tracking Sheet (TF-3257); and
 6. Forward the Pursuit Review Tracking Sheet, Offense Report and a copy of the CHP 187A through the appropriate chain-of-review within seven (7) calendar days of the pursuit.

⁴ For the purpose of this order, the appropriate chain-of-review shall be through the first level-commander under which the involved officer was working during that tour of duty when the pursuit occurred.

G. Non-Response Pursuit – Primary Officer Reporting Responsibilities

In all cases, where an officer attempts to stop a violator and the violator flees or fails to stop and the officer makes no attempt to keep up with or pursue the violator, the incident shall be deemed a “Non-Response Pursuit.”

The primary officer shall:

1. Complete offense report and/or other documentation, as required, to document the details of why the vehicle stop was attempted; and

NOTE: For the majority of Non-Response Pursuits, the most appropriate documentation to complete is an FI/Stop Data Report, which is required per DGO M-19 and RWM R-1.

The completion of a Crime Report for 2800.1, in addition to the FI/Stop Data Report, is not required unless a member desires further follow-up on the incident such as: the member knows or has the ability to positively identify the driver and is attempting to have him/her charged with the crime or the member is seeking to have the vehicle impounded as specified in TB III-E.5.

2. Notify his/her supervisor of the Non-Response Pursuit.

H. Non-Response Pursuit Supervisor/Commander Responsibilities

For all Non-Response pursuits the supervisor or commander shall:

1. Review the Offense Report and/or other documentation; and
2. Contact and provide the Communications Section with the required information for entry on the Pursuit Tracking Log (TF-3283b). No CHP 187A or pursuit report is required.

I. BFO Admin Responsibilities

Upon receipt of a Pursuit Report packet, BFO Admin shall:

1. Shall ensure the original CHP 187A form was forwarded to the Training Section by the supervisor completing the report;
2. Forward a copy of the Level 2 Pursuit Report packet to the Department Safety Coordinator;
3. Forward original Pursuit Report packets to the Training Section;

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4. Maintain a spreadsheet tracking information obtained from the Pursuit Report packets; and
5. Maintain statistics regarding “Non-Response Pursuits” logged.

J. Training Section Responsibilities

Upon receipt of a Pursuit Report packet, the Training Section shall:

1. Assign a Pursuit Number to the incident;
2. Enter information into the Department Pursuit Database;
3. For any pursuit received from the Department Safety Coordinator with an “out of compliance” finding, forward to an IAD Intake Officer for creation of an IAD case to track discipline; and
4. Maintain pursuit documentation for a period of five (5) years.

K. Communications Section Responsibilities

Upon notification of a pursuit or non-response pursuit from a supervisor/commander, Communications Section personnel shall:

1. Enter the pursuit information provided on the Pursuit Tracking Log (TF-3283b).
2. Forward a copy of the Pursuit Tracking Log to BFO Admin on a daily basis after 0600 via email (BFOadmin@oaklandnet.com).

L. Fatal Accident Scene Team (FAST) Responsibilities

For Level 1 pursuits, the FAST shall conduct the fatal accident investigation in accordance with established procedures.

M. Internal Affairs Division (IAD) Responsibilities

1. For Level 1 pursuits, IAD shall conduct a Vehicle Pursuit Related Death (VPRD) investigation and prepare the Vehicle Pursuit Related Death Report in accordance to established procedures.
2. IAD Investigators shall also contact the Communications Section to place the pursuit on the Pursuit Tracking Log.

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OAKLAND POLICE DEPARTMENT

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N. Homicide Responsibilities

For Level 1 pursuits, Homicide investigator shall conduct interviews in accordance with established policy and procedures.

XIV. IMPOUNDING VEHICLES UNDER AUTHORITY 14602.7(a) CVC

CVC section 14602.7(a) allows officers to obtain a warrant to remove vehicles that are used in violation of CVC §§ 2800.1 2800.2, 2800.3 or 23103 and impound them for 30 days. See Training Bulletin III-E.5, IMPOUNDING VEHICLES UNDER AUTHORITY 14602.7(a) CVC for policy and procedures.

XV. DEPARTMENTAL SAFETY COORDINATOR/COMMITTEE

A. The Departmental Safety Coordinator shall:

1. Forward original CHP 187A forms to the CHP; and
2. Advise the Safety Committee Chairperson of pursuit incidents requiring review by the Department Safety Committee;
3. Review all pursuits, Level 2 & 3 Pursuits, for compliance with OPD policy, training recommendations and/or liability issues. Prepare and forward a quarterly report of all pursuits to the Safety Committee Chairperson and the Chief of Police. The quarterly report shall minimally include:
 - a. The number of pursuits for the quarter;
 - b. The number of pursuits resulting in a collision and/or an injury;
 - c. The number of reports found in compliance or out of compliance; and
 - d. Any patterns/trends identified.

B. The members of the Departmental Safety Committee shall review all Level 2 & 3 pursuits for compliance with OPD policy, training recommendations, and/or liability issues.

C. Any Departmental Safety Committee member may refer any pursuit to a Department Safety Committee full review.

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A full Department Safety Committee review requires a presentation from the investigating supervisor and subject members involved in the pursuit to the Department Safety Committee.

NOTE: The Office of Inspector General shall conduct a yearly audit to ensure pursuits are being reviewed in accordance with this policy.

- D. The Departmental Safety Committee Chairperson or designee shall convene the Departmental Safety Committee for a full board review, to review the following pursuit reports in accordance with the provisions of DGO J-4 Pursuit DRIVING, DGO J-4.1 EMERGENCY DRIVING, DGO G-4, DEPARTMENTAL SAFETY:
1. A pursuit resulting in injury;
 2. Departmental vehicle damage; and
 3. At the request of any supervisor, commander, the Departmental Safety Coordinator, or any member of the Departmental Safety Committee, who has reviewed the Pursuit Report packet, to address Departmental training and/or tactical issues that cannot be handled at his or her level of supervision/command.
 4. A full Department Safety Committee review requires a presentation from the investigating supervisor and subject members involved in the pursuit to the Department Safety Committee.
- E. The Chief of Police may direct a full board review of any pursuit.
- F. The Departmental Safety Committee Chairperson or designee shall forward all pursuits found “out of compliance” to the Internal Affairs Division to initiate the discipline process.

XVI. TRAINING REQUIREMENTS⁵

- A. Members are required to attend annual training on vehicle pursuits, Departmental policy and procedures and as required by Vehicle Code Section 17004.7(c) and Police Officers’ Standards and Training Guidelines (Penal Code 13519.8.)
- B. Members shall certify in writing that they have received all required training and have read and understand the provisions of this policy.

⁵ Per SB 719; VC Section 17004.7 (b)(1) and (2)

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- C. The Training Section shall be responsible for collecting, tracking and maintaining required training records.

By order of



Sean Whent
Chief of Police

Date Signed: 8-25-14

APPENDIX A**DEFINITIONS AND TERMINOLOGY**

A. Vehicle Pursuit

A **Vehicle Pursuit** is an event involving one or more law enforcement officers attempting to apprehend a suspected or actual violator of the law in a motor vehicle while the driver is using evasive tactics, such as high speed driving, driving off a highway or turning suddenly but failing to yield to the officer's signal to stop.

B. Non-Response Pursuit

A **Non-Response Pursuit** is when an officer attempts to stop a vehicle and the violator flees or fails to stop and the officer does not respond to the driver's action, making no attempt to keep up with or pursue the vehicle. A Non-Response Pursuit is not a vehicle pursuit.

C. Serious Bodily Injury (SBI)

Serious bodily injury means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

D. Great Bodily Injury (GBI)

Great bodily injury means a significant or substantial physical injury.

E. Pursuit Intervention Maneuvers (PIM)

One or more authorized techniques designed to terminate a Vehicle Pursuit in a safe and prudent manner.

F. Officer

For the purpose of this order, the term "officer" shall include sworn and reserve officers, sergeants, and commanders.

G. Involved Officer

Driver or passenger of a police vehicle engaged in vehicle pursuit.

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H. Violent Forcible Crime

For purposes of this policy, a Violent Forcible Crime is defined as the **commission or attempted commission of:**

1. Murder;
2. Manslaughter;
3. Mayhem
4. Kidnapping;
5. Robbery;
6. Carjacking;
7. Arson to an inhabited structure, inhabited property or that causes GBI;
8. Explode or ignite a destructive device or any explosive causing GBI or death;
9. Use or possession of a weapon of mass destruction;
10. Use of a firearm in the commission of a felony;
11. Assault with a deadly weapon, firearm;
12. Assault with a deadly weapon, other than a firearm*, with SBI/GBI;

* The use of a motor vehicle to solely flee a scene or enforcement action does not meet the criteria for this part unless there is a clearly articulable intentional act by the driver to use the vehicle as a weapon.
13. Aggravated Battery with SBI/GBI; and
14. Any of the following sexual assaults committed against a person's will by means of force, violence, duress, menace, fear of immediate and unlawful bodily injury on the person or another, or in concert:
 - a. Rape;
 - b. Sodomy;
 - c. Oral Copulation;
 - d. Lewd Act on a Child under the age of 14; or
 - e. Sexual penetration

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OAKLAND POLICE DEPARTMENT

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Effective Date
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I. Unmarked vehicle

Any non-black and white police vehicle displaying distinctive markings including “Oakland Police” lettering, the Department insignia and a vehicle number. The Department does not have any “semi-marked” vehicles.

J. Level 1 Pursuit

1. A vehicle pursuit that results in death or serious injury likely to cause death;
or
2. A Level 2 pursuit raised to a Level 1 by a supervisor or commander.

K. Level 2 Pursuit

A vehicle pursuit which involves injury or property damage and/or whenever a PIM was utilized shall be a Level 2 Pursuit Report.

L. Level 3 Pursuit

A vehicle pursuit which does not result in injury or property damage, unless a PIM technique was utilized.

OFFICE OF CHIEF OF POLICE
OAKLAND POLICE DEPARTMENT

SPECIAL ORDER 9192

TO: All Sworn Personnel
SUBJECT: Voluntary Pursuit Language
EFFECTIVE DATE: 28 Dec 18
TERMINATION: Upon Update of Policy

When Department General Order J-04, Pursuit Driving, was revised in August 2014, the below language was removed from II. Policy:

- C. Any officer or monitoring supervisor/commander shall neither be criticized nor disciplined for terminating a pursuit.

With this Special Order, I am reinstating the above directive. This directive will be inserted into the next revision of the pursuit policy.

By order of



Anne E. Kirkpatrick
Chief of Police
Oakland Police Department

OFFICE OF CHIEF OF POLICE
OAKLAND POLICE DEPARTMENT

SPECIAL ORDER 9212

TO: All Sworn Personnel

SUBJECT: Vehicle Pursuits

EFFECTIVE DATE: 16 Dec 22

TERMINATION: Upon revision of Departmental General Order (DGO) J-04, *Pursuit Driving*; or at the direction of the Chief of Police

Scope and Purpose

Vehicle pursuits involve significant risk. Finding that the current situation constitutes an emergency, the Chief of Police hereby orders the following requirements regarding vehicle pursuits, pursuit supervision, and pursuit investigations:

Termination of Vehicle Pursuits Above Specified Speeds

Vehicle pursuits shall be terminated¹ if the speed of the pursued or pursuing vehicles reaches or exceeds 50 miles per hour (mph) on *any roadway or off-road area that is not a controlled access freeway* (hereafter “city streets”) unless permission to exceed 50 mph is given by a watch commander or command officer.

Involved personnel may request, and watch commanders or command officers may provide, pre-approval for speeds in excess of 50 mph.

Involved Personnel – Supervisors and Commanders

Any supervisor or commander who authorizes or monitors a pursuit, or who provides permission to exceed 50 mph on city streets (hereafter “authorizing supervisors”), is considered “involved personnel.”

All authorizing supervisors shall complete a supplemental report following any pursuit. Authorizing supervisors shall include in their report an analysis of the risk factors they considered during the pursuit and an explanation of their decision to authorize or allow the pursuit to continue, or their decision to provide permission to exceed 50 mph on city streets.

Pursuit Investigations – Reporting and Investigation Responsibilities

Authorizing supervisors shall not report, investigate, or review pursuit reports for incidents in which they were involved.

¹ Reference DGO J-04, IV, B, 2

OAKLAND POLICE DEPARTMENT
Special Order 9212

1 Dec 22

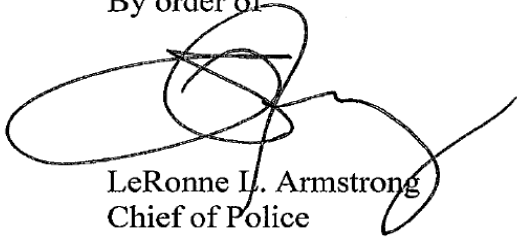
Level 2 and 3 pursuits shall be reviewed via the chain of command up through Captain. If an authorizing supervisor is a watch commander or a lieutenant, that commander shall not be a part of the review chain.

Pursuit Investigations – Level 3 Pursuits

Supervisors reporting Level 3 pursuits shall complete a pursuit report narrative which minimally includes the following:

1. A brief summary of the pursuit, including the events that led to engaging in the pursuit;
2. Documentation of any discrepancies in reports of involved personnel;
3. Analysis of relevant evidence including BWC video;
4. A determination as to whether the pursuit was in compliance with Departmental policy, based on the analysis of the facts revealed by the investigation; and
5. Documentation of any relevant training issues revealed by the investigation.

By order of

A handwritten signature in black ink, appearing to read 'LeRonne L. Armstrong', written over a horizontal line. The signature is stylized and somewhat illegible.

LeRonne L. Armstrong
Chief of Police

TRAINING



BULLETIN

Effective Date:
30 May 07

Index Number: III-B.9
Alpha Index:
Pursuit Intervention Maneuver (PIM) Techniques

“Department Training Bulletins shall be used to advise members of current police techniques and procedures and shall constitute official policy.”

PURSUIT INTERVENTION MANEUVER TECHNIQUES

Introduction

A Pursuit Intervention Maneuver is an authorized technique officers may utilize to terminate a vehicle pursuit in a safe and prudent manner. This order identifies the authorized circumstances and conditions for use of authorized techniques.

Officers shall implement a Pursuit Intervention Maneuver technique only when they have received approval from the monitoring supervisor/commander or when exigent circumstances exist, such as a vehicle being pursued has caused repeated property damage and an intervention technique is manifestly necessary to prevent imminent injury or cause further property damage.

The four (4) authorized Pursuit Intervention Maneuver techniques are Channelization, Boxing In, Pursuit Immobilization Technique (PIT), and a Stop Stick. These four (4) techniques are discussed in the body of this Training Bulletin. Unless exigent circumstances exist, other methods, such as “ramming” or “roadblocks” etc., are not authorized.

The risk factors enumerated in DGO J-4, Part IV, shall be considered in the decision to utilize a Pursuit Intervention Maneuver technique and weighed against the need for immediate apprehension of the fleeing subject.

Only officers who have received Department training in Pursuit Intervention Maneuver techniques may participate in these techniques.



Pursuit Intervention Maneuver (PIM) Techniques, Index Number III-B.9

Channelization

Channelization is a Pursuit Intervention Maneuver technique that utilizes barricades or vehicles to block the streets to direct the suspect to go to a pre-designated location. See Figure 1.

Channelization directs the pursued vehicle away from some areas and into others. For example, officers utilize channelization to direct a vehicle away from busy streets and onto unpaved roads or dead-ends. When practical, officers utilize barricades or cones to block exit routes. When officers utilize vehicles to block exit routes, officers set the emergency brake, turn the engine off, exit the vehicle, and move to a position of safety.

During Channelization, regulations regarding the number of authorized pursuing units remain in effect.

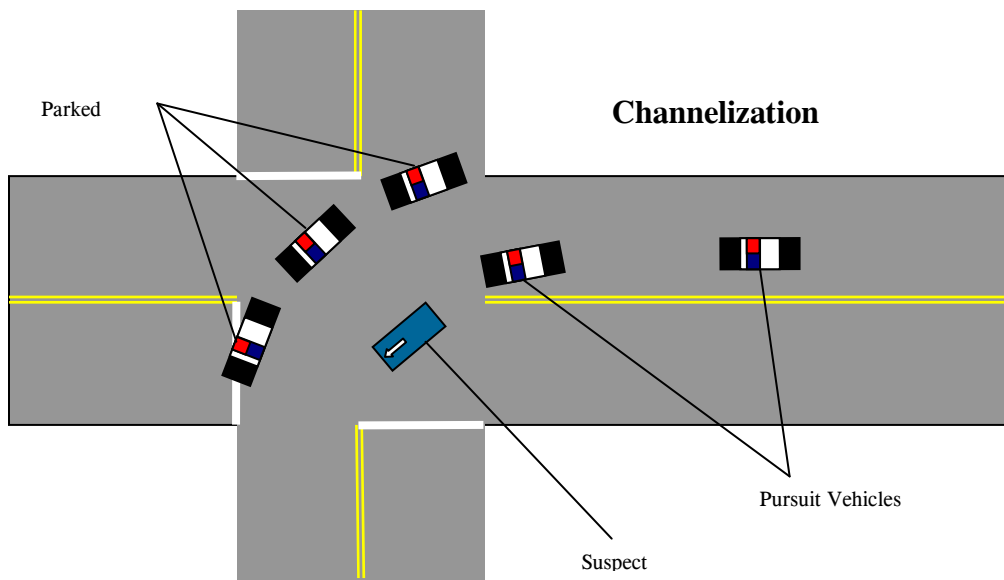


Figure 1: Channelization directs the suspect to a pre-designated location.

The Channelization maneuver may only be utilized if the following conditions exist:

- Only officers who are trained in pursuit interventions using channelization may participate.
- When there is no unreasonable risk of harm to nearby traffic or pedestrians in light of all circumstances.
- When practical, the utilization of barricades or cones is preferred to the use of vehicles for blocking egress routes from intersections.
- In the event police vehicles are utilized for channelization, the emergency brake shall be set and the engine shut off. Members shall exit the vehicles and move to a position of safety.



Boxing In

Boxing In is a Pursuit Intervention Maneuver technique in which officers surround a pursued vehicle with police vehicles and synchronize their speed, forcing the pursued vehicle to slow and eventually stop. See Figure 2.

This technique may also be utilized to surround a stationary vehicle to prevent its movement.

When authorizing a Boxing In maneuver, supervisors and command officers shall authorize a sufficient number of units to successfully implement the maneuver.

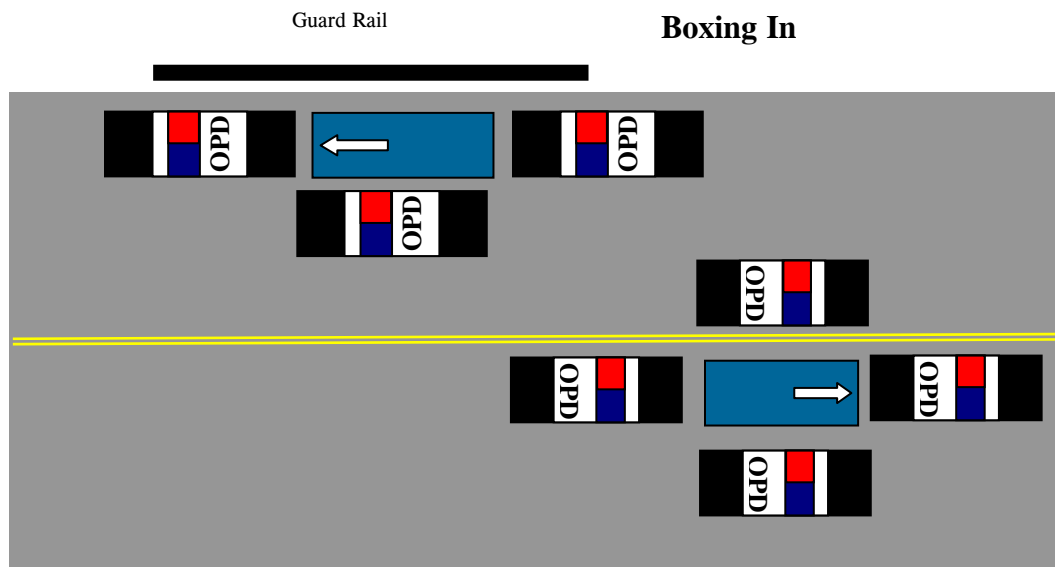


Figure 2: Boxing in maneuver. Stationary at top and moving at bottom.

The Boxing In maneuver may be utilized in any pursuit with the approval of the monitoring supervisor/commander **except when:**

- The occupants of the pursued vehicle are known or believed to be armed; or
- There are insufficient police units to properly perform the technique.

The Boxing In maneuver may only be utilized if the following conditions exist:

- Only members who have received training in utilizing the Boxing In maneuver may participate.
- Vehicles are traveling at speeds less than 35 mph.
- When the monitoring supervisor/commander has authorized a sufficient number of units to participate in the application of the technique.
- There is no unreasonable risk of harm to nearby traffic or pedestrians in light of all circumstances.



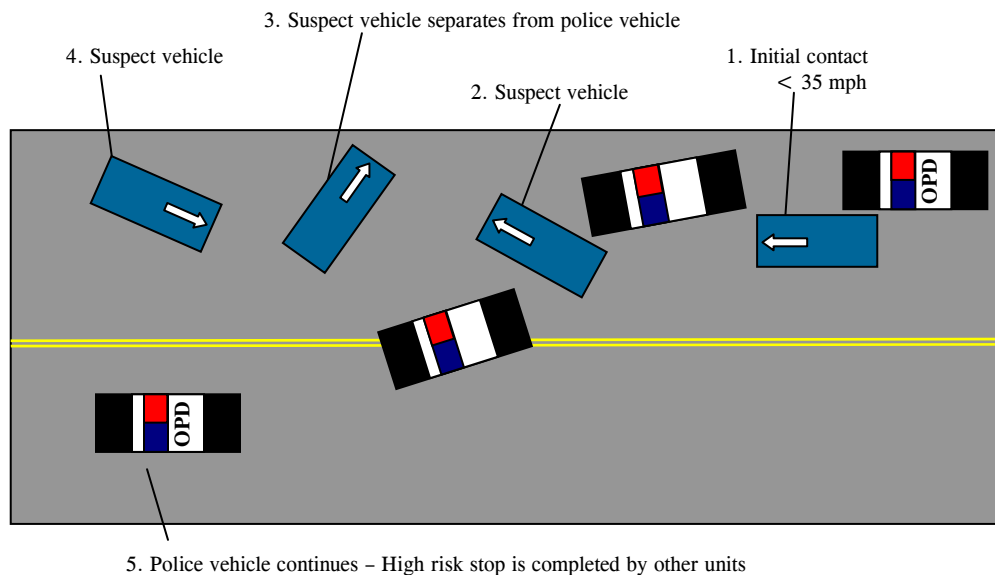
Pursuit Intervention Maneuver (PIM) Techniques, Index Number III-B.9

Pursuit Immobilization Technique (PIT)

A PIT is a technique in which officers momentarily push the rear quarter panel of a pursued vehicle with the corresponding front quarter panel of their police vehicle to cause the pursued vehicle to rotate and come to a stop. See Figure 3.

The monitoring supervisor/commander shall authorize three (3) units to participate in the PIT. One (1) unit shall be designated to perform the PIT. The other two units shall be assigned to conduct a high-risk vehicle stop on the suspect vehicle following its immobilization.

If exigent circumstances exist, a pursuing officer may perform a PIT with no less than two (2) vehicles. One unit shall be designated to perform the PIT. The other vehicle shall be assigned to conduct a high-risk vehicle stop on the suspect vehicle following its immobilization.



Pursuit Immobilization Technique (PIT)

Figure 3: Pursuit immobilization technique causes the suspect vehicle to spin and come to a stop.

The PIT maneuver may be utilized in any pursuit with the approval of the monitoring supervisor/commander **except** when:

- The vehicle contains a hazardous material.
- The vehicle contains a load that may become unsafe or create a hazard.
- The weight and/or height differential of the subject vehicle and the police vehicle is not conducive to a successful PIT. or
- The suspect is fleeing on a motorcycle.



The PIT maneuver may only be utilized if the following conditions exist:

- Under no circumstances shall a PIT be employed at speeds in **excess of 35 mph.**
- Only members who have received training in utilizing the PIT may participate.
- Occupants of police vehicles employing the PIT maneuver shall wear seat belts.
- There is no unreasonable risk of harm to nearby traffic or pedestrians in light of all circumstances.

Deployment of a Stop Stick

A **Stop Stick** is a device, employing hollow quills, which is designed to cause the controlled release of air from a target vehicle's tires. It is deployed by placement on the roadway in advance of the fleeing vehicle.

A Stop Stick may be utilized to terminate a pursuit of a vehicle only with the approval of a monitoring supervisor/commander.

A Stop Stick shall not be utilized to terminate a pursuit of a vehicle with less than four (4) wheels.

A Stop Stick shall be deployed only when the following conditions exist:

- The deploying member has received specific training in the use of the Stop Stick.
- Pursuing officers have been made aware that the Stop Stick device is to be deployed. Information provided shall also include the specific location of deployment and any lane restrictions that have been established.
- The deploying member shall remain at the location of deployment and remove the device when it is safe to do so.

OPD Pursuit Policy: Comparisons to Similar Jurisdictions in California and Nationwide

DEPARTMENT NAME

Research into Police Pursuits

- Little formal research exists on police pursuits
- Research seems to imply that loosening restrictions on pursuits does not increase the percentage of pursuits ending in crashes, but does decrease use of force following the pursuit
 - This research is low quality, old, and poorly documented
- Figures on the end results of pursuits are highly heterogenous
 - The CHP report for 2022 claims that 24 of 34 pursuit fatalities in CA were the fleeing driver whereas the SFChronicle estimates that the majority of pursuit deaths nationwide from 2017 to 2022 were NOT the fleeing driver
- No research exists as to the benefits or costs of restricting pursuit policies
 - Without this it is unclear what the "ideal" pursuit policy is as it is not even clear how many crashes are caused by the pursuit policy

California State Law

- State law is limited
- PC §13519.8 requires Commission on Peace Officer Standards and Training (POST) to develop a pursuit training course and set minimum policy standards
- Assuming a department meets training and policy standards set by POST VC §17004.7 grants immunity to civil liability

POST Standards

- Requires annual pursuit training, regular assessments, and that ALL peace officers sign an attestation stating that they both read and understand the department's policy
- Departmental policies must provide guidelines on 15 topics

POST Pursuit Guidelines

- (1) When to initiate a pursuit.
- (2) The number of involved law enforcement units permitted
- (3) Responsibilities of primary and secondary law enforcement units
- (4) Driving tactics.
- (5) Helicopter assistance.
- (6) Communications.
- (7) Capture of suspects.
- (8) Termination of a pursuit.
- (9) Supervisory responsibilities.
- (10) Blocking, ramming, boxing, and roadblock procedures.
- (11) Speed limits.
- (12) Interjurisdictional considerations.
- (13) Conditions of the vehicle, driver, roadway, weather, and traffic
- (14) Hazards to uninvolved bystanders or motorists.
- (15) Reporting and postpursuit analysis.

- All guidelines follow the same basic form, containing a list of factors the department needs to consider when designing a policy but not specifying how to weigh these factors or how specifically to implement the policy.
- This grants Departments broad leeway to design policies while still complying with the POST requirements as long as each of these issue areas are addressed

Focus of Comparison

- For this comparison, the OIG focused primarily on the following:
 1. Types of crimes in which pursuit is allowed
 2. Need for supervisory approval to begin pursuit
 3. Maximum number of pursuers allowed without supervisory override
 4. Maximum speed allowed without supervisory override
 5. Required pursuer response to helicopter unit acquiring visual contact with fleeing suspect
 6. Accountability language indicating who may bear the highest burden should policy ultimately not be followed
 7. Pursuit Intervention Maneuvers (PIM) authorized

Comparison Jurisdiction

Within California:

- San Jose – Largest city in South Bay
- San Francisco – Largest city in West Bay
- Fremont – Second-largest city in Alameda County
- LA County – Largest local police force in California

Outside California:

- Detroit, Mi; Washington, D.C.; Rochester, NY; Atlanta, Ga
- Selected based on a Rochester Institute of Technology working paper on 2023 homicide statistics for 24 select cities
- When ordered by 2023 homicide rate Detroit and DC are 3rd and 4th with Oakland 5th and Rochester and Atlanta are 6th and 7th

Policy in Oakland (2023 homicide rate of 30.2 per 100,000)

- Allows pursuits for violent forcible crimes and/or crimes involving the use of firearms
- Upon start of a pursuit the pursuer must seek verbal approval from a supervisor
- No more than two units involved in a pursuit
- 50 MPH max pursuit speed
- When a helicopter unit obtains visual on fleeing suspect ALL units must disengage and begin trailing
- Supervisor has primary responsibility for terminating pursuit, is held equally responsible for pursuit continuation
- TB III B.09 allows for channeling, Boxing In, PIT maneuver, and spike strips/Stop Stick with supervisory approval and appropriate training

Policy in San Jose

- High speed pursuit authorized when "when the violator is believed to be a violent felon who poses a significant, ongoing threat to public safety"
- Pursuit does not require verbal approval of a supervisor
- Two cars allowed in pursuit
- No max speed
- Pursuit terminated upon helicopter visual
- States that primary pursuing unit is responsible for pursuit conduct
- Allows for the following PIM: blocking freeway exits/access ramps, PIT, Boxing In, tire deflation tactics
- Discourages but allows for roadblocks

Policy in San Francisco

- Pursuit authorized for ALL felonies and violent misdemeanors – changed to this by 2024's Measure E
- No verbal approval needed to begin pursuit
- Two cars allowed in pursuit
- No maximum speed
- Pursuits do not need to be terminated on helicopter visual
- No supervisory accountability language
- Drones may be used for vehicle pursuits and may have facial recognition software – Measure E
- Boxing In and Channeling outlawed

Policy in Fremont

- Pursuit authorized when reasonable suspicion of a violent or serious felony, residential burglary, brandishing a firearm, or carrying a concealed firearm
- Pursuit does not require approval of a supervisor
- Three cars allowed in pursuit
- No speed limit
- Air unit assumes pursuit control upon visual contact, but ground units may continue pursuit
- States that primary pursuing unit is responsible for pursuit conduct
- Allows for the following PIM: Blocking, StarChase, PIT, Tire deflation
- Ramming and roadblocks NOT authorized

Policy in LA County

- Pursuit authorized for serious felonies and misdemeanors involving a gun or when driver may be impaired, is driving recklessly, and failure to stop them would imperil the public
- No supervisory approval needed to begin pursuit
- Four cars allowed in pursuit
- >20mph over the speed limit grounds for pursuit termination unless a violent felony is suspected
- Pursuit is terminated upon helicopter visual
- ALL involved personnel held equally accountable for failure to terminate pursuit when policy requires it
- Allows for the following PIM: PIT, tire deflation, Boxing In

Policy in Atlanta, GA (2023 homicide rate of 27.7 per 100,000)

- Pursuit authorized when officer has direct knowledge of suspect committing a forcible felony or the escape poses an imminent danger of death or serious bodily injury
 - Only authorized for murder, manslaughter, vehicular homicide, armed robbery, hijacking a motor vehicle, aggravated assault, kidnapping, and escape
- Supervisory approval required to begin pursuit
- Two vehicles in pursuit, with a third allowed in specific circumstances
- No maximum speed
- Pursuit slows down upon helicopter visual, but lights stay on
- No additional accountability language
- Allows for PIT maneuver for trained and specially equipped officers

Policy in Detroit, Mi (2023 homicide rate of 40.9 per 100,000)

- Pursuit authorized when probable cause of violent felony
- Supervisory approval not required
- Two car max in pursuit
- No maximum speed
- Upon helicopter visual the pursuit continues but speed is reduced
- Policy states that primary officer is in charge of determining if pursuit should continue
- Does not allow for rolling or stationary roadblocks

Policy in Rochester, NY (2023 homicide rate of 27.7 per 100,000)

- Pursuit allowed for the following crimes:
 - Arson, burglary, Class A drug offense, felony assault, felony criminal possession or use of a weapon, forcible rape, kidnapping, leaving the scene of a personal injury motor vehicle incident, murder/manslaughter, robbery
- No supervisory approval needed to begin pursuit
- Two cars max in pursuit
- No maximum speed
- No information on helicopter units
- No additional accountability language
- Roadblocks, ramming, and boxing in prohibited
- Tire deflation devices allowed at discretion of supervisor

Policy in Washington, D.C. (2023 homicide rate of 40.4 per 100,000)

- Pursuit authorized when fleeing suspect committed a crime of violence or is an imminent threat to others
- Pursuit requires supervisory approval
- Three vehicle max, including a supervisor
- No maximum speed
- Pursuit continues upon helicopter visual
- No accountability language
- Most Pursuit Intervention Maneuvers (boxing, ramming, roadblocks, tire deflation) prohibited

Comparison of policies

- Oakland among the most restrictive in terms of crimes in which pursuit is authorized
 - Fremont allows for burglary pursuits, Rochester allows drug-related pursuits
 - SJ, Detroit and Washington DC allow for pursuits for violent felonies as a whole, not just select forcible violent felonies
 - HOWEVER, Oakland is more permissive than Atlanta
 - SF allows for pursuit of all felonies and some misdemeanors, making it the most permissive of all reviewed
- 3 of 9 (Atlanta, Washington DC, Oakland) require supervisory approval to begin pursuit
- 5 of 9 limit pursuit to 2 vehicles, with an additional 2 authorizing a third vehicle in a specific and limited role
- Oakland is comparatively permissive in its use of PIM, with 3 of 9 departments explicitly prohibiting PIM allowed in Oakland
 - This is 5 of 9 if a prohibition on roadblocks is assumed to also prohibit channeling

Comparison of policies

- Oakland only department reviewed with a set speed limit
 - LA Sheriff has a soft speed limit, but this can be exceeded in pursuit of violent felons and ALL pursuits allowed in Oakland meet this standard
- No consensus on response to helicopter visual
 - Rochester has no information on this topic, 3 departments (Oakland, LA Sheriff, San Jose) terminate, 3 departments (SF, Fremont, Washington DC) allow pursuit to continue as normal, and 2 departments (Atlanta, Detroit) require specific officer actions but do not fully terminate pursuit
- Policies often do not explicitly state supervisory accountability for continued pursuit
 - Only 2 departments (Oakland and LA Sheriff) explicitly state that supervisors will be held equally accountable for failure to terminate when required
 - 3 departments (Fremont, SJ, Detroit) state that primary pursuing officer is in charge of determining if pursuit should continue, though all grant supervisory authority to terminate pursuit



Questions/Discussion





- [Pursuit Study Roanoke VA. NYU](#) - Presented by Professor Geoffrey Alpert (8/28/24)
- [PERF report on Vehicle Pursuits - A Guide for Law Enforcement Executives on Managing the Associated Risks \(004\)](#) (7/31/2024)
- [The Oakland Police Department and Pursuit Driving \(Department General Order J-04\)](#) (7/31/2024)
- [OPD Pursuit Policy: Comparisons to Similar Jurisdictions in California and Nationwide](#) (7/31/2024)

OAKLAND POLICE DEPARTMENT REPORTING TEMPLATE
FOR POLICE COMMISSION MEETING

*There hereby is established the Oakland Police Commission (hereinafter, Commission), which shall oversee the Oakland Police Department (hereinafter, Department) in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing. * - Oakland City Charter Section 604(a)(1)*

Prepared: 1/1/2025

I. **52 NSA Task Force – Status of Compliance, Charter 604(f)(5)**

Task	
Tasks 2, 5, and 45	<p>9th IMT Sustainability Report was submitted to the court on 20 Dec 24:</p> <ul style="list-style-type: none"> • Task 2: Timeliness Standards and Compliance with IAB Investigations <ul style="list-style-type: none"> ▪ In compliance • Task 5: Complaint Procedures for IAB <ul style="list-style-type: none"> ▪ Not in compliance • Task 45: Consistency of Discipline Policy <ul style="list-style-type: none"> ▪ No compliance Finding. <p>The Ninth NSA Sustainability Period Report of the Independent Monitor for the Oakland Police Department has been completed by the monitoring team.</p> <p>Failure to Accept or Refer Complaint (FTARC) and Supervisory Notes File (SNF) inspection – complete.</p> <ul style="list-style-type: none"> • Patterns definition – collaboration meeting w/ OIG, CPRA, IMT on 19 Mar 24. • Revisions are underway based on the feedback provided by the CPRA and IMT. • 2nd Draft definition of “Patterns” provided 12 Aug 24: <ul style="list-style-type: none"> ▪ <i>“A pattern of behavior is defined as three or more related incidents of a similar nature, committed by an employee within two years (730 days). This behavior is characterized by regularity, suggesting a systematic or habitual nature rather than isolated events. Identifying a pattern is based on the frequency, consistency, and similarity of the behaviors or actions under comparable circumstances.</i> <p style="text-align: center;"><i>A recognized pattern mandates Internal Affairs notification as defined in DGO M-03.”</i></p> • Next steps: OPD needs approval from the monitoring team and stakeholders before amending DGO M-03. <p>Case Management Conference (CMC) – 4 Sep 24 (Summary below)</p> <ul style="list-style-type: none"> • Court oversight shall continue. • IAD shall be a “direct report” to the Chief of Police. The commander of IAD shall hold the rank of Deputy Chief of Police. (The Internal Affairs Division has transitioned to the Internal Affairs Bureau (IAB). <ul style="list-style-type: none"> ○ Effective Saturday, 14 Sep 24, Deputy Chief Mendoza will oversee IAB, and directly report to Chief Mitchell. • The mayor, or a mayoral representative, the City Administrator, a representative of the Office of the City Attorney, the Chief of Police, and a representative from the Monitoring Team are required to meet every two weeks. • The City filed the Status Report on 8 Oct 24 to explain how the court order has been implemented.

* “Constitutional Policing Matters” include: Use of force; Use of force review boards; Profiling based on any of the protected characteristics identified by Federal, State, or local law; First Amendment assemblies; Use of militarized equipment; and Elements expressly listed in Federal court orders or Federal court settlements such as the Negotiated Settlement Agreement.

	<ul style="list-style-type: none"> • Tasks 24 and 25 will no longer be subject to active monitoring. <p>OPD is scheduled to present an update on the NSA to the council during the Public Safety Commission on 14 Jan 25.</p> <p>The City's partnership with Stanford has been praised by the Court, and at the September 2024 Case Management Conference. The Court urged the City to finalize a data agreement between Stanford and the City. The Agreement will allow Stanford to analyze BWC video and other police data to evaluate police-community interactions, police enforcement practices, and the impact of Department-level interventions and approaches. Stanford's analysis aims to shape law enforcement culture in ways that improve outcomes for law enforcement personnel and the community members they serve.</p> <p>On 17 Dec 24, The City Council approved a data sharing agreement with Stanford University Data. The Agreement will continue a ten-year collaboration with Dr. Jennifer Eberhardt, a distinguished professor from Stanford University, that has led to updated police policies and training, reducing disparity in police stops and contributing to OPD's sustained compliance with critical Negotiated Settlement Agreement (NSA) tasks.</p>
IMT Visit	26 Feb 25
Next CMC	6 May 25

II. Policies Related to Constitutional Policing Matters – Status Update, Charter 604(b)(2) and 604(b)(4)-(5)
III. Any Other Policy, Procedure, Custom, or General Order Regardless of Its Topic – Status Update, Charter 604(b)(2) and 604(b)(6)

Policy	
J-04 Pursuit Policy	In OPC Community Policing Ad Hoc. Attended and presented at the Public Forum on 31 Jul 24.
BFO P&P 15-01 Community Policing	OPC approved Draft First Reading – 25 Jul 24 Police Commission Reviewing Policy outcome from Ad Hoc. Pending Police Commission approval of language.
Sexual Misconduct Policy	Under review with the City Attorney's Office. No timeline of completion was given as of 24 Sep 24.
Racial Profiling / Bias Policy (DGO M-19)	In Police Commission Ad hoc for review. Currently with the OPD Executive Team and City Attorney's Office for review.
K-4: Reporting and Investigating the Use of Force. (SO 9214)	OCA review complete. Executive Team review for final submission. Pending Chief presentation and review.
Discipline Matrix	Currently with Police Commission Ad Hoc
SO 9216: Excited Delirium	Special order presented to OPC twice. Pending Chief review.
Militarized Equipment Annual Report	The 2023 report is completed and posted on the city website. https://www.oaklandca.gov/documents/opd-militarized-equipment-annual-report-2023

IV. OPD Budget, Charter 604(b)(7) & MC 2.45.070(C)-(D)

Topic																																																	
<p>Staffing & resource management</p>	<p>Sworn Staffing Authorized: 600 Filled: 691</p> <p>Communications Dispatchers Authorized: 78 Filled: 68 (7 new Dispatcher Trainees started on Oct. 28th. 25 are currently in training)</p> <p>Professional Staffing Authorized: 298.50 Filled: 257</p> <p>Vacancies of note: Police Records Specialist (4) (8 Police Records Specialist positions are frozen) Police Communications Dispatcher (10)</p> <table border="1" data-bbox="428 758 943 1335"> <thead> <tr> <th>As of Oct 15, 2024 (Sworn only)</th> <th>Admin Leave</th> <th>Medical Leave On-Duty Illness/ Injury</th> <th>Medical Leave Personal Illness/ Injury</th> <th>Military Leave</th> </tr> </thead> <tbody> <tr> <td>2+ Years</td> <td>4</td> <td>2</td> <td>1</td> <td></td> </tr> <tr> <td>1-2 Years</td> <td>14</td> <td>10</td> <td></td> <td></td> </tr> <tr> <td>6 mo.- 1 Year</td> <td>10</td> <td>14</td> <td>1</td> <td></td> </tr> <tr> <td>2-6 months</td> <td>3</td> <td>19</td> <td>2</td> <td></td> </tr> <tr> <td>Less than 2 months</td> <td>1</td> <td>4</td> <td>4</td> <td></td> </tr> <tr> <td>Total</td> <td>32</td> <td>49</td> <td>8</td> <td>0</td> </tr> </tbody> </table>	As of Oct 15, 2024 (Sworn only)	Admin Leave	Medical Leave On-Duty Illness/ Injury	Medical Leave Personal Illness/ Injury	Military Leave	2+ Years	4	2	1		1-2 Years	14	10			6 mo.- 1 Year	10	14	1		2-6 months	3	19	2		Less than 2 months	1	4	4		Total	32	49	8	0	<p>Long-term leave: 89 sworn employees</p> <ul style="list-style-type: none"> • 57 Medical Leave • 31 Admin Leave <ul style="list-style-type: none"> ○ 3 Sergeants of Police ○ 28 Police Officers • 24 Sworn on Modified Duty • 0 Military Leave • 9 Active Military Reservist <p>Of the 32 sworn personnel on admin leave, 11 have been off for 1-2 years. The annual cost associated with those 11 employees is \$2,996,244. The cost breakdown is below:</p> <table border="1" data-bbox="976 684 1482 842"> <thead> <tr> <th>Admin Rank</th> <th>Position</th> <th>Cost</th> <th>Total Cost</th> </tr> </thead> <tbody> <tr> <td>Police Officer</td> <td>10</td> <td>264,060.00</td> <td>2,640,600.00</td> </tr> <tr> <td>Total</td> <td>11</td> <td></td> <td>2,996,244.00</td> </tr> </tbody> </table> <p>Attrition Rate – 4/mo. (45 separated over the past year)</p> <p>Reemployments – 6 pending approvals</p> <p>Retirement Projections for 2025: 76 possible</p> <ul style="list-style-type: none"> • 2 Deputy Chiefs of Police • 4 Captains of Police • 7 Lieutenants of Police • 24 Sergeants of Police • 39 Police Officers 	Admin Rank	Position	Cost	Total Cost	Police Officer	10	264,060.00	2,640,600.00	Total	11		2,996,244.00
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<p>Academy Recruits</p>	<ul style="list-style-type: none"> • 194th Academy graduated on 20 Dec 24. 24 OPD trainees graduated. • The officers are in their second week of transitional class. Once the transitional class is completed (Four (4) weeks total) then they will be assigned to an FTO. <p>195th Academy: TBD 196th Academy: TBD</p>																																																
<p>General Department functions (Internal Affairs Bureau IAB)</p>	<p>Skelly Data:</p> <ul style="list-style-type: none"> • All trained Commanders and Managers can conduct Skelly's. • Changed to digital format • Waiver for Officers <ul style="list-style-type: none"> ○ Working with City Attorney to formalize • Added personnel to assist 	<p>Number of pending Skelly's - 161 (+2) Number of Skelly Hearing Officers – 31 Number of Skelly awaiting assignment – 4 Wait time for each Skelly – Varies How are Skelly Officers selected (training, recusals. etc.) - Must attend Skelly Hearing Officer Training New Tracker launched, dashboard is coming soon</p>																																															
<p>IAB Cases</p>	<p>2023</p>	<p>2024</p>																																															

	2040 total cases 114 Sustained cases 348 sustained allegations	Total cases this year closed – 1508 (as of 30 Dec 24) Total cases open – 1758 (as of 30 Dec 24) Total cases in IA – 95 (as of 30 Dec 24) Total cases in DLI – 233 (as of 30 Dec 24)
SB 2	https://post.ca.gov/Peace-Officer-Certification-Actions	SB 2 List: 2024 (Year-To-Date) 3 total Oakland PD
General Department functions (CID)	<p>SVS Juvenile Cases: (Year-To-Date)</p> <ul style="list-style-type: none"> Juvenile Arrests: 328 total juvenile arrests YTD Referrals to restorative justice programs: <ul style="list-style-type: none"> Neighborhood Opportunity & Accountability Board (NOAB) - 33 Community Works West Referrals - 30 <p>Missing Persons: 2024 (Year-To-Date)</p> <ul style="list-style-type: none"> YTD MPU Cases: 1283 YTD Closed MPU Cases: 1115 	<p>Hate Crimes: 2024 (Year-To-Date)</p> <ul style="list-style-type: none"> Total Cases: 21 New cases: 0 Hate Crime Investigators <ul style="list-style-type: none"> Ofc. J. Finley Ofc. W. Seay <p>DVU Cases: 2024 (Year-To-Date)</p> <ul style="list-style-type: none"> Total cases: 4,010 Clearance rate on DV cases is near 100%. These are named suspect cases. All I/C and Out-of-custody cases get reviewed by an investigator. Domestic Dispute – 1,185 Domestic Battery, 243(e)(1) - 1,047 Inflict corporate Injury Spouse/cohabitant 273.5 - 1,060
Education and training regarding job-related stress, PTSD, Wellness	<p>For the month of December, the Peer Support Team sent out information/resources on the topic of Identifying and Managing Anxiety in Law Enforcement Officers</p> <ul style="list-style-type: none"> Materials provided by the IACP International Association of Chiefs of Police 	
Budget QUARTERLY	Last: Next:	
Citywide Risk Management QUARTERLY	Last: 26 Nov 24 Next: 25 Feb 25	

V. Collaboration with OIG

Project	Status
NSA Inspections Tasks: 3, 4, 7,8, 9, 11, and 13	Meetings and data sharing.
OPD Staffing Study	Biweekly meetings with OIG and PFM. Ongoing data collection and sharing.
M-19 Audit Response	Completed and provided to the Ad Hoc on 3 Apr 24.
Review of IAB Cases 07-0538, 13-1062, and 16-0146	In progress. Due 24 Apr 24.
Sexual Misconduct Policy	Policy: see policy section.
“Patterns” definition	Collaboration meeting w/ OIG, CPRA, IMT on 19 Mar 24.

OIG Document on OPD Policy Types	Created by OIG and OPD completed review.
FTO Study	Completed.

VI. Collaboration with CPRA**VII. Rules and Procedures for Mediation and Resolution of Complaints of Police Misconduct, OMC****2.45.070(N)**

Project	Status
Transition of IAB to CPRA	Information sharing with the Transition Consultants Moeel Lah Fakhoury Law Firm – Andrew Lah and Russell Bloom
Daily Complaint Log, Weekly IAB Meetings	Ongoing
Complaints & Mediation	Pending
“Patterns” definition	Collaboration meeting w/ OIG, CPRA, IMT on 19 Mar 24.

VIII. Collaboration with Community

OPD “Motor Santa”	<p>The Oakland Police Department (OPD) Traffic Section held its “Motor Santa” operation on December 17 and 18, 2024. For nearly 20 years, this OPD Traffic Section tradition has featured an OPD motor officer dressed as Santa, accompanied by several other motor officers who ride their motorcycles throughout the City of Oakland, passing out toys to the children they encounter along the way.</p> <p>The OPD Traffic Section gave away several hundred toys this year thanks in part to the generous donations from the Oakland Police Foundation and longtime business owner Bruce Voung of Quality Tech in Oakland.</p> <p>The OPD “Motor Santa” operation exemplifies the Department’s commitment to fostering positive relationships within the community and spreading holiday joy.</p>
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IX. Status of Submitting Records/Files Requested by Commission, Charter 604(f)(2)

File	Status
None	

X. New Laws Affecting OPD

Law	Status
2024 New Laws Generally	Training plan to OPC 8 Feb 24. Training Bulletin being drafted. The training was published on 2 Apr 24.
2806.5 VC / Citation Update (AB 2773)	Update sent 19 Mar 24. • tell detainees the reason for the stop, prior to any questioning related to a criminal investigation or traffic violation • document the reason for the stop on citations and reports associated with the stop
AB 360: “Excited Delirium”	See policy section.

XI. Required Reporting to the California Department of Justice / Attorney General**XII. Policy/Practice on Publishing Department Data Sets, OMC 2.45.070(P)**

Report	Status
OIS or SBI (GC 12525.2)	Annual report: sent 26 Jan 24

DOJ Clearance Rates	OPD Records Division provides monthly validated crime data to the DOJ. Uniform Crime Reporting (UCR). https://openjustice.doj.ca.gov/exploration/crime-statistics/crimes-clearances
Stop Data (GC 12525.5)	Annual report 2023 Stop data was transmitted to State – sent 11Mar 24

XIII. Any Commission Requests Made by Majority Vote of Commission – Status Update, Charter 604(b)(8)
XIV. Report from the Department via City Administrator or designee, on Issues Identified by Commission through the Commission’s Chair, OMC 2.45.070(R)

Request	
Sanctuary Ordinance	<ul style="list-style-type: none"> • 23 Jan 25 - Presentation –Lt. Gordan Dorham <ul style="list-style-type: none"> ○ Sanctuary Ordinance Training for OPD
Youth Services	<ul style="list-style-type: none"> • Presented on 24 Oct 24 – Lieutenant Campos <ul style="list-style-type: none"> ○ Juvenile Arrest Referrals ○ NOAB
Encampment Management	<ul style="list-style-type: none"> • Presented on 10 Oct 24 - Captain Eriberto Perez- Angeles
Missing Persons	<ul style="list-style-type: none"> • Presented on 10 Oct 24 – Lieutenant Campos
Ceasefire	<ul style="list-style-type: none"> • Presented on 26 Sep 24 - Director Reverend Damita Davis <ul style="list-style-type: none"> ○ Ceasefire
30x30 - OPOA Women’s Committee	<ul style="list-style-type: none"> • Presented on 19 Sep 24 - Lt. Alexis Nash <ul style="list-style-type: none"> ○ 30x30 ○ OPOA Women’s Committee ○ Women Leaders in Law Enforcement Symposium (WLLE)
Patterns Definition	<ul style="list-style-type: none"> • Presented on 22 Aug 24 - “Patterns” Definition – Lt. Hubbard
Skelly	<ul style="list-style-type: none"> • Presented on 22 Aug 24 - Update on Skelly – Act. Capt. Dorham
Wellness Unit	<ul style="list-style-type: none"> • Presented on 22 Aug 24 - Wellness Unit Update – Dr. Nettles
J-04 Pursuit Policy	<ul style="list-style-type: none"> • Presented on 31 Jul 24 at the Community Policing Ad Hoc Public Forum - Capt. Ausmus, A/Captain E. Perez-Angeles, and Sgt. Urquiza-Leibin
SB 2	<ul style="list-style-type: none"> • Presented on 25 July 24 – Lt. Dorham
911 System Grand Jury Report Presentation	<ul style="list-style-type: none"> • Presented on 11 July 24 – Deputy Director Suttle and Mgr. Cheng
MACRO Strategy Development	<ul style="list-style-type: none"> • Presented on 11 July 24 – Deputy Director Suttle and Mgr. Cheng

<p>MACRO Data</p>	<ul style="list-style-type: none"> December 2024 bi-weekly data (Dec 1st –15th): 53 calls were referred from OPD Dispatch to MACRO 52 calls MACRO handled 9 calls from MACRO were sent to OPD to handle 1 call from OFD was sent back to OPD to handle 404 potential calls were not referred to MACRO due to the below criteria (radio code and description): <table border="1" data-bbox="516 407 1533 930"> <tr> <td>415 (Disturbing the Peace)</td> <td>415J (Disturbing the Peace – Juvenile)</td> <td>912 (Possible Suspicious Person)</td> <td>EVAL (Evaluate the scene/person)</td> </tr> <tr> <td>415C (Disturbing the Peace – Investigate)</td> <td>647B (Prostitution)</td> <td>5150 (Possible Mental Health Crisis)</td> <td>OMC (Oakland Municipal Code)</td> </tr> <tr> <td>415D (Disturbing the Peace – Drinking)</td> <td>647C (aggressive panhandling)</td> <td>602L (trespassing)</td> <td>SLEEP (evaluate/person sleeping)</td> </tr> <tr> <td>415F (disturbing the Peace – Family/Domestic Disturbance)</td> <td>601I (incorrigible juvenile)</td> <td>922 (person drunk on the street)</td> <td>WELCK (conduct a welfare check on someone)</td> </tr> <tr> <td>415E (Disturbing the Peace – Music Party)</td> <td>647F (person possibly drunk)</td> <td>314 (indecent exposure)</td> <td>SENILE (evaluate the scene, welfare check, could be a missing person unable to care for themselves)</td> </tr> </table> <ul style="list-style-type: none"> Below is a sample of 10 calls that were not eligible to be sent to MACRO due to the details provided by the reporting person calling dispatch. These calls included details such as: <ul style="list-style-type: none"> the incident occurring inside a dwelling. mention of a crime and/or threats of violence <table border="1" data-bbox="516 1115 1458 1566"> <thead> <tr> <th># of Calls</th> <th>Call Type</th> <th>Reason not Referred</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>415</td> <td>1. Subject inside vehicle.</td> </tr> <tr> <td>1</td> <td>415E</td> <td>1. Loud music from encampment.</td> </tr> <tr> <td>2</td> <td>WELCK</td> <td>1. Referred to CHP 2. Wine bottle in hand about to throw it at vehicles.</td> </tr> <tr> <td>3</td> <td>602L</td> <td>1. Subject is creating. 2. History of trying to assault tellers 3. Subject inside property.</td> </tr> <tr> <td>1</td> <td>5150</td> <td>1. Subject walked away while line wired.</td> </tr> <tr> <td>1</td> <td>314</td> <td>1. Subject exposing bottom. Call canceled.</td> </tr> <tr> <td>1</td> <td>EVAL</td> <td>1. No response location</td> </tr> </tbody> </table>	415 (Disturbing the Peace)	415J (Disturbing the Peace – Juvenile)	912 (Possible Suspicious Person)	EVAL (Evaluate the scene/person)	415C (Disturbing the Peace – Investigate)	647B (Prostitution)	5150 (Possible Mental Health Crisis)	OMC (Oakland Municipal Code)	415D (Disturbing the Peace – Drinking)	647C (aggressive panhandling)	602L (trespassing)	SLEEP (evaluate/person sleeping)	415F (disturbing the Peace – Family/Domestic Disturbance)	601I (incorrigible juvenile)	922 (person drunk on the street)	WELCK (conduct a welfare check on someone)	415E (Disturbing the Peace – Music Party)	647F (person possibly drunk)	314 (indecent exposure)	SENILE (evaluate the scene, welfare check, could be a missing person unable to care for themselves)	# of Calls	Call Type	Reason not Referred	1	415	1. Subject inside vehicle.	1	415E	1. Loud music from encampment.	2	WELCK	1. Referred to CHP 2. Wine bottle in hand about to throw it at vehicles.	3	602L	1. Subject is creating. 2. History of trying to assault tellers 3. Subject inside property.	1	5150	1. Subject walked away while line wired.	1	314	1. Subject exposing bottom. Call canceled.	1	EVAL	1. No response location
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<p>Paid Admin Leave Budget</p>	<ul style="list-style-type: none"> Presented on 13 Jun 24 Manager Marshall and Chief Mitchell 																																												
<p>MACRO Presentation</p>	<ul style="list-style-type: none"> Presented on 23 May 24 Communications Manager – Mgr. Cheng 																																												
<p>Ceasefire</p>	<ul style="list-style-type: none"> Presented on 8 May 24 – A/Capt. Valle 																																												
<p>IAD/Skelly</p>	<ul style="list-style-type: none"> Presented on 8 May 24 and 13 Jun 24 - Lt. Dorham 																																												
<p>CHP</p>	<ul style="list-style-type: none"> The draft has been sent to the Police Commission for review. Governor Newsom deployed CHP to Oakland to help “fight crime.” (https://www.sfgate.com/bayarea/article/newsom-deploys-chp-officers-to-oakland-18656944.php) 																																												

	<ul style="list-style-type: none">• This initiative is similar to one that occurred in 2013: https://oakland.legistar.com/LegislationDetail.aspx?ID=1287123&GUID=303EB8E7-C23D-4A83-8012-D6BA29C03940
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XV. Police Chief's Annual Report, OMC 2.45.070(F) (ANNUALLY)