



OAKLAND POLICE COMMISSION REGULAR MEETING AGENDA

**August 25, 2022
6:30 PM**

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 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.

Pursuant to California Government Code Section 54953(e), members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



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PUBLIC PARTICIPATION

The Oakland Police Commission encourages public participation in the online board meetings. The public may observe and/or participate in this meeting in several ways.

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/81993105340> 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 webpage 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):

+1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 819 9310 5340

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 webpage entitled “Joining a Meeting By Phone.”

PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment directly to the Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to rrubel@oaklandca.gov. Please note that e-Comment **submissions close at 4:30 pm**. All submitted public comment will be provided to the Commissioners prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”
- By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“*9”) to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail Rose Rubel at rrubel@oaklandca.gov.



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I. Call to Order, Welcome, Roll Call and Determination of Quorum

Chair Tyfahra Milele

Roll Call: Vice Chair Marsha Peterson; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Jesse Hsieh; Commissioner Regina Jackson, Commissioner David Jordan; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

II. Adoption of Renewal Resolution Electing to Continue Conducting Meetings Using Teleconferencing in Accordance with California Government Code Section 54953(E), a Provision of AB-361. The Commission will re-adopt findings to permit it to continue meeting via teleconference under the newly amended provisions of the Brown Act. ***This is a recurring item.*** (Attachment 1).

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

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

After ascertaining how many members of the public wish to speak, Vice Chair Marsha Peterson will invite Members of the public wishing to address the Commission on matters that are not on tonight's agenda but are related to the Commission's work should raise their hands and they will be called on in the order their hands were raised. Comments regarding agenda items should be held until the agenda item is called for discussion. Speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

IV. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; an update on the Negotiated Settlement Agreement and the latest report; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. Dr. Leigh Grossman will speak on the Citywide Risk Analysis Report. Lt. Jeffrey Thomason and Lt. Sean Fleming will speak on the Towing Policy slide show presentation.

This is a recurring item. (Attachment 2).

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

V. Update from the Interim CPRA Director (Aaron Zisser)

Interim CPRA Director Zisser will report on CPRA's work. *This is a recurring item. (Attachment 3).*

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

VI. Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work. *This is a recurring item. (Attachment 4).*

Body Worn Camera Policy

(Commissioners Peterson, Harbin-Forte, Hsieh)

This Ad Hoc Committee is tasked with the review and revision of the Oakland Police Department's Body Worn Camera Policy.

Community Outreach

(Commissioners Howell, Hsieh, Jordan)

The objective of this Ad Hoc is to increase public awareness and knowledge of the Commission's work and ensure broad community voices, especially from the most marginalized, are elevated. This Ad Hoc will also oversee the community engagement and outreach of the CPRA, the IG's office and to some extent the OPD. Additionally, this Ad Hoc will work to set the guidelines for how Commission Ad Hoc's are formed and run.

Chief of Staff Search

(Commissioners Milele, Jackson and Jordan)

This Ad Hoc is tasked with recruiting for the open Chief of Staff position, serving the Oakland Police Commission.

Racial Profiling

(Committee as a whole)

The purpose of this Ad Hoc is to gather information and make recommendations for an updated policy to effectively reduce racial profiling.

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

VII. Open Forum Part 2 (2 minutes per speaker)

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 raise their hands and they will be called on in the order their hands were raised. *Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission's Chairperson.*

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. *This is a recurring item. (Attachment 5).*

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

IX. Adjournment

NOTICE: In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the videoconference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact Rose Rubel rrubel@oaklandca.gov for assistance. Notification at least 48 hours before the meeting will enable the Police Commission to make reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids or services.

OAKLAND POLICE COMMISSION

RESOLUTION NO. 22-13

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND POLICE COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. *See* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. *See* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. *See* <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. *See* <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

WHEREAS, on October 14, 2021 the Oakland Police Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

RESOLVED: that the Oakland Police Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Oakland Police Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Oakland Police Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Oakland Police Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Oakland Police Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

ON AUGUST 25, 2022, AT A MEETING OF THE OAKLAND POLICE COMMISSION
IN OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES –

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

Oakland Police Commission
City of Oakland, California



Weekly Crime Report — Citywide

08 Aug. – 14 Aug., 2022

Part 1 Crimes <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	76	3,614	4,163	3,737	-10%	3,838	-3%
Homicide – 187(a)PC	1	51	72	72	0%	65	11%
Homicide – All Other *	-	5	7	2	-71%	5	-57%
Subtotal - 187(a)PC + all other	1	56	79	74	-6%	70	6%
Aggravated Assault	37	1,946	2,298	1,881	-18%	2,042	-8%
Assault with a firearm – 245(a)(2)PC	7	260	391	291	-26%	314	-7%
Subtotal - Homicides + Firearm Assault	8	316	470	365	-22%	384	-5%
Shooting occupied home or vehicle – 246PC	3	218	370	228	-38%	272	-16%
Shooting unoccupied home or vehicle – 247(b)PC	-	116	175	102	-42%	131	-22%
Non-firearm aggravated assaults	27	1,352	1,362	1,260	-7%	1,325	-5%
Rape	-	145	89	98	10%	111	-11%
Robbery	38	1,472	1,704	1,686	-1%	1,621	4%
Firearm	16	453	691	728	5%	624	17%
Knife	3	112	75	63	-16%	83	-24%
Strong-arm	11	648	521	458	-12%	542	-16%
Other dangerous weapon	1	46	46	47	2%	46	1%
Residential robbery – 212.5(a)PC	1	55	53	35	-34%	48	-27%
Carjacking – 215(a) PC	6	158	318	355	12%	277	28%
Burglary	21	6,376	5,644	6,714	19%	6,245	8%
Auto	9	4,653	4,457	5,228	17%	4,779	9%
Residential	6	824	657	605	-8%	695	-13%
Commercial	3	733	364	681	87%	593	15%
Other (Includes boats, aircraft, and so on)	-	125	115	82	-29%	107	-24%
Unknown	3	41	51	118	131%	70	69%
Motor Vehicle Theft	73	5,690	5,658	5,591	-1%	5,646	-1%
Larceny	17	4,153	3,643	3,897	7%	3,898	0%
Arson	4	118	119	107	-10%	115	-7%
Total	191	19,956	19,234	20,048	4%	19,746	2%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

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* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
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 All data extracted via Coplink Analytics.



Weekly Gunfire Summary

08 Aug. – 14 Aug., 2022

Citywide <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	51	72	72	0%	65	11%
Homicide – All Other *	-	5	7	2	-71%	5	-57%
Subtotal - 187(a)PC + all other	1	56	79	74	-6%	70	6%
Assault with a firearm – 245(a)(2)PC	7	260	391	291	-26%	314	-7%
Subtotal - 187 + 245(a)(2)	8	316	470	365	-22%	384	-5%
Shooting occupied home or vehicle – 246PC	3	218	370	228	-38%	272	-16%
Shooting unoccupied home or vehicle – 247(b)PC	-	116	175	102	-42%	131	-22%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	11	650	1,015	695	-32%	787	-12%
Negligent discharge of a firearm – 246.3PC	22	606	1,180	993	-16%	926	7%
Grand Total	33	1,256	2,195	1,688	-23%	1,713	-1%

Area 1 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	5	9	18	100%	11	69%
Homicide – All Other *	-	-	-	1	PNC	0	200%
Subtotal - 187(a)PC + all other	1	5	9	19	111%	11	73%
Assault with a firearm – 245(a)(2)PC	1	33	55	55	0%	48	15%
Subtotal - 187 + 245(a)(2)	2	38	64	74	16%	59	26%
Shooting occupied home or vehicle – 246PC	-	31	58	34	-41%	41	-17%
Shooting unoccupied home or vehicle – 247(b)PC	-	15	25	16	-36%	19	-14%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	2	84	147	124	-16%	118	5%
Negligent discharge of a firearm – 246.3PC	2	55	94	68	-28%	72	-6%
Grand Total	4	139	241	192	-20%	191	1%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

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All data extracted via Coplink Analytics.



Weekly Gunfire Summary

08 Aug. – 14 Aug., 2022

Area 2 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	-	4	-	-100%	1	PNC
Homicide – All Other *	-	1	-	-	PNC	0	PNC
Subtotal - 187(a)PC + all other	-	1	4	-	-100%	2	PNC
Assault with a firearm – 245(a)(2)PC	-	14	28	20	-29%	21	-3%
Subtotal - 187 + 245(a)(2)	-	15	32	20	-38%	22	-10%
Shooting occupied home or vehicle – 246PC	-	8	10	7	-30%	8	-16%
Shooting unoccupied home or vehicle – 247(b)PC	-	2	5	3	-40%	3	-10%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	-	25	47	30	-36%	34	-12%
Negligent discharge of a firearm – 246.3PC	-	11	25	22	-12%	19	14%
Grand Total	-	36	72	52	-28%	53	-3%

Area 3 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	8	15	11	-27%	11	-3%
Homicide – All Other *	-	-	-	-	PNC	-	PNC
Subtotal - 187(a)PC + all other	-	8	15	11	-27%	11	-3%
Assault with a firearm – 245(a)(2)PC	-	41	57	51	-11%	50	3%
Subtotal - 187 + 245(a)(2)	-	49	72	62	-14%	61	2%
Shooting occupied home or vehicle – 246PC	-	18	27	22	-19%	22	-1%
Shooting unoccupied home or vehicle – 247(b)PC	-	13	19	13	-32%	15	-13%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	-	80	118	97	-18%	98	-1%
Negligent discharge of a firearm – 246.3PC	2	77	122	121	-1%	107	13%
Grand Total	2	157	240	218	-9%	205	6%

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Weekly Gunfire Summary

08 Aug. – 14 Aug., 2022

Area 4 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	12	10	19	90%	14	39%
Homicide – All Other *	-	1	-	-	PNC	0	PNC
Subtotal - 187(a)PC + all other	-	13	10	19	90%	14	36%
Assault with a firearm – 245(a)(2)PC	2	29	59	38	-36%	42	-10%
Subtotal - 187 + 245(a)(2)	2	42	69	57	-17%	56	2%
Shooting occupied home or vehicle – 246PC	2	36	54	42	-22%	44	-5%
Shooting unoccupied home or vehicle – 247(b)PC	-	15	23	17	-26%	18	-7%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	4	93	146	116	-21%	118	-2%
Negligent discharge of a firearm – 246.3PC	5	103	190	160	-16%	151	6%
Grand Total	9	196	336	276	-18%	269	2%

Area 5 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	14	13	10	-23%	12	-19%
Homicide – All Other *	-	-	2	1	-50%	1	0%
Subtotal - 187(a)PC + all other	-	14	15	11	-27%	13	-18%
Assault with a firearm – 245(a)(2)PC	3	63	85	56	-34%	68	-18%
Subtotal - 187 + 245(a)(2)	3	77	100	67	-33%	81	-18%
Shooting occupied home or vehicle – 246PC	1	62	123	67	-46%	84	-20%
Shooting unoccupied home or vehicle – 247(b)PC	-	39	57	28	-51%	41	-32%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	4	178	280	162	-42%	207	-22%
Negligent discharge of a firearm – 246.3PC	5	173	355	321	-10%	283	13%
Grand Total	9	351	635	483	-24%	490	-1%

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Weekly Gunfire Summary

08 Aug. – 14 Aug., 2022

Area 6 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	12	21	14	-33%	16	-11%
Homicide – All Other *	-	3	5	-	-100%	3	PNC
Subtotal - 187(a)PC + all other	-	15	26	14	-46%	18	-24%
Assault with a firearm – 245(a)(2)PC	1	70	95	60	-37%	75	-20%
Subtotal - 187 + 245(a)(2)	1	85	121	74	-39%	93	-21%
Shooting occupied home or vehicle – 246PC	-	59	96	56	-42%	70	-20%
Shooting unoccupied home or vehicle – 247(b)PC	-	31	42	24	-43%	32	-26%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	1	175	259	154	-41%	196	-21%
Negligent discharge of a firearm – 246.3PC	8	176	384	281	-27%	280	0%
Grand Total	9	351	643	435	-32%	476	-9%

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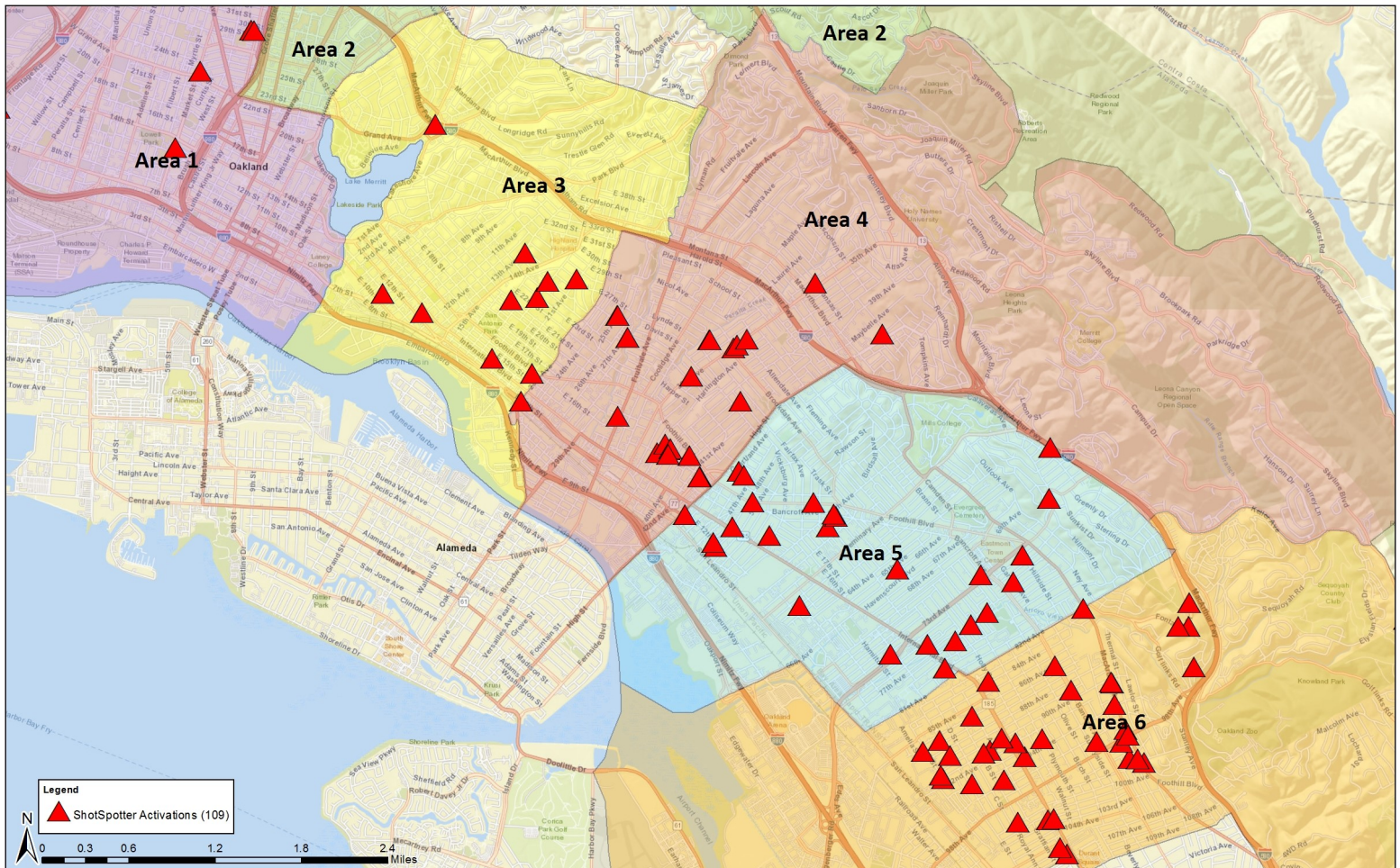
* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
All data extracted via Coplink Analytics.



Weekly ShotSpotter Activations Report — Citywide

08 Aug. – 14 Aug., 2022

ShotSpotter Activations	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Citywide	109	3,292	5,489	4,871	-11%	4,551	7%
Area 1	5	276	577	503	-13%	452	11%
Area 2	0	131	159	146	-8%	145	0%
Area 3	10	363	619	486	-21%	489	-1%
Area 4	24	580	865	905	5%	783	16%
Area 5	24	1,048	1,737	1,390	-20%	1,392	0%
Area 6	46	894	1,532	1,441	-6%	1,289	12%



All data sourced via ShotSpotter Insight.



Monthly Risk Analysis Report – Citywide

Through July 31, 2022

	Jan '22- Jun '22 Avg	July 2022	% Change	YTD 2021	YTD 2022	% Change
Stops						
Dispatch Stops	605.3	536	-11%	4,937	4,168	-16%
Non-Dispatch Stops	481.7	382	-21%	3,880	3,272	-16%
% Intel Led	52% (251.2)	41% (158)	-11%	40% (1,565)	51% (1,665)	+11%
% Non-Intel Led African American	78% (107.0)	31% (70)	-47%	44% (1,030)	44% (712)	0%
% Non-Intel Led Hispanic	35% (81.8)	46% (104)	+11%	33% (767)	37% (595)	+4%
% Non-Intel Led Traffic Stops	77% (179.0)	86% (192)	+9%	83% (1,923)	79% (1,266)	-4%
Total Stops	1087.0	918	-16%	8,817	7,440	-16%
Use of Force (all force by every officer and every subject)						
Level 1	0.3	0	-100%	1	2	+100%
Level 2	0.3	0	-100%	7	2	-71%
Level 3	3.5	3	-14%	38	24	-37%
Level 4 (Excluding Type 32)	143.3	142	0%	996	1,002	+6%
Total	147.4	145	+2%	1042	1,030	-1%
L4 Type 32s (Reporting began June 4, 2022)		337			655	
% African American (each subj counted once)	62% (61.5)	57% (106)	-5%	63% (356)	61% (475)	-2%
% Hispanic (each subj counted once)	25% (24.8)	25% (46)	0%	24% (136)	25% (195)	+1%
Officer Involved Shootings						
# of Incidents	0.2	0	-100%	0	1	PNC
# of Officers that Discharged Their Firearm	0.2	0	-100%	0	1	PNC
Canine Deployment						
Actual Deployments	4.0	4	0%	29	28	-3%
Bites	0.2	0	-100%	2	1	-50%
Arrests (top violation per arrest, subject counted once) (Data may be delayed coming from the County)						
Misdemeanor	256.5	157	-39%	1,913	1,696	-11%
Felony	398.0	223	-44%	2,839	2,611	-8%
Total	658.2	382	-42%	4,820	4,331	-10%
Complaints (by complaint date)						
Service Complaint Allegations	73.3	88	+20%	407	528	+30%
Total Allegations	332.3	229	-31%	1,997	2,223	+11%
Total Cases	137.2	149	+9%	866	972	+12%
Pursuits						
# of Incidents	12.2	14	+15%	55	87	+58%
# Units Involved		21		95	151	+59%
Ave # of Units per Pursuit	1.8	1.5	-17%	1.7	1.7	0%
Collisions						
# of Incidents w/ Sworn Employees	7.7	8	+4%	61	54	-16%
# of Incidents w/ Civilian Employees	0.5	1	+100%	4	4	0%
Other Officer Activity Data						
# of Incident Reports	5,795.0	3,716	-36%	42,893	38,486	-10%
# of Armored Vehicle Deployments	18.1	22	+22%	121	129	+7%

Numbers are preliminary and subject to change



For Immediate Release
August 4, 2022

ShotSpotter Activation Leads to Multiple Firearm Recoveries



This year, the Oakland Police Department (OPD) has investigated more than 4,600 ShotSpotter activations citywide, down 12% from this time last year.

Shortly before 4:00 AM, on July 21, 2022, OPD officers responded to a ShotSpotter activation in the 7800 block of International Boulevard. Officers located evidence of a shooting, including multiple caliber shell casings and a rifle in plain view. Officers also saw several individuals leaving the area entering a nearby residence. Officers were able to detain those individuals as they exited the home.

As officers continued their investigation, they attempted to enter the residence to identify possible shooting victims. However, the home was locked, and a search warrant was authorized. Once inside the residence officers found multiple handguns, rifles, ammunition and a large amount of suspected narcotics.

This is an ongoing investigation. Anyone with information can contact the Oakland Police Department's **Criminal Investigation Division** at **(510) 238-3426**.

OPD has recovered nearly 1000 firearms this year, and ShotSpotter technology has assisted in many of those recoveries.

Related article:

[ShotSpotter Activations lead to Arrests and Gun Recoveries](#)



For Immediate Release August 15, 2022

OPD News:

Firearms and Illegal Drugs Recovered After OPD Implements New Downtown Safety Strategy



As we continue our dedication to the safety and security of our residents, visitors, and businesses of Oakland, the Oakland Police Department (OPD) increased our presence in the Downtown area this past weekend. This effort is to reduce a large amount of illegal activity occurring in the area, including shootings and homicides over the last few months.

After this recent surge in crime in the Downtown area, Chief LeRonne L. Armstrong immediately implemented a safety strategy bringing in other city partners. OPD and Code enforcement shut down and cited multiple illegal pop-up vendors. Officers confiscated alcohol, marijuana, and what appears to be psychedelic mushrooms at one pop-up, arresting two and recovering two firearms at this location.



For the safety of our community, OPD is requesting that food vendors relocate their businesses off the Broadway corridor in the coming weeks. OPD will continue providing higher visibility in the area on weekends.

We will continue working with club owners/promoters and other city partners on ways to keep the area safe for people to enjoy the beauty of Downtown Oakland.

Multiple Arrests Made in String of Rolex Robberies

Chambers, Paul <PChambers@oaklandca.gov>

Thu 8/18/2022 12:54 PM

📎 3 attachments (267 KB)

Multiple Arrests Made in String of Rolex Robberies.pdf; Rolex Gun 1.jpg; Rolex Gun.jpg;

For Immediate Release:

August 18, 2022

Multiple Arrests Made in String of Rolex Robberies



Over the last several months, Oakland and several other Bay Area cities have experienced a significant increase in Rolex watch robberies. The Oakland Police Department (OPD) has investigated more than 20 of these types of robberies this year. In most cases, the armed individual(s) approach and forcibly remove the watch from the victim's wrist.

On August 16, 2022, shortly after 4:00 AM, OPD officers executed multiple search warrants in Oakland and neighboring Bay Area cities. OPD officers arrested two individuals and recovered two firearms with extended magazines, and a Rolex watch in connection with the crimes.

Although officers were able to make arrests, these types of robberies are still happening throughout the Bay Area.

The Department remains vigilant of the numerous incidents occurring in Oakland and urges you to be aware of your surroundings at all times:

REDUCE YOUR RISK:

- Do not resist, as property can be replaced.
- Be a good witness and pay attention to the description of the individual or vehicle.

OPD'S COMMITMENT:

- OPD Commanders are deploying more officers in the areas of Oakland, where there is an increase in armed robberies.

These arrests are a result of the collaborative effort of OPD's Tactical Team, Violent Crime Operations Center (VCOC), Ceasefire, and the Fairfield Police Department.

This is an ongoing investigation. Anyone with information can contact the Oakland Police Department's **Criminal Investigation Division at (510) 238-3426.**

Oakland Police Commission Regular Meeting 8.25.22 Pg.13

Working together, we can reduce violence in Oakland.

Paul Chambers
Strategic Communications Manager
Oakland Police Department
Email: pchambers@oaklandca.gov

#OPDCARES initiative is about working together as a community to help stop the tragic loss of life and reduce the level of violence in our city. Collectively, we want to ensure Oaklanders and our visitors are safe in our community.

Follow OPD on [Twitter](#), [Facebook](#), [Instagram](#), and [YouTube](#)



For Immediate Release August 12, 2022

OPD News:

OPD Arrests Two in Connection to July Homicide

The Oakland Police Department (OPD) arrested Major Willis and a juvenile for their roles in the homicide of Kon Fung of Oakland. On July 17, 2022, Fung was shot and killed in the 2000 block of 13th Avenue. Tips from our community members and the diligent work of our Homicide Detectives led to both being safely taken into custody on August 9, 2022.

These arrests resulted from the collaborative effort of the Oakland Police Department's Homicide Section, Violent Crime Operations Center (VCOC), and the San Francisco Police Department. Willis and the juvenile were officially charged by the Alameda County District Attorney's Office.

The brazen act of these individuals caused a ripple effect on Fung's family and the surrounding community. Chief LeRonne L. Armstrong immediately deployed OPD's Mobile Command Post and shifted patrols to provide a higher police presence in the area. Armstrong expresses his gratitude to community members for supporting the department and providing information that helped in this case.

Background:

The Oakland Police Department (OPD) is investigating a homicide that occurred on July 17, 2022, just after 11:00 AM, in the 2000 block of 13th Avenue. OPD Patrol Officers responded to the area for a report of a shooting victim.

Once on scene, officers located a male victim with gunshot wound(s). The victim was pronounced deceased on the scene.

Safely Located - Daisey Lancaster

OPD Media <opdmedia@oaklandca.gov>

Wed 8/17/2022 2:23 PM

📎 1 attachments (206 KB)

Daisy Lancaster Safely Located.JPG;

SAFELY LOCATED:

Thanks to our community and media partners, Daisey Lancaster is no longer a **#Missing Person**.

She has been safely located.

BACKGROUND:

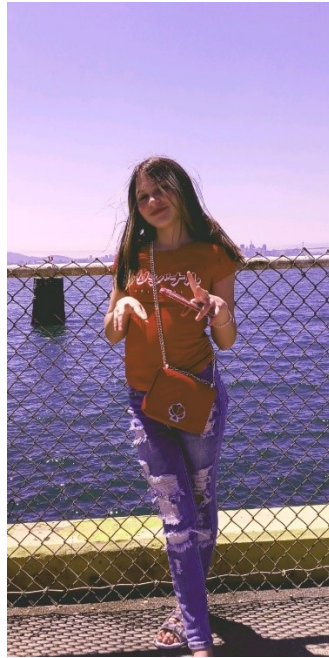


For Immediate Release August 15, 2022

OPD NEWS:

Missing Person Daisey Lancaster: At Risk Due to Age

The Oakland Police Department requests assistance from our community and media partners in locating Missing Person, Daisey Lancaster, who is **at risk due to Age**.



Missing Person Daisey Lancaster

She was last seen on August 13, 2022, at the Extended Stay in Alameda, around 3:30 P.M. Lancaster was wearing a black Nike shirt, black shorts, and black slides.

She is described as a 13-year-old, White female. She is 4'8, weighs 115 pounds, with blonde hair, and brown eyes. The family reports **Lancaster is in good physical condition.**

If you have any knowledge or information regarding the whereabouts of Lancaster, please notify the **Oakland Police Department's Missing Persons Unit at 510-238-3641.**

Visit [Nixle.com](https://www.nixle.com) to receive Oakland Police Department alerts, advisories, and community messages, or follow OPD on Twitter, Facebook, and Instagram [@oaklandpoliceca](https://www.instagram.com/oaklandpoliceca).

Respectfully,

Ofc. Darryl Rodgers
Trust Building Officer
Oakland Police Department

SAFELY LOCATED - Natalia Perez Rivera

OPD Media <opdmedia@oaklandca.gov>

Tue 8/16/2022 8:30 AM

📎 1 attachments (166 KB)

Safely Located - Natalia Perez Rivera.jpg;

SAFELY LOCATED:

Thanks to our community and media partners, Natalia Perez Rivera is no longer a **#Missing Person**.

She has been safely located.

BACKGROUND:



For Immediate Release August 14, 2022

OPD NEWS:

Missing Person Natalia Perez Rivera: At Risk Due to Age

The Oakland Police Department is requesting assistance from our community and media partners in locating Missing Person, Natalia Perez Rivera, who is **at risk due to age**.



Missing Person Natalia Perez Rivera

Perez Rivera was last seen on August 13, 2022, around 10:30 AM, in the 2200 block of 48th Avenue.

Oakland Police Commission Regular Meeting 8.25.22 Pg.18

She was wearing a gray hooded sweatshirt with an Adidas logo, black sweatpants, and black Crocs shoes.

Perez Rivera is described as a 14-year-old, Hispanic/Latin female. She stands 5'05", weighs 155 pounds, has black hair, and brown eyes.

Perez Rivera's family reports she is in good mental and physical condition and may have been headed to Washington Square Park in San Francisco.

If you have any knowledge or information regarding the whereabouts of Perez Rivera, please notify the **Oakland Police Department's Missing Persons Unit at 510-238-3641**.

Visit Nixle.com to receive Oakland Police Department alerts, advisories, and community messages, or follow OPD on Twitter, Facebook, Instagram @oaklandpoliceca.

Kim Armstead

Public Information Officer

Office of Chief of Police

Oakland Police Department

karmstead@oaklandca.gov

CITY OF OAKLAND

Memorandum

TO: Office of the Chief of Police
ATTN: Police Chief LeRonne Armstrong
FROM: Lieutenant Sean Fleming
DATE: 17 Aug 2022

RE: Informational Report Towing Policies

Chief Armstrong,

Pursuant to an information request, please find attached a report of current Towing Policies.

OPD Towing Policies:

Departmental General Order (DGO) J-3, Towing Procedures,¹ the purpose of this order is to set forth Department policy and procedures for towing vehicles, as well as provides for completing reports and citations.

Informational Bulletin, Stored/Abandoned Vehicles on Public Property (905) and Private Property (318),² the purpose of this bulletin is to provide guidance on dealing with stored/abandoned vehicles on public property and on private property. Oakland Municipal Code (OMC) Section 10.28.030³ prohibits the use of streets for storage of vehicles and provide that no vehicle shall be parked upon any street or alley for a consecutive period exceeding 72 hours. Street or alley, as used in this section, are defined in Division 1 of the California Vehicle Code (CVC) 22852.

Additionally, the California Vehicle code (CVC) provides guidelines, policy, and procedures, of when vehicles in the State of California can be towed and applies these uniformly throughout the State of California.

A Departmental tow may be ordered by a member or employee:

- A. Pursuant to a Vehicle Code Section.
- B. For evidentiary purposes, upon supervisory approval

¹ J-03 Policy

² Information Bulletin

³ OMC 10.28.030

A reasonable effort shall be made to locate a vehicle's owner to eliminate unnecessary tows, per (DGO (J-3)

Towing Procedures

- A. Abandoned Auto Unit is responsible for Marking and Towing vehicles on Public Property, all other members shall mark and tow within area of assignment as time allows.
- B. Members and Professional Staff shall attach a warning sticker on the windshield no less than 72 hours prior to the actual tow, record mileage if practical and place alignment mark on tire and pavement and indicate marking on Assignment Report.
- C. All tows are ordered through City contracted tow company Auto Plus Towing (APT).
- D. Towing Unregistered and Planned Non-Operation (PNO) Vehicles
 1. Current law allows Department personnel to tow a vehicle that has an expired registration of over (6) months. CVC 22651(o)
 2. If the DMV registration does not show PNO registration status, the vehicle may be removed immediately if found on a public street.
 3. If a vehicle is in violation of 4000(a) CVC and has a PNO on file, cite the vehicle for 4000(a) CVC (Unregistered) and document the PNO violation on the citation in the Comments/VIN Number box advising the owner to move or register the vehicle within 72 hrs.
 4. Provide the owner if present with a Tow Resource Guide (TF-3202⁴)

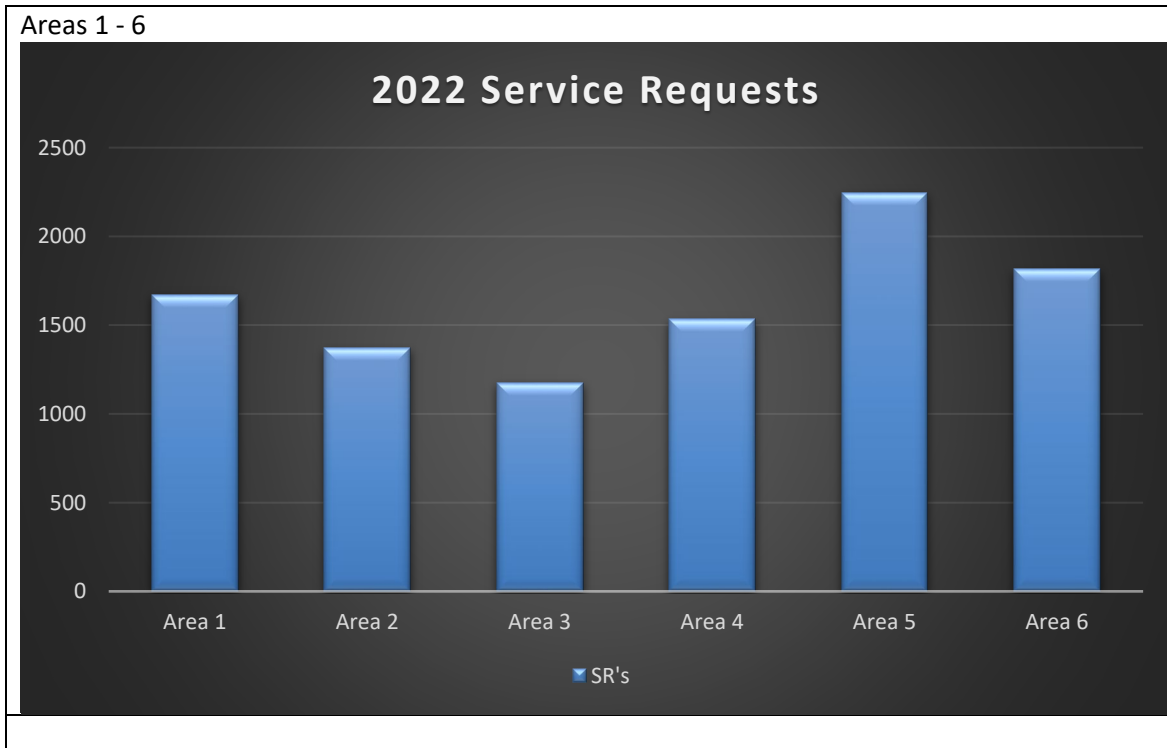
Citizens/Businesses can report Abandoned Vehicles in several ways:

- A. Online Reporting – Oak 311 City of Oakland Website
- B. Call 311
- C. Download and use the OAK 311 App (SeeClickFix) City of Oakland Website

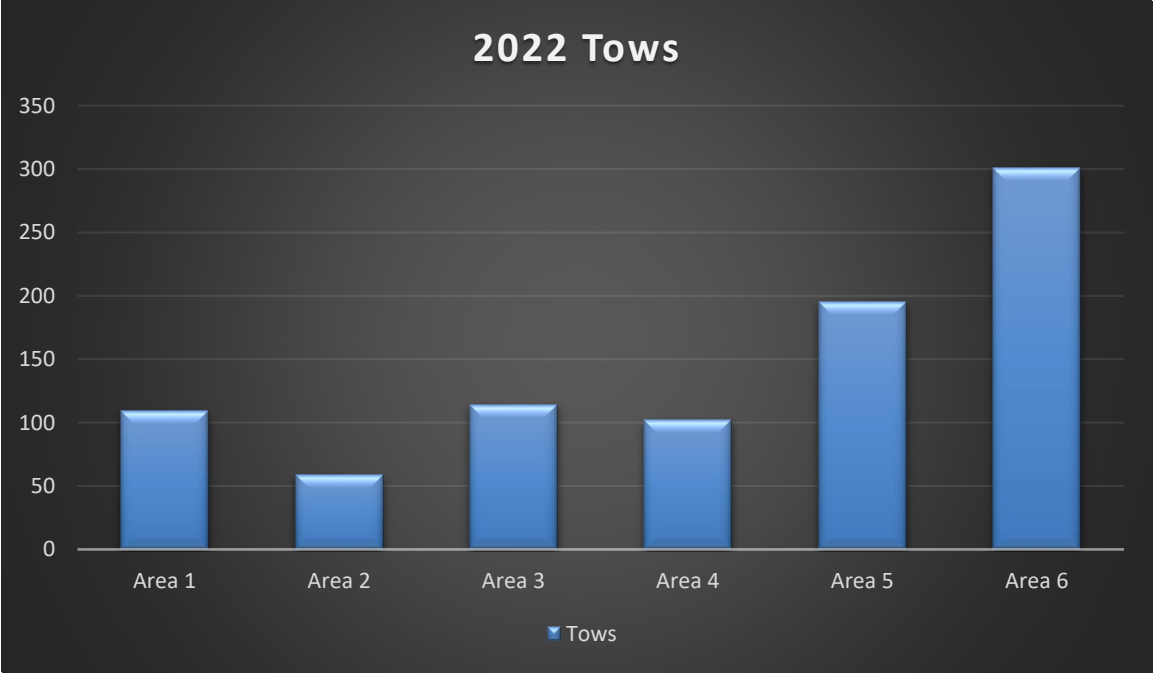
In addition, service requests are received from public agencies, local government, and homeless services.

⁴ Tow Resource Guide TF-3202

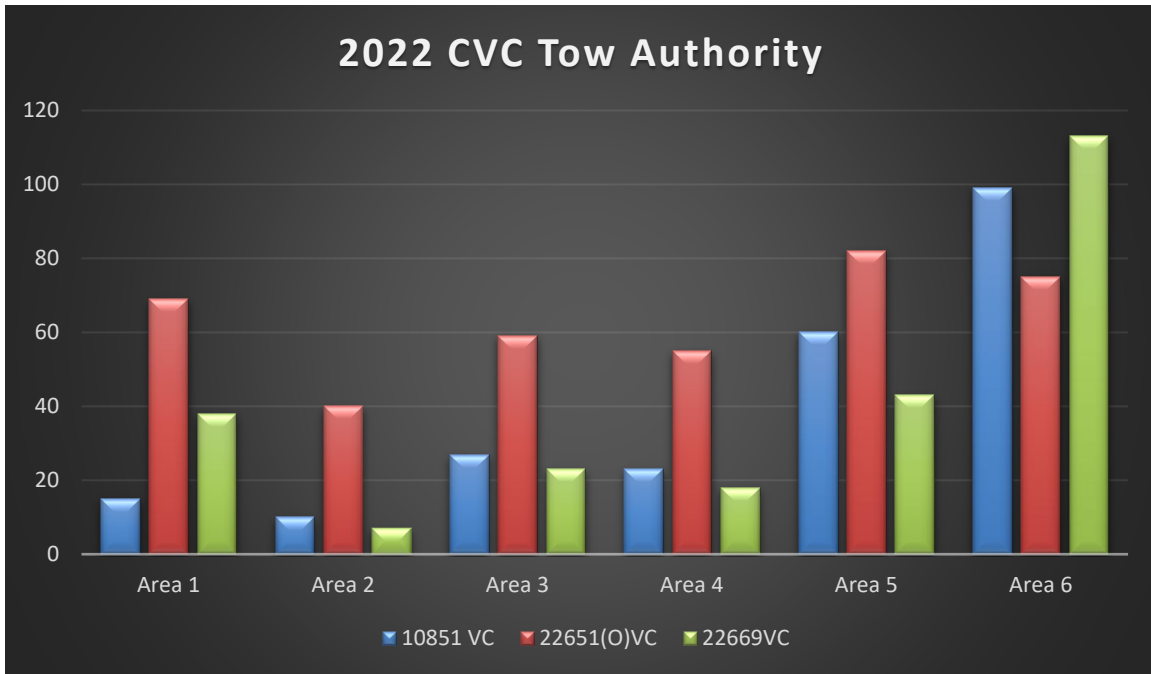
Abandoned Vehicle Service Requests from Citizens received in 2022 through OAK311 by Area



Abandoned Vehicle Unit Tows from Citizen Generated Service Requests through OAK311 in 2022



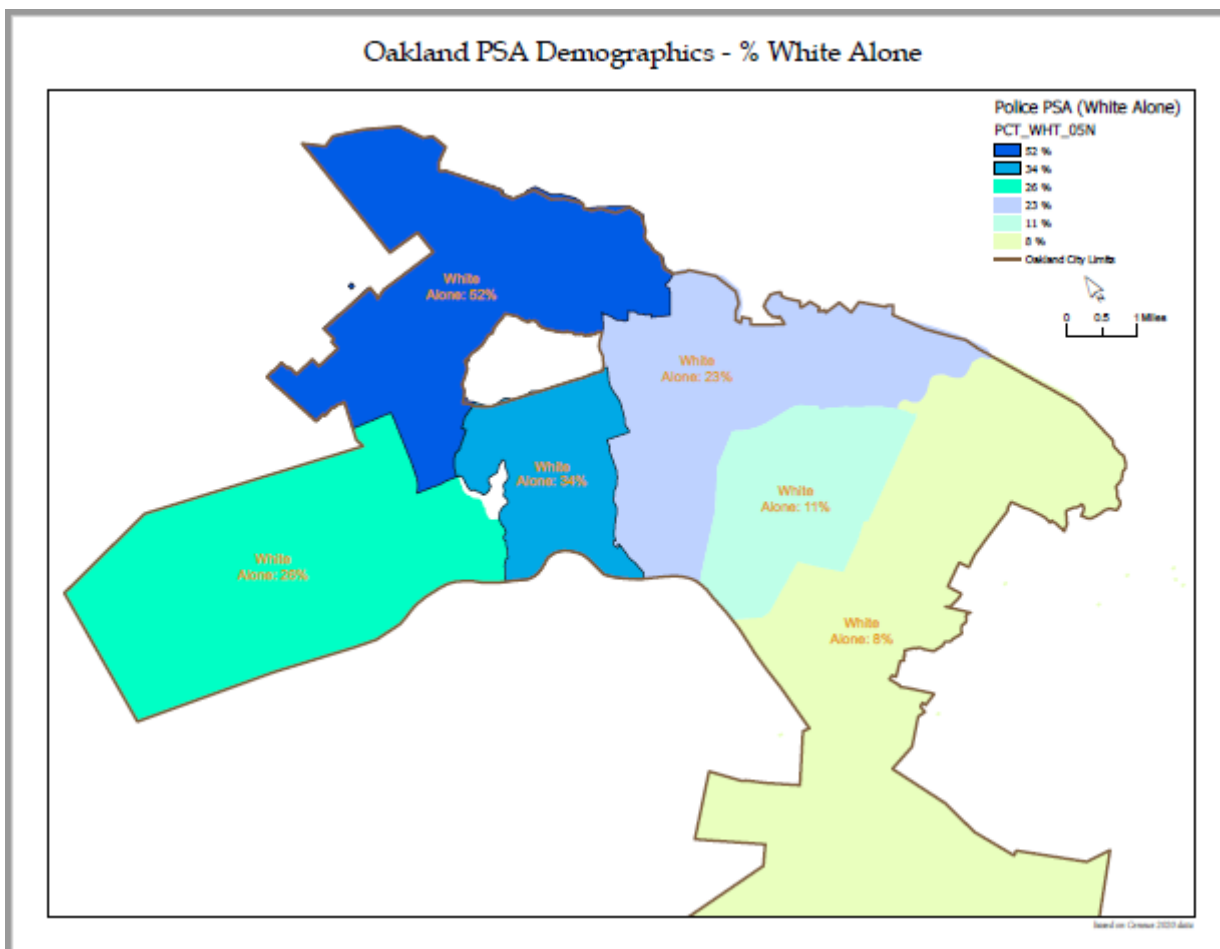
Primary CVC Tow Authorities Used in 2022



10851 VC – Recovered Stolen Vehicle

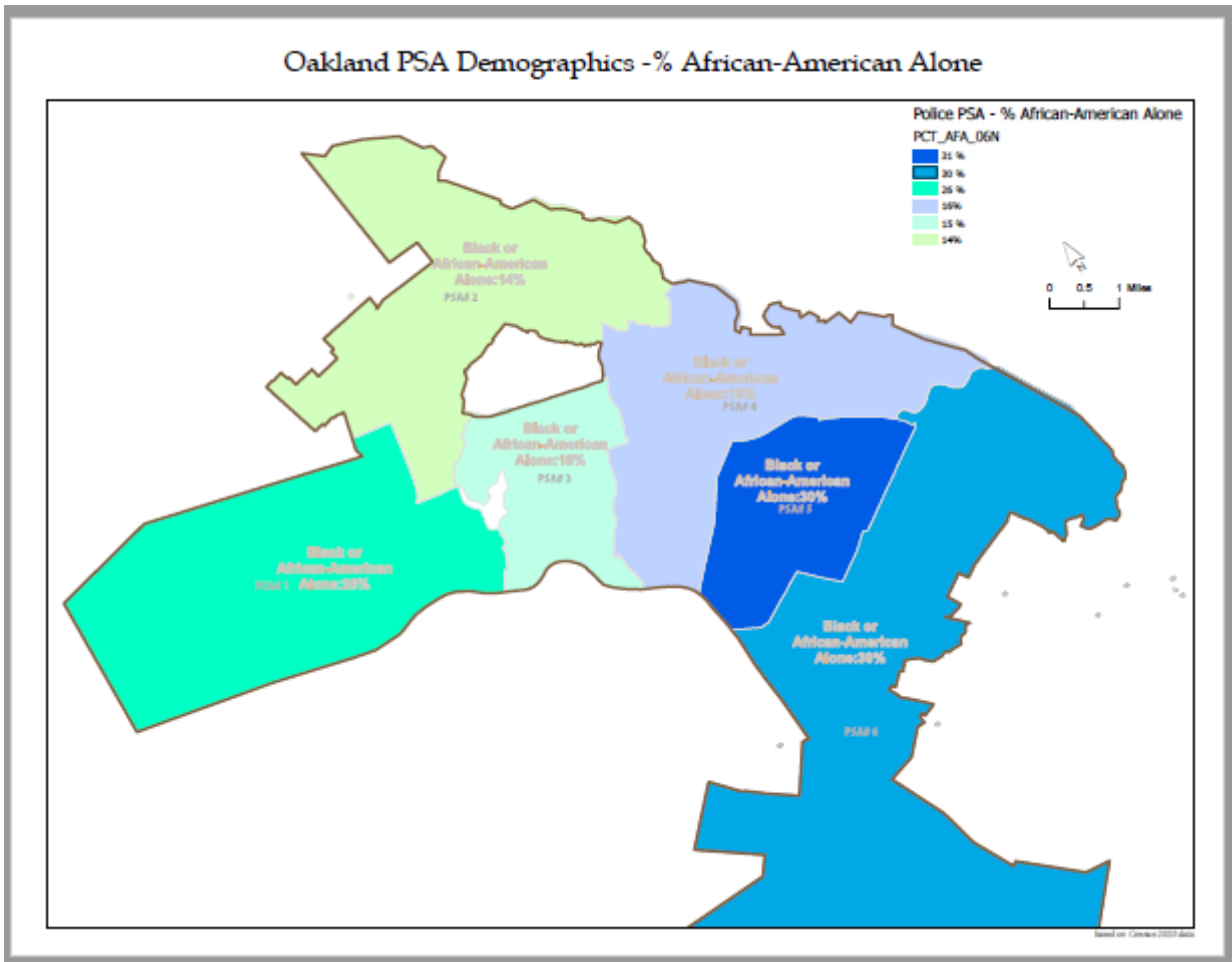
22651 VC - Registration expired in excess 6 months

22669 VC - Missing Parts Needed to Operate



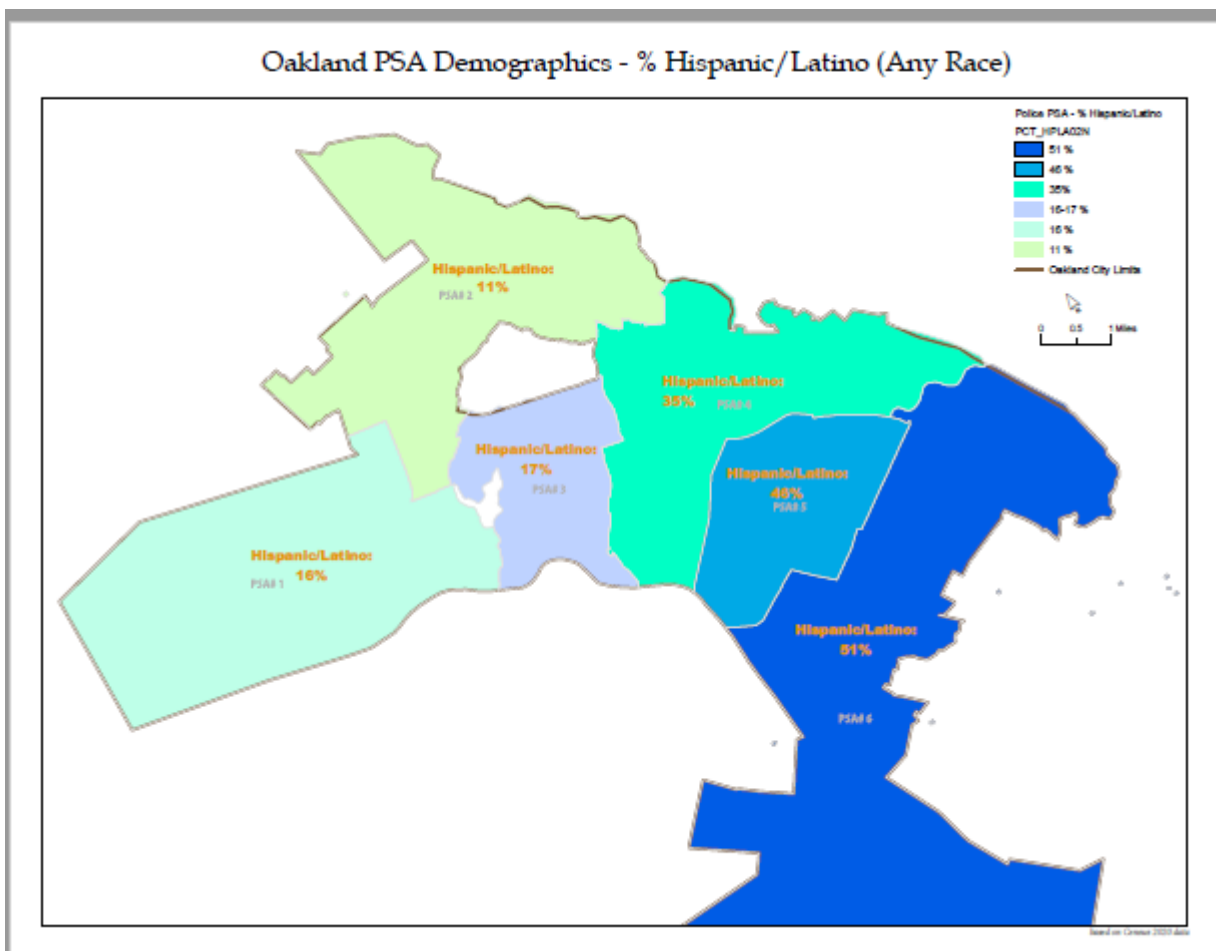
Demographics for %White Alone in each Area

- Area 1 – 26%
- Area 2 - 52%
- Area 3 - 34%
- Area 4 - 23%
- Area 5 - 11%
- Area 6 – 8%



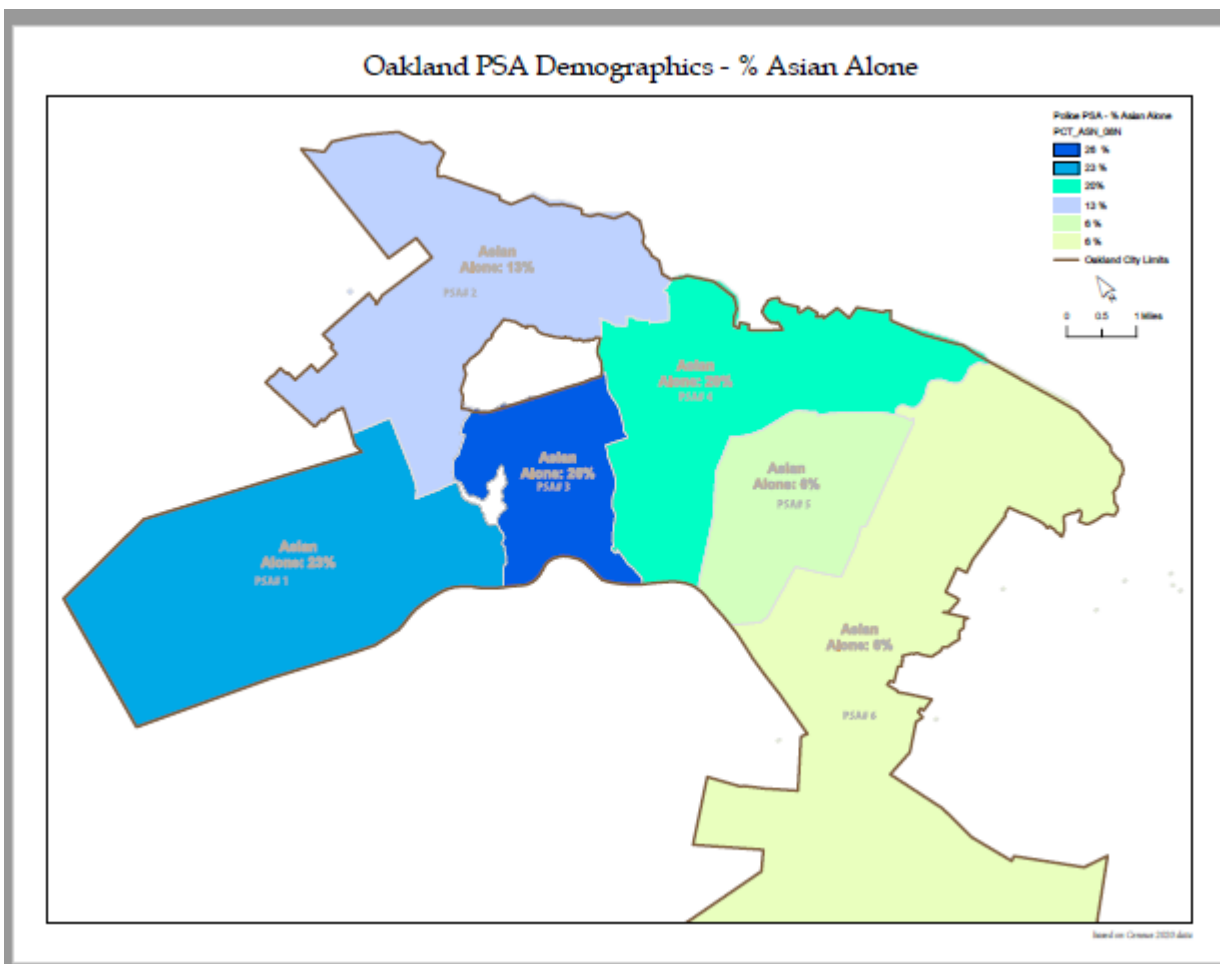
Demographics for % African American Alone in each Area

- Area 1 – 26%
- Area 2 - 14%
- Area 3 - 15%
- Area 4 - 16%
- Area 5 - 30%
- Area 6 – 30%



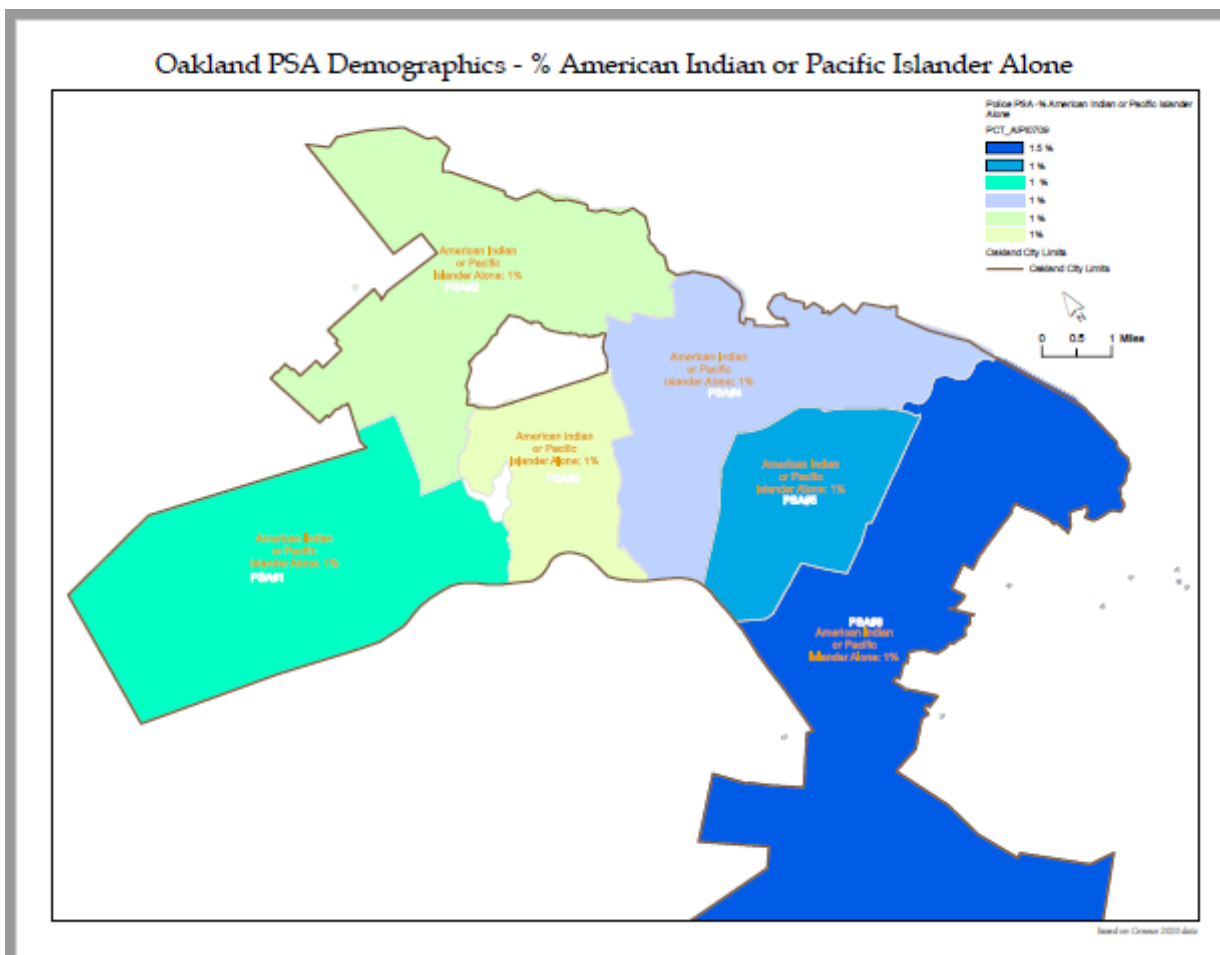
Demographics for % Hispanic/Latino (Any Race) in each Area

- Area 1 – 16%
- Area 2 - 11%
- Area 3 - 17%
- Area 4 - 35%
- Area 5 - 46%
- Area 6 – 51%



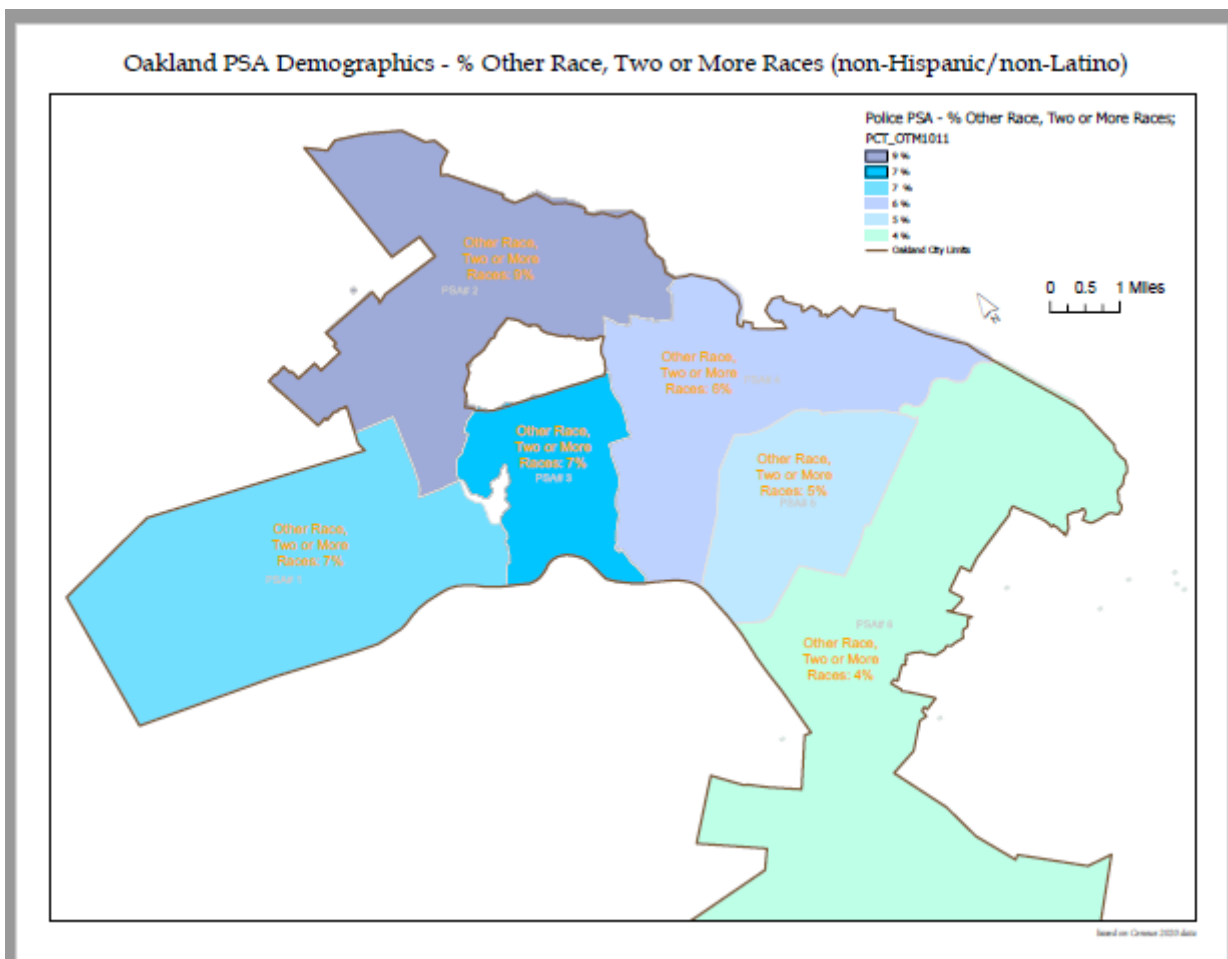
Demographics for % Asian Alone in each Area

- Area 1 – 23%
- Area 2 - 13%
- Area 3 - 26%
- Area 4 - 20%
- Area 5 - 6%
- Area 6 – 6%



Demographics for % American Indian or Pacific Islander Alone in each Area

- Area 1 – 1%
- Area 2 - 1%
- Area 3 - 1%
- Area 4 - 1%
- Area 5 - 1%
- Area 6 – 1.5%



Demographics for % Other Race, Two or More Races (non-Hispanic/non-Latino) in each Area

- Area 1 – 7%
- Area 2 - 9%
- Area 3 - 7%
- Area 4 - 6%
- Area 5 - 5%
- Area 6 – 4%

Sean Fleming
 Lieutenant of Police
 Traffic Operations Commander
 Bureau of Field Operations II



DEPARTMENTAL
GENERAL
ORDER

Rev.
7 Apr 00

Ref: CALEA
Standard 42.2.1;
61.4.2-3

J-3

Index as:

Abandoned Vehicles
Appraising Towed Vehicles
Citations, Tow Related
Disabled Motorists
Evidence Holds
Holds, Evidence
Holds, Release
Towing Procedures

TOWING PROCEDURES

The purpose of this order is to set forth Departmental policy and procedures for towing vehicles. Procedures for completing reports and citations mentioned in this order are found in Departmental Report Writing Manual Insert T-19, TOWING PROCEDURES. The towing of Departmental vehicles is covered by Departmental General Order I-2, ASSIGNMENT, SERVICING, REPAIR OF POLICE VEHICLES. This order applies to motor vehicles including motor-driven cycles, motorized bicycles and "mopeds."

I. TOW REQUESTS

A. Departmental Tows

1. A Departmental tow may be ordered by a member or employee:
 - a) Pursuant to a Vehicle Code section.
 - b) For evidentiary purposes, upon supervisory approval.
 - c) Special tow projects require advance notification to the Communications and Records Divisions to ensure adequate staff is available to handle the increased work load.

DEPARTMENTAL GENERAL ORDER
OAKLAND POLICE DEPARTMENT

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Rev.
7 Apr 00

2. Procedures for towing vehicles from public and private property shall be made in accordance with the provisions of Departmental Report Writing Manual T-19, TOWING PROCEDURES.
 3. The following tows can be ordered through the Communications Division:
 - a) Requests for towing a single vehicle from one location or event.
 - b) Requests for multiple tows from one location or event under hazardous conditions.
 4. Abandoned auto tows and multiple tows under non-hazardous situations shall, to the extent practical, be ordered through the Records Division.
 5. The member or employee shall remain at the scene until the tow truck arrives, except for Abandoned Vehicle Unit tows.
 6. Towed vehicles shall be towed to the City tow contractor's garage. Private vehicles shall not be parked at the Transportation lot except for evidence processing in major cases at the direction of a command officer or the assigned investigator.
 7. A reasonable effort shall be made to locate a vehicle's owner to eliminate unnecessary tows.
 8. When the driver of a vehicle is arrested for driving under the influence or other charges, the vehicle shall be towed as a Departmental tow unless the owner gives informed consent to leave the vehicle parked at the scene.
- B. Owner/Operator Requested Tows
1. When a vehicle owner/operator requests a tow, the member or employee shall order the tow through the Communications Division.

DEPARTMENTAL GENERAL ORDER
OAKLAND POLICE DEPARTMENT

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7 Apr 00

2. The owner/operator will be asked for his/her preference in tow companies and that preference honored when the tow is ordered. If the owner/ operator has no preference, a tow company under contract to the City will be dispatched.
3. An owner/operator requested tow shall not be ordered unless the owner/operator, or other person designated by the operator, remains with the vehicle until the tow arrives.

C. Abandoned Vehicle Tows on Public Property

1. Responsibility for Marking and Towing
 - a) Members and employees regularly assigned to the Abandoned Vehicle Unit shall mark and tow autos abandoned within City limits.
 - b) All other members shall mark and tow abandoned vehicles within their area of assignment as time allows.
2. Towing Procedures
 - a) Members and employees shall:
 - (1) Attach a warning sticker securely on the windshield no less than 72 hours prior to the actual tow.
 - (2) Record mileage of the abandoned vehicle on the Assignment Report (236-253).
 - (3) Place an alignment mark on tire and pavement and indicate the marking on the Assignment Report.
 - b) Abandoned Vehicle Unit's members and employees shall also:

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- (1) Order tows directly from a City contracted tow company if the abandoned vehicle has not been moved 5 days after being marked.
- (2) Complete the necessary reports and/or citations.
- (3) Hand-carry completed reports to the Records Division at the end of the shift and deposit the citations at the proper location.

3. Appraisal Responsibilities

- a) The assigned member or employee towing the vehicle shall determine the estimated value of the vehicle.
- b) If the identifying numbers on the vehicle do not match those on the reports, the appraiser shall complete the proper reports with the corrected information.
- c) If the identifying numbers appear to have been tampered with, the appraiser shall notify the Auto Theft Unit and mark "Removed/Altered VIN (10751 VC)" on the Vehicle Report (536-254).

D. Abandoned Vehicle Tows on Private Property

1. Sources of violations include but are not limited to citizen complaints, neighborhood organizations, city government agencies, members, and employees.
2. Field Personnel Responsibility
 - a) Members and authorized employees assigned to investigate a complaint shall complete a preliminary investigation in accordance with current Vehicle Abatement Unit procedures.
 - b) Members and/or authorized employees shall mark the vehicle by placing a Vehicle Abatement Warning Sticker

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7 Apr 00

(TF-3005) on the vehicle, and listing the removal date (10 days from the date marked).

- c) Only personnel assigned to the Vehicle Abatement Unit shall tow abandoned vehicles from private property in accordance with existing policies.

II. VEHICLE HOLDS

A. Holds for Investigative Units

1. No unnecessary holds shall be placed on towed vehicles.
2. No vehicle shall be towed with a hold for Vice/Narcotics Section without the specific approval of a Vice/Narcotics Section supervisor or investigator.
3. Separable evidence in the vehicle shall be removed and turned in to the Property Section.
4. Only one hold shall be placed on any vehicle. If another investigative unit has evidentiary interest in the vehicle, copies of the report shall be directed to the interested unit(s) and the reasons stated in the report narrative.
5. A hold shall be placed on a vehicle only where there is evidentiary value in the vehicle itself or for some other compelling reason (e.g., search warrant, disputed title, altered VIN plate or an investigator's prior request for a hold).
6. Members shall get the approval of a supervisory or command officer prior to placing a hold on a vehicle. This approval shall be documented in the report narrative.
7. If an unoccupied vehicle displaying false registration is to be towed, a Vehicle Report (536-254) shall be completed and the seized license plates (or other false evidence of registration) shall be turned in to the Property Section. No hold on the vehicle itself is necessary.

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OAKLAND POLICE DEPARTMENT

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Rev.
7 Apr 00

B. Holds for Evidence Technicians

1. Every effort shall be made to process vehicles at the scene to eliminate unnecessary tows and holds.
2. When a vehicle is held for processing by an evidence technician, the specific procedure(s) requested (e.g., prints, photos) shall be stated when placing the hold.
3. If processing by a technician is the only reason for a hold, a hold for an investigative unit shall not be placed on the vehicle.
4. A Technician Request (TF-753) shall be securely attached to the vehicle, police seals placed as needed, and the tow truck operator informed of any special handling required (e.g., inside storage).
5. When the work has been completed on a vehicle which has been held for technician processing, the Evidence Technician shall, at the end of their shifts, notify the Records Division that the hold has been released.

III. RECORDS DIVISION RESPONSIBILITIES

- A. The Records Division shall maintain all documents concerning tows, holds, releases, and notifications.
- B. The Records Division shall make all SVS entries for abandoned auto tows and verify tow entries made by the Communications Division.
- C. Vehicle Holds
 1. VC 22651(i, j, p, o) holds shall remain permanent until released.
 2. 30 day holds for VC 22651(p) shall not be imposed if the reason for the suspension or revocation are outside of the justifying code.

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OAKLAND POLICE DEPARTMENT

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7 Apr 00

3. VC 22651(p) holds may or may not require a 30-day hold. The 30-day hold, if authorized by statute, must be placed by the towing officer. The name of the driver shall be documented on the report.
 4. Hit-and-run tows and 10851 tows for "prints only" shall expire 48 hours after the tow unless the vehicle is released sooner or the hold is extended by the investigator.
 5. All other holds shall expire 72 hours after the tow unless the vehicle is released sooner or the hold is extended by the investigator. All extensions shall include an estimated release date.
 6. Any request for a hold extension shall be confirmed in writing with the tow company within 48 hours of a telephonic request.
- D. Vehicles towed pursuant to 10.28.24 OMC may be released to the owner by the tow company without clearance from Records Division if the vehicle is claimed before midnight on the day it was towed.
- E. Records Division personnel shall release vehicles held only for technician processing when notified by the technician that the work has been completed.
- F. Records Division supervisors can release a technician hold on a recovered stolen vehicle if no other crimes are involved after confirming with the Communications Division that the technician call is not "stacked" on the Computer Assisted Dispatch System's (CAD) technician screen.
- G. Report Reproducing Unit Responsibilities

Employees of the Report Reproducing Unit shall forward copies of all reports containing tow information to the Records Division Fleet/Tow Coordinator and any unit for which a hold was placed.

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- H. Refer to Records Division General Order T-2, RELEASE OF TOWED/STORED VEHICLES, for release procedures not discussed in this order.

IV. COMMUNICATIONS DIVISION RESPONSIBILITIES

- A. The Communications Division shall order all tows except abandoned autos or multiple tows under non-hazardous conditions.
- B. The Communications Division shall make SVS entries for tows ordered and send the information to the Records Division.

V. INVESTIGATIVE UNIT RESPONSIBILITIES

- A. The investigator shall notify any other Departmental units which may have an interest in a vehicle that has been held.
- B. The investigator shall use the Evidence Hold Extension form letter (TF-2056) to notify the Records Division if a hold is required beyond 72 hours or 48 hours in the case of hit-and-run and stolen vehicle holds.
- C. Vehicles towed to the Transportation Section for evidence shall be released to the registered owner only after all tow fees have been paid by the registered owner to the tow company. A payment receipt must be presented to the investigator to indicate payment has been made.
- D. In the event the investigator determines the Police Department should waive any tow/storage related fees, a memorandum shall be forwarded to the Fleet/Tow Coordinator requesting the waiver of such fees.
- E. To insure no excess storage fees are incurred by the registered owner or the Police Department, the investigator shall notify the registered owner immediately of the vehicle's availability after the vehicle serves no further evidentiary purpose.
- F. If a vehicle is transferred to the custody of the District Attorney's Office, the investigator shall notify the Records Division.

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VI. ERROR TOWS

- A. Vehicles erroneously towed or left in storage are charged to the City. Members and employees shall ensure that vehicles are towed under the proper authority.
- B. Allegations of improper tows shall be referred to the Fleet/Tow Coordinator.

VII. LATE TOWS

- A. Tow trucks are allotted 30 minutes to arrive at a tow site (45 minutes for big rigs) in accordance with the provisions of the current tow contract.
- B. Members and employees shall advise the Communications Division if there is any delay in excess of the allotted time.
- C. The Communications Division shall forward the CAD printout, as necessary, to the Records Division Fleet/Tow Coordinator and Records Division Manager advising them of any delay in response by the tow company.

VIII. ASSISTANCE TO DISABLED MOTORISTS

- A. Uniformed on-duty members and employees who observe disabled motorists within the City limits shall stop and render appropriate assistance. Such assistance may include, but is not limited to, placing flares, arranging for private transportation, and calling for road or tow service.
- B. If a uniformed member or employee observes a disabled motorist while enroute to an assignment that cannot be delayed, he/she shall advise the Communications Division on the service channel of the location of the incident so that another unit may be dispatched to provide appropriate assistance as soon as circumstances permit.
- C. On-duty plainclothes officers should stop and assist disabled motorists if doing so will not compromise their assignment and can be done with

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reasonable safety. If the plainclothes officer does not stop to render immediate assistance, he/she shall advise the Communications Division on the service channel so that another unit can be assigned.

By order of

Richard L. Word
Chief of Police



INFORMATION BULLETIN

OAKLAND POLICE DEPARTMENT

Date: 20 Apr 22

"Information Bulletins shall be used to set forth information, notices, or announcements regarding topics of general interest. Such bulletins shall not constitute official policy. Information Bulletins expire two years from the date of publication unless revised, canceled, or superseded sooner. Members shall retain them until expiration."

OPD Tow Reminders 2022

The purpose of this bulletin is to provide guidance on the Tow Process (Public and Private Property), Common Tow Authority Mistakes, Understanding and Towing Unregistered and PNO (Planned Non-Operation) Vehicles, Current Sideshow Authority to Tow Vehicles. The United States Supreme Court has written that the removal of an automobile is a big deal, as the absence of one's vehicle can cause serious disruption of life in 21st Century America. This training bulletin will detail how to provide warnings, and adequate notice on certain vehicle violations, which could result in towing. Whether a vehicle is abandoned, recovered stolen, or sideshow related tows, all necessary reports shall be submitted by the end of the shift. This will help to avoid undue early releases, decrease reviews on tow process, and increased public safety.

1. TOW PROCESS Public and Private Property Abandoned Vehicles

A. Public Property

Oakland Municipal Code (OMC) Section 10.28.030 prohibits the use of streets for the storage of vehicles and provides that no vehicle shall be parked upon any street or alley for a consecutive period exceeding 72 hours. Street or alley, as used in this section, are defined in Division 1 of the California Vehicle Code (CVC). 10.28.030 OMC is only applicable on **public** streets or alleys and **does not** apply to private roadways or private property.

Generally, a vehicle being investigated for a violation of this section is referred to as an Abandoned Auto or 905. The 72 hours in this section, however, applies to all vehicles parked on a **public** street or alley regardless of the vehicle's condition or registered address.

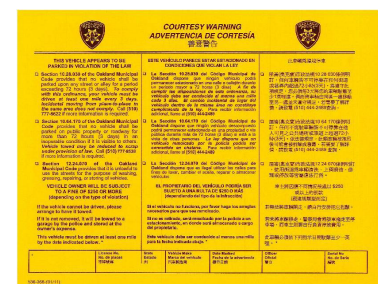
Both sworn and non-sworn OPD personnel may investigate to determine if a vehicle is in violation of this section. **Personnel who mark and tag an abandoned vehicle on public property are responsible for conducting the 72-hour follow up and tow, if applicable.**

Investigation and determining if a vehicle is eligible for towing

Personnel on-viewing, receiving a citizen complaint or being dispatched to a call regarding an abandoned vehicle on a public street, must first establish that the vehicle has been parked for 72 consecutive hours before the vehicle may be towed.

The following investigative steps must be completed to document and establish a violation:

1. Completely fill out an orange warning sticker, remove the backing and attach it to a window on the vehicle. It is recommended to **not** place the sticker on the driver's side of the front windshield as it may impair the driver's ability to safely move the vehicle.



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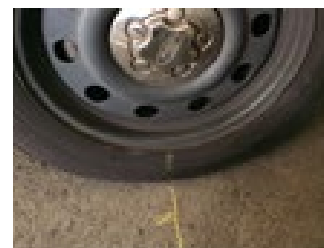
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2. Make an alignment mark on one or more of the tires and on the roadway with a lumber crayon.

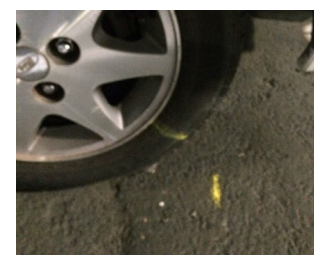


3. You must do one of the following to document the date and time the vehicle was marked and tagged:
 - a. **(Recommended)** Enter the necessary information (license plate, VIN#, vehicle description, date and time marked, any other relevant information) in CAD using the incident update screen. Entering the information in CAD is acceptable in place of an Assignment Report, prevents the possibility of lost paperwork, and automatically places a date and time stamp as you make an update. Make a note of the incident number so you can place yourself back on the call when conducting the follow-up inspection, OR
 - b. Complete an Assignment Report with the necessary information. *Keep the assignment card until you conduct your follow-up inspection.*
4. Return to the vehicle after 72 hours has passed, place yourself back on the original incident number and check the alignment mark.

- a. If the alignment mark is “in alignment” (photo to the right), then you can legally tow the vehicle under authority 22651 (k) CVC. Enter in CAD the date and time of the re-inspection and that the alignment marks were “**in alignment**” or enter that information on your Assignment Report (turn in after completion). The date and time a vehicle was marked and tagged, as well as the date and time it was re-inspected should also be documented on the tow report. You should also issue a parking citation for 10.28.030 OMC.



- b. If the alignment mark is “out of alignment” (photo to the right) then you cannot tow the vehicle under authority 22651 (k) CVC. Enter in CAD the date and time of the re-inspection and that the alignment marks were “**out of alignment**” or enter that information on your Assignment Report (turn in after completion). If the vehicle is no longer in the area, enter “vehicle GOA.”



Note: The “...must be driven at least one mile...” language on the orange warning sticker merely serves as **guidance** to the vehicle owner or person in control of the vehicle to ensure the vehicle is not improperly towed. The OMC **does not** specify a distance the vehicle must be moved. Per guidance from the Office of the City Attorney, if the alignment mark has been moved (“out of alignment”), the vehicle should be deemed **in compliance** with the OMC and cannot be towed. While the odometer reading can provide *additional* evidence that a vehicle has or has not moved, it cannot be relied upon as the sole reason for establishing a violation due to the law not specifying a movement distance. Additionally, an odometer may be inoperable, may not show 10ths of a mile or may not visible (electronic) without the vehicle ignition being in the “on” position.

(Recommended) Additional markings (photo to the right) may be made around one or more tires, as shown, to provide additional evidence in determining if a vehicle has not been moved or not.



Information Bulletin – Towing **Tips for thorough documentation**

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The towing of a vehicle is the seizure of property and may result in an Internal Investigation, a Tow Hearing and/or a Court action. The following are recommendations to help ensure the matter is thoroughly and properly documented.

- Legibly fill out the orange warning sticker. Adding the time next to the date in the “must be driven by” box is helpful (but not required) to let the citizen know exactly when the vehicle must be moved (72 hours after being marked.)
- The odometer is not a reliable way to make that determination, since no distance of movement is required by law, and should never be used as a sole reason for towing a vehicle. Placing an alignment mark on the tire and ground and/or other visible means need to be used to determine whether the vehicle was moved.
- Take pictures or a video of the vehicle when marked and tagged and again prior to towing to show whether it has moved or not. Pictures or videos should include the orange warning sticker (when applied), alignment markings (after applied and prior to tow) and different angles of vehicle (during initial and follow-up inspection).
- Document the date and time the vehicle was marked and tagged to ensure a full 72 hours has passed before the vehicle is towed. Traditionally this was done solely on an assignment report; however, assignment reports are easily lost or misplaced. **The best way** to document the date and time a vehicle was marked and tagged is to create a CAD incident, then type in an incident update. For example: “ABC123 marked and tagged on 01Feb17 at 1300 hours.” After 72 hours, place yourself back on the original incident number and document the follow up. Examples: “Markings are in alignment, vehicle in violation.” “Markings are out of alignment, vehicle not in violation.” The original CAD entry will be updated with the new date and time you arrived to conduct your follow up, as well as when you do an incident update.
- Document the date and time the vehicle was marked and tagged and the date and time the vehicle was re-checked in the comments section of the Stored Vehicle Report. The information on the Stored Vehicle Report should match the information in CAD or on the assignment report.

Have you seen a vehicle like this?

A vehicle in this condition should not be marked & tagged as an abandoned vehicle. Vehicles in this condition should be towed immediately under authority 22669(d) VC-Missing parts needed to safely operate.



Vehicles such as this, when left on the street, often attract other quality of life issues, such as illegal dumping, to the area as well as present a safety issue for children. Refer to TB III-A.01, Beat Health.

Reporting abandoned vehicles on a Public Street

Citizens and City employees can report abandoned vehicles by downloading the OAK 311 mobile app or online at: <https://www.oaklandca.gov/services/oak311>

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Citizens should not be referred to Communications to report abandoned vehicles on public property, as they will be referred to OAK311.

Oakland Municipal Code Reference

CVC 10.28.030 - Use of streets for storage of vehicles prohibited

- A. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.
- B. In the event a vehicle is parked or left standing upon a street in excess of a consecutive period of seventy-two (72) hours, any officer of the Police Department or any regularly employed and salaried civilian employee of the City who is engaged in the direction of traffic or enforcement of parking regulations when designated by the Chief of Police, may remove said vehicle from the street in the manner and subject to the requirements of Sections 22850 and 22856 inclusive of the Vehicle Code of the state of California.

B. Private Property

Abandoned or blighted vehicles that are on private property or on a private street are investigated and towed by the Vehicle Abatement Detail (VAD). The VAD is also known as the 318 detail. **Only** personnel assigned to, or at the direction of the VAD, are authorized to investigate and tow abandoned and blighted vehicle from private property or a private street as allowed under Chapter 10.64 of the Oakland Municipal Code (OMC). Personnel on-viewing or receiving a complaint about an abandoned or blighted vehicle on private property, or a private street shall send the appropriate information (location, vehicle plate/VIN#, make, model, color) or refer the citizen to the Vehicle Abatement Detail. The VAD can be contacted via email at vehicleabatement@oaklandnet.com or by phone at 510-777-8538.

Vehicles on private property or a private street are only to be tagged with a lime green warning sticker not an orange public property (905) warning sticker. The lime green warning stickers are restricted for use only by or at the direction of the VAD.

WARNING ADVERTENCIA 警告					
<p>THIS VEHICLE APPEARS TO BE PARKED IN VIOLATION OF THE LAW</p> <p>Chapter 10.64 of the Oakland Municipal Code prohibits the parking or storage of a vehicle which is in an abandoned, wrecked, dismantled, and/or inoperative condition. You are hereby notified that the vehicle listed above constitutes a public nuisance because it exhibits one of more of the following conditions:</p> <p>Abandoned vehicle <input type="checkbox"/> Wrecked vehicle <input type="checkbox"/> Dismantled vehicle <input type="checkbox"/> Inoperative vehicle <input type="checkbox"/> Exhaust Registration <input type="checkbox"/> Missing Parts <input type="checkbox"/> Other <input type="checkbox"/></p> <p>Further Description of how to correct nuisance: vehicle condition:</p> <p><input type="checkbox"/> Drive the Vehicle <input type="checkbox"/> Update Vehicle Registration <input type="checkbox"/> Improve Condition/Repair Vehicle <input type="checkbox"/> Store Vehicle in a Garage or other Storage Location <input type="checkbox"/> Other</p> <p>A separate notice will be sent to you by email confirming the City's intent to tow and abate the vehicle. You will have 10 calendar days from the date of vehicle notice to correct the nuisance conditions and avoid the City towing your vehicle and incurring the costs of abatement. You may also request a hearing no later than 10 calendar days from the date of the mailed notice to contest the City's determination or prove that you're not responsible for the nuisance vehicles. If you do not abide the nuisance or request a hearing within the 10 calendar day period, the City will tow the vehicle and charge you the costs of abatement. In addition, the vehicle owner may be subject to a fine of \$250.00 or more for these nuisance violations. Please contact the Vehicle Abatement Unit as soon as possible at 510-777-8538.</p> <p>Your failure to timely request a hearing to challenge this notice of violation is a waiver of the hearing and there is no right to a hearing after the vehicle is towed.</p> <p>If you need additional information or would like to dispose of an unwanted vehicle, call the Oakland Police Department Vehicle Abatement Unit at telephone number listed above or access our website at oaklandpolice.com.</p>	<p>ESTE VEHICULO PARECE ESTAR ESTACIONADO ILICITAMENTE</p> <p>La Sección 10.64 del Código Municipal de Oakland prohíbe el estacionamiento y almacenamiento de un vehículo que está abandonado, desmenuado, desmantelado y/o en una condición inoperativa. Se le notifica que este vehículo constituye una aflicción del orden público, ya que presenta una o más de las siguientes condiciones:</p> <p>Vehículo Abandonado <input type="checkbox"/> Vehículo destruido <input type="checkbox"/> Vehículo Desmenuado <input type="checkbox"/> Vehículo Inoperativo <input type="checkbox"/> Registración Exhaust <input type="checkbox"/> Partes Extrañadas <input type="checkbox"/> Otro <input type="checkbox"/></p> <p>Descripción de cómo corregir el problema: condiciones del vehículo:</p> <p><input type="checkbox"/> Manejar el Vehículo <input type="checkbox"/> Actualizar el Registro del Vehículo <input type="checkbox"/> Mejorar las condiciones/Reparar el Vehículo <input type="checkbox"/> Estacionar el Vehículo en un Garaje o Almacén <input type="checkbox"/> Otro</p> <p>Se le avisará por correo un aviso por separado confirmando la intención de la Ciudad de remolcar su vehículo. Usted tendrá 10 días a partir de la fecha de la carta para corregir el problema y así evitar que la ciudad remolque su vehículo y el costo. Usted también puede solicitar una audiencia a más tardar 10 días antes a partir de la fecha de la carta para impugnar la decisión de la Ciudad o demostrar que usted no es el responsable del vehículo. Si usted no responde al problema del vehículo o no solicita una audiencia en los 10 días calendario al aviso, la Ciudad remolcará el vehículo y usted será responsable por el costo del remolque. Además, el dueño del vehículo podrá estar sujeto a una multa de \$250.00 o más por estas infracciones. Por favor contacte a la Unidad de Abandono Vehicular tan pronto como sea posible al 510-777-8538.</p> <p>Si no solicita una audiencia a tiempo para cuestionar este aviso se considerará como renuncia a la audiencia y no tendrá derecho a una audiencia después de que su vehículo haya sido remolcado.</p> <p>Si desea información adicional, o quiere deshacerse de su vehículo, llame a la Unidad de Suspensión Vehicular del Departamento de Policía de Oakland al número listado anteriormente o visite oaklandpolice.com.</p>				
<p>此車輛可能違法泊車</p> <p>第10.64章市政法第10.64款禁止將車置於、拋棄、拆解或無法使用車輛等情況存放公眾地方。此處上述車輛的情況引起公眾滋擾及違反以下一項或以上條款：</p> <p>車已拋棄 <input type="checkbox"/> 車輛毀壞 <input type="checkbox"/> 車輛拆解 <input type="checkbox"/> 無法使用車輛 <input type="checkbox"/> 排氣系統未裝 <input type="checkbox"/> 零件不齊 <input type="checkbox"/> 其他 <input type="checkbox"/></p> <p>如何修正此車輛問題之描述：</p> <p><input type="checkbox"/> 開動車輛 <input type="checkbox"/> 更新車輛 <input type="checkbox"/> 改善車輛狀況/修理車輛 <input type="checkbox"/> 將車輛停泊於車庫或其他儲存處 <input type="checkbox"/> 其他</p> <p>您將會收到以郵遞方式寄出的書面通知，確定市街違章停泊的汽車要求立即取。由信件寄出日期起，您將有一天的時間對正確而構成的公眾滋擾及棄置車等及有異議。同時，自信件寄出日期起，你將有一天的時間要求索償通知。車輛的決定或證明你不當為公眾滋擾或責任。否則，你將被罰款一或更多至二百五十元或更多。請及時將此車輛的問題及你對此的異議通知。再者，車主可能會被罰款\$250.00元或以上的罰款。請及速致電(510) 777-8538 與車輛小組聯絡。</p> <p>你未及時提出檢由申請以推翻此違章的舉動，則你將被索償權利。一旦車輛被拖走後，車主需繳付車輛取回費。</p> <p>如果你需要更多資訊或想處理廢車，請致電或到小科或瀏覽網站 oaklandpolice.com。</p>	<p>車主名稱 <input type="checkbox"/> 車輛牌號 <input type="checkbox"/> 車輛顏色 <input type="checkbox"/> 製造商/型號 <input type="checkbox"/> 排氣系統/牌照 <input type="checkbox"/> 零件不齊 <input type="checkbox"/> 其他 <input type="checkbox"/></p> <p>前三位公家車輛方法如下： <input type="checkbox"/> 廢車牌 <input type="checkbox"/> 車牌號碼 <input type="checkbox"/> 以廢車牌代碼 <input type="checkbox"/> 以車牌號碼代碼</p>				
Date Marked: _____	State: _____	Vehicle Make: _____	Removed By: _____	Officer: _____	Serial No. _____

Vehicles towed by the VAD under Chapter 10.64 of the OMC may be reduced to scrap and the property owner may be subject to citation and fine. Abandoned or blighted vehicles on private property take a minimum of 10 days to remove; however often take longer.

Note: Apartment owners/mangers, businesses and property owners are responsible for the removal of abandoned or blighted vehicles on their property.

Vehicles abandoned in City parks or other City facilities (e.g., recreation center, library, City owned property) should be referred to the VAD.

Due to the complexity and civil liability involved in towing vehicles from private property, personnel not thoroughly familiar with applicable CVC sections should consult with the VAD prior to towing a vehicle from private property. Refer to General J-3, Training Bulletin-A.01 in PowerDMS.

2. Common Tow Authority Mistakes

Construction tows 22651 L and 22651 M CVC – the vehicle code only calls for 24-hour notice of construction signs to be posted but Oakland Municipal Code section 10.28.270 requires construction signs to be posted 72 hours in advance. The construction companies have only posted signs the night before requesting OPD tow vehicles the morning after. Recently at major street paving projects the construction companies have been moving the signs one block at a time the night before. This does not meet the 72-hour notice required by the Municipal Code. Officers are not completing section 30 of the Stored Towed Vehicle Report listing when the signs were posted and the actual language listing construction dates/times. Officers are noting the construction supervisor who is the reporting party for the tow and a contact phone number so that they can be contacted prior to the admin hearing and interviewed.

Recovered 10851 22651 CVC – When initial report is taken the contact phone # for reg owner is taken down incorrectly. When the vehicle is recovered (under section 10500 CVC) the reg owner is supposed to be contacted and given an opportunity to respond to the scene and take control of their vehicle before it is towed. When communications calls the incorrect number listed in the SVS system the Reg Owner is denied the opportunity to respond and avoid having the vehicle towed. Officers should not make the notification phone call themselves but have communications do it so there is a record of the phone call to the reg owner in the transcript of the radio dispatch purge available for the hearing. Officers tow vehicles by the license plate for other towing authority without physically verifying the VIN only later to find that the vehicle was a 10851 when the tow company verifies the VIN. The other issue that comes up with this is the call gets stacked for PST or Officer to respond to Auto Plus and remove the vehicle from the SVS system and sometimes it gets held for a day or more as a low priority call.

905 22651 K CVC – Officers not completing box 28 of Stored Towed Vehicle Report listing when vehicle was marked, who marked the vehicle, was the warning sticker removed or not and if the tire markings are still in alignment.

The use of body camera documentation in all authorized tows is very helpful at the administrative hearings.

Support the tow action with documentation. List the RP and fill in all the boxes that may apply. Fill out the report as though you know the tow will be challenged. Explain what the hazard or missing parts may be. List all towing authorities that can apply on each tow.

3. Understanding and Towing Unregistered and PNO (Planned Non-Operation) Vehicles

Current law allows Department personnel to tow a vehicle that has an expired registration of over six (6) months. CVC 22651(o)

4604 (a) CVC Except as otherwise provided in subdivision (d), prior to the expiration of the registration of a vehicle, if that registration is not to be renewed prior to its expiration, the owner of the vehicle shall file, under penalty of perjury, a certification that the vehicle will not be operated, moved, or left standing upon a highway without first making an application for registration of the vehicle, including full payment of all fees. The certification is valid until the vehicle's registration is renewed pursuant to subdivision (c).

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4000 (a) (1) CVC A person shall not drive, move, or leave standing upon a highway, or in an off-street public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, or logging dolly, unless it is registered and the appropriate fees have been paid under this code or registered under the permanent trailer identification program, except that an off-highway motor vehicle which displays an identification plate or device issued by the department pursuant to Section 38010 may be driven, moved, or left standing in an off-street public parking facility without being registered or paying registration fees.

22651 CVC A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or a regularly employed and salaried employee, who is engaged in directing traffic or enforcing parking laws and regulations, of a city, county, or jurisdiction of a state agency in which a vehicle is located, may remove a vehicle located within the territorial limits in which the officer or employee may act, under the following circumstances:

22610 (o) (1) CVC – When any vehicle is found or operated upon a highway, any public lands, or an off-street parking facility with a registration expiration date in excess of six months before the date it is found or operated on the highway, public lands, or the off-street parking facility. However, whenever the vehicle is occupied, only a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, may remove the vehicle. For the purposes of this subdivision, the vehicle shall be released to the owner or person in control of the vehicle only after the owner or person furnishes the storing law enforcement agency with proof of current registration and a currently valid driver's license to operate the vehicle.

Case law (Clement v. city of Glendale (9th Cir. 2008) 518 Fed.3d 1090) has restricted this authority if the vehicle has a Planned Non-Operation (PNO) on file with DMV. The courts have held that the member/employee must attempt to notify the owner of the vehicle that it is parked in violation of the valid PNO certificate, when there is no other parking violation being committed, before it is towed.

22651 (o) CVC Violators May Be Towed Immediately If Found on a Public Street

If the DMV registration does not show PNO registration status, the vehicle may be removed immediately if found on a public street.

PNO Violators Procedures

A. Checking PNO Status

A registration check on a vehicle will reveal if a PNO certificate is on file. Officers will find a line that states a PNO is on file and the date the PNO was filed above where the expiration date is normally listed on the registration on the MDT display or CLETS terminal. The information may also be obtained from the Communications Division.

B. When Non- Registration Parking Offense is Being Committed

If the PNO vehicle is violating other Vehicle Code Sections which allow for immediate removal, (red zone/blocking a driveway, etc.) then the vehicle can be removed immediately. The towing member/employee shall include the PNO offense on the citation but will list the non-registration violation as the towing authority.

C. Issue Citation with Notification of PNO Violation before Removal

If a vehicle is in violation of 4000(a) CVC and has PNO on file, cite the vehicle for 4000(a) CVC (Unregistered) and document the PNO violation on the citation in the Comments/VIN Number box advising the owner to move or register the vehicle within 72 hours.

- (a) If the owner does not move or register the vehicle with 72 hours, the vehicle may be towed. The towing member/employee shall document the tow on the Stored /towed Vehicle Report (536-928) what type of warning, the date of the warning and that the situation was not corrected.
- (b) Provide the owner, if present, with a Tow Resource Guide (TF-3202).

D. Repeat Offenders

If a member/employee has reason to believe that the vehicle has previously been issued a citation for 4000(a) CVC and has not been registered since then, the vehicle may be removed immediately.

4. Current Sideshow Towing Authority**THE U’KENDRA K. JOHNSON SENATE BILL 67**

The Senate Bill is still in effect and extends provisions persons engaged in reckless driving on a highway, reckless driving in an off-street parking facility, or an exhibition of speed on a highway. Requires the impounding agency to release the vehicle to the registered owner prior to the conclusion of the impoundment period if the registered owner was neither the driver nor a passenger in the vehicle at the time of the alleged violation or was unaware that the vehicle was being used to engage in the prohibited activities.

A. CVC 23109.2 (A)(1) With A Hold

CVC 23109.2 (a)(1) tows with a 30-day hold shall only be ordered for the four (4) prescribed crimes as listed below:

CVC 23103 Reckless Driving

- (a) Any person who drives any vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.
- (b) Any person who drives any vehicle in any off-street parking facility, as defined in subdivision (c) of Section 12500, in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

CVC 23109 Speed Contests

- (a) A person shall not engage in a motor vehicle speed contest on a highway. As used in this section, a motor vehicle speed contest includes a motor vehicle race against another vehicle, a clock, or other timing device. For purposes of this section, an event in which the time to cover a prescribed route of more than 20 miles is measured, but where the vehicle does not exceed the speed limits, is not a speed contest.
- (b) A person shall not engage in any motor vehicle exhibition of speed on a highway, and no person shall aid or abet in a motor vehicle exhibition of speed on any highway.

A. Tow Procedures CVC 23109.2(A)(1)

Vehicles towed per Authority CVC § 23109.2(a)(1) with a 30-Day Hold shall be documented on a Crime Report, complete with a Face Page, Suspect Page, Vehicle Page, and a complete summary of the officer's observations and documentation of the violation that led to the towing of the vehicle. In your respective report(s), you may also appeal to the Alameda District Attorney's Office for a TRO against the defendant by writing the following: "I request a Stay Away Order be issued, prohibiting (defendant's name) from engaging in any sideshow activity."

B. CVC 22655.5(A) With No Hold

CVC 22655.5(a) shall only be ordered for the prescribed crimes listed below.

CVC 21712 Unlawful Riding and Towing

(a) person driving a motor vehicle shall not knowingly permit any person to ride on a vehicle or upon any portion of a vehicle that is not designed or intended for the use of passengers.

(b) A person shall not ride on a vehicle or upon a portion of a vehicle that is not designed or intended for the use of passengers.

CVC § 23116 Carrying Persons in the Back of a Motor Truck

(a) No person driving a pickup truck or a flatbed motor truck on a highway shall transport any person in or on the back of the truck.

(b) No person shall ride in or on the back of a truck or flatbed motor truck being driven on a highway.

B. CVC 22655.5(A) With No Hold**CVC 2818 Crossing Flare or Cone Patterns**

It is unlawful to traverse a flare pattern, cone pattern, or combination thereof, provided for the regulation of traffic, or provided in any situation where public safety personnel are engaged in traffic control or emergency scene management.

CVC 21460 Double Lines

When double parallel solid lines are in place, no person driving a vehicle shall drive to the left thereof, except as permitted in this section.

C. CVC 22655.5(A) With No Hold

Except as expressly permitted pursuant to this code, including Sections 21100.4 and 21114.5, no person shall operate or move a motor vehicle upon a sidewalk except as may be necessary to enter or leave adjacent property.

D. CVC 22655.5(A) With No Hold**CVC 12814.6 Provisional License for Minors; Distinctive Driver's License**

(a) Except as provided in Section 12814.7, a driver's license issued to a person at least 16 years of age but under 18 years of age shall be issued pursuant to the provisional licensing program contained in this section. The program shall consist of all of the following components:

(5) The person shall successfully complete an examination required by the department. Before retaking a test, the person shall wait for not less than one week after failure of the written test and for not less than two weeks after failure of the driving test.

Information Bulletin – Towing

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(b) Except as provided in Section 12814.7, the provisional driver's license shall be subject to all of the following restrictions:

(1) Except as specified in paragraph (2), during the first 12 months after issuance of a provisional license the licensee may not do any of the following unless accompanied and supervised by a licensed driver who is the licensee's parent or guardian, a licensed driver who is 25 years of age or older, or a licensed or certified driving instructor:

- (A) Drive between the hours of 11 p.m. and 5 a.m.
- (B) Transport passengers who are under 20 years of age.

E. CVC 22655.5(A) With No Hold**CVC 24004 Unlawful Operation After Notice by Officer**

No person shall operate any vehicle or combination of vehicles after notice by a peace officer, as defined in Section 830.1 or subdivision (a) of Section 830.2 of the Penal Code, that the vehicle is in an unsafe condition or is not equipped as required by this code, except as may be necessary to return the vehicle or combination of vehicles to the residence or place of business of the owner or driver or to a garage, until the vehicle and its equipment have been made to conform with the requirements of this code. The provisions of this section shall not apply to an employee who does not know that such notice has been issued, and in such event the provisions of Section 40001 shall be applicable.

F. CVC 22655.5(A) With No Hold**CVC 27007 Sound Amplification Devices**

No driver of a vehicle shall operate, or permit the operation of, any sound amplification system which can be heard outside the vehicle from 50 or more feet when the vehicle is being operated upon a highway, unless that system is being operated to request assistance or warn of a hazardous situation.

This section does not apply to authorized emergency vehicles or vehicles operated by gas, electric, communications, or water utilities. This section does not apply to the sound systems of vehicles used for advertising, or in parades, political or other special events, except that the use of sound systems on those vehicles may be prohibited by a local authority by ordinance or resolution.

G. Tow Procedures CVC 22655.5(A)

Vehicles towed per Authority CVC 22655.5(a) (with no hold) shall be documented on the Stored Vehicle Report. If more room is needed for the narrative, use an Additional Information Report.

No holds shall be placed on the vehicle, and it will be released to the registered owner by the Records Section upon presentation of a valid registration, a valid driver's license, and payment of all administrative, tow and storage fees.

Provide the person driving or in control of the vehicle, at the time it was seized, with a Tow Resource Guide.

H. Rental Vehicles

- If you have authority to impound a vehicle that is a rental, you must consider these options in the following order:
- 1. Contact the rental agency and allow them the option to come pick up the vehicle or give permission to impound the vehicle with no holds. If you cannot contact the rental agency, you may impound the vehicle with no holds; or
- 2. If you contact the rental agency and they cannot respond within a reasonable amount of time (approx. 30 minutes), transport the vehicle to the Eastmont substation, secure the vehicle, lock the keys in the trunk, and allow them to pick up the vehicle later.

I. Digital Video Recovery

Digital video of the incident from bystanders and onlookers is valuable evidence. Because search warrants for misdemeanors per PC 1524(a) in general are not authorized, and because most reckless driving activity are misdemeanor offenses, you MAY NOT seize and petition for a search warrant for the digital evidence unless the offense is minimally a felony. Officers are, instead, encouraged to seek valid consent.

J. None-Issued/Expired and Suspended/Revoked License**CVC 12500(A)**

A person may not drive a motor vehicle upon a highway, unless the person then holds a valid driver's license issued under this code, except those persons who are expressly exempted under this code.

CVC 12500(A)

When encountering drivers who never have been issued a license or possess an expired license, the correct section to issue a citation for is CVC 12500(a). Officers shall allow an unlicensed driver the opportunity to:

1. Relinquish the vehicle to a family member or acquaintance who is on scene that is in possession of a valid driver's license OR
2. Leave the vehicle on scene after a liability waiver is signed.

The following are exceptions where, if one is met, officers may tow the unlicensed driver's vehicle to APT under the authority of CVC 14602.6(a) (1) with a 30-day hold:

1. Locations to legally park the vehicle are not readily available (document in your FI that no legal spaces were available).
2. The unlicensed driver refuses to sign a waiver agreeing to leave his or her vehicle on scene. In addition to citing the unlicensed driver for CVC 12500(a), officers shall complete a Field Investigation report, indicating the initial reason for the stop and the fact that the driver was issued a citation for CVC 12500(a).

If an officer contacts a driver who possess an expired license, the officer may tow the vehicle for CVC 22651(p) without a 30-day hold.

CVC 14601(A) No person shall drive a motor vehicle at any time when that person's driving privilege is suspended or revoked for reckless driving in violation of Section 23103, 23104, or 23105, any reason listed in subdivision (a) or (c) of Section 12806 authorizing the department to refuse to issue a license, negligent or incompetent operation of a motor vehicle as prescribed in subdivision (e) of Section 12809, or negligent operation as prescribed in Section 12810.5 if the person so driving has knowledge of the suspension or revocation. Knowledge shall be conclusively presumed if mailed notice has been given by the department to the person pursuant to Section 13106. The presumption established by this subdivision is a presumption affecting the burden of proof.

When encountering drivers who are in possession of a suspended, revoked, or restricted license the correct section to issue a citation for is CVC 14601 (a).

K. Impounding Vehicles Under Authority CVC 14602.7(A)

CVC 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.

CVC 14602.7(a) This section allows a police officer to obtain a seizure warrant for a vehicle that was used in the commission of 2800.1, 2800.2, 2800.3, or 23103 CVC. When one of the mentioned offenses is committed in an

Information Bulletin – Towing

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officer's presence, the officer can present an affidavit to a magistrate for a vehicle seizure warrant. The officer can then impound the vehicle and hold it for 30 days.

CVC 2800.1(a) Any person who, while operating a motor vehicle and with the intent to evade, willfully flees or otherwise attempts to elude a pursuing police officer's motor vehicle is guilty of a misdemeanor.

CVC 2800.2(a) Any person who flees a police officer as 2800.1(a), and the pursued vehicle is driven in a wanton disregard for the safety of persons or property is guilty of a misdemeanor or felony.

Vehicle Holds

No unnecessary holds shall be placed on towed vehicles.

Separable evidence in the vehicle shall be removed and turned into the Property Section.

A hold shall be placed on a vehicle only where there is evidentiary value in the vehicle itself or for some other compelling reason (e.g., search warrant, disputed title, altered VIN plate or investigator's prior request for a hold).

Every effort shall be made to process vehicles at the scene to eliminate unnecessary tows and holds.

If processing by a technician is the only reason for a hold, a hold for an investigative unit shall not be placed on the vehicle.

To ensure no excess storage fees are incurred by the registered owner or the Police Department, investigators shall notify the registered owner immediately of the vehicle's availability after vehicle serves no further evidentiary purpose.

Allegations of improper tows shall be referred to the Fleet/Tow Coordinator, and to the member or professional staff 1st line supervisor.

California Vehicle Code (CVC) Tow Authorities

- 22651(b) Hazard to traffic
- 22651(c) Stolen Vehicle
- 22651(d) Blocking Driveway
- 22651(e) Hydrant
- 22651(h) Arrest
- 22651(i)(1) Five or More parking citations
- 22651(j) No evidence of registration, illegally parked
- 22651(k) No vehicle shall be parked for more than 72 hrs
- 22651(l) Construction zone
- 22651(n) Tow away zone
- 22651(o) Expired registration, over 6 months
- 22651(p) Towed vehicle: Driver cited 12500(A)
- 22652 Handicap zone (22507.8)(A) VC
- 22654(a) Towed vehicle: Prohibited parking
- 22654(e) Towed vehicle: Obstruct emergency services
- 22655(a) Towed vehicle: Hit & Run
- 22655.3 Vehicle abandoned after a chase
- 22655.5(a) Vehicle used to commit offense
- 22655.5(b) Evidence that cannot be removed out of vehicle, found on a public street
- 22656 Within 7-1/2' of Railroad track
- 22669(d) Missing parts needed to operate on a public street
- 23109.2(a) Reckless/Exhibition w/30-day hold
- 14601.1(a) Driving on a suspended or revoked license
- 14602.6(a) License suspended, revoked, or never issued;
Arrest of driver; impounding vehicle w/30-day hold



Oakland Police Department
455 7th Street
Oakland, CA 94607
www.oaklandca.gov/services/towed-vehicles

Emergency
911

Non Emergency
(510) 777-3333

OPD Records
455 7th Street
Oakland, CA 94607
1st Floor - Records Kiosk
(510) 238-3021

Text-To-911
Enter 911 without spaces or hyphens and text the reason for your emergency.

Auto Plus Towing
733 Kevin Court
Oakland, CA 94621
(510) 261-8199

<https://www.oaklandautoplustowing.com/>

Directions from Oakland Police Administration Building

Start out going Southeast on 7th street towards Broadway. Take the 1st right onto Broadway. Turn left onto 5th street and merge onto I880 South towards San Jose. Take the High Street exit towards Alameda. Stay straight to go onto Oakport Street. Turn Left on High Street. Take the 1st right onto Coliseum Way. Turn left for approximately one mile. Turn left onto Kevin Court

Attachment 2
Oakland Police Department

Tow Resource Guide



Report Drunk Drivers
Call or Text
911



Has My Car Been Towed?

Call OPD Records at 510-238-3021 to confirm if your car has been towed and is not lost or stolen.

What to do if your vehicle was towed:

Your vehicle may be removed from public or private property under the authority of Division 11, Chapter 10, of the Vehicle Code of the State of California and towed by a member of the Oakland Tow Car Association under contract with the City of Oakland.

If you confirm that the vehicle has been towed, the following must be completed before it is released:

- Get a Vehicle Release form from OPD Records
- Pay the Administrative Vehicle Release Fee
- If the vehicle is being held as evidence, you must obtain a Release Form from the investigator before Records can process the request.
- Take the Vehicle Release Form from Records to Auto Plus Towing to retrieve your vehicle.
- Auto Plus Towing fees for towing and storage must be paid before APT will release the vehicle

Proper Identification and Valid Driver's License Required

- Vehicles will be released only to **registered owners, legal owners, their agents and representatives who present proper proof of entitlement to the vehicle.** (A notarized letter from the legal or registered owner authorizing another individual to obtain the vehicle on their behalf would constitute as sufficient proof.)
- Vehicles will be released only to individuals possessing a **valid driver's license.**

Vehicle Releases

Releases may be obtained from OPD Records

**8:00 AM – 3:00 PM
Monday – Friday**

**8:00 AM - Noon,
Saturday, Sunday and holidays.**

Fees and Charges

Administrative fees and towing/storage charges authorized by the State of California and adopted by the City of Oakland and the Oakland Tow Car Association are applicable as follows:

Vehicle Release Fee—Stored Vehicles

An Administrative Vehicle Release Fee of **\$166.00** is required prior to the issuance of a release for vehicles towed and stored for the following: (22651(c) VC excluded):

- Incident to Arrest
- Vehicles Towed as a Hazard
- Oakland Traffic Code – Tow and Storage Violations
- Illegally Parked or Abandoned on Streets and Highways
- Responsible Vehicles Towed Incident to a Traffic Collision

Vehicle Release Fee—Impounded Vehicles

An Administrative Vehicle Release Fee of **\$166.00** is required prior to the issuance of a release for vehicles towed and stored for the following: (22651(c) VC excluded):

- 22651 (i) VC Five (5) or More Outstanding Parking Violations
- 22651 (o) VC Expired Registration Violations
- 22651 (p) VC Driver Not in Possession of a Valid Driver's License
- Vehicles Held as Evidence or Vehicles Held for Criminal Investigation

Vehicle Release Fee—Impounded Stop Vehicles

An Administrative Vehicle Release Fee of **\$280.00** is required prior to the issuance of a release for vehicles impounded for the Special Traffic Offender Program (STOP).

Vehicle Access Fee

An Administrative Vehicle Access Fee of **\$15.00** is required whenever a registered or legal owner retrieves property from his or her vehicle prior to obtaining a vehicle release.

Towing and Storage Charges

Contact Auto Plus Towing to get towing and storage fees which are **payable directly to the tow company.** The Oakland Police Department cannot provide information regarding lien sale fees or vehicle disposal dates.

**Payment may be made with:
Cash, Visa, or MasterCard Only
No personal checks. (Business checks only)**

Disputing Tow and Storage Fees

Attachment 2

Only the registered/legal owner of a vehicle may dispute the tow and fees. To dispute tow and storage fees for anything other than being involved in a public offense CVC - 22655.5 (a), contact the **City of Oakland Administrative Hearing Examiner at (510)238-4484.**

If your vehicle was towed and is being held as evidence as a public offense, you will need to obtain an order of the court directing that the vehicle be released. In most cases, you will be responsible for all the fees associated with the vehicle's tow and storage.

Error Tows

If your vehicle was towed in error, the City of Oakland Administrative Hearing Examiner may waive the fees. Contact the Administrative Hearing Examiner at 510-238-4484 for assistance.

Suspended, Revoked, or Unlicensed Driver: Hearing Vehicle Impoundment: 14602.6(a)

Whenever a peace officer determines that a person was driving a vehicle while his or her driving privilege was suspended or revoked or that person was driving a vehicle without ever having been issued a license, the officer may impound the vehicle for 30 days. The registered owner and legal owner of the vehicle or their agents shall be provided the opportunity for a hearing to determine the validity of the circumstances.

Fee Waivers—Evidence Tows

In most cases, you will be required to pay the tow and storage fees when your vehicle is towed because it has been involved in a public offense. In some circumstances or if you are the victim of a crime, an investigator may waive all or a portion of the fees. You must contact the investigator assigned to the case to obtain such a waiver.

Complaint Process Regarding the Conduct of OPD Personnel

To register a complaint against OPD personnel, call the Communications Division at 510-777-3333 to request to speak to a supervisor. The supervisor will contact you and try to resolve the problem. If you need further assistance or are not satisfied with the supervisor's remedy, contact the OPD Internal Affairs Division at 510-238-3161. Supervisors and IAD cannot release or, return a legally towed vehicle nor waive fees. (*See Disputing Tow or Storage Fee*)

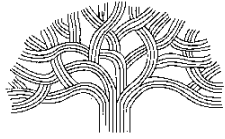
Complaint Process Regarding Conduct of Tow Drivers or Employees

File a written complaint with Auto Plus Towing's General Manager. Auto Plus Towing will handle all complaints regarding tow drivers or employees. Auto Plus Towing will notify OPD Tow Detail if any assistance is needed in resolving the complaint

10.28.030 Use of streets for storage of vehicles prohibited.

- A. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.
- B. In the event a vehicle is parked or left standing upon a street in excess of a consecutive period of seventy-two (72) hours, any officer of the Police Department or any regularly employed and salaried civilian employee of the City who is engaged in the direction of traffic or enforcement of parking regulations when designated by the Chief of Police, may remove said vehicle from the street in the manner and subject to the requirements of Sections 22850 and 22856 inclusive of the Vehicle Code of the state of California.

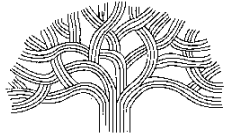
(Prior traffic code § 152)



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of July 2022
(Sorted by One-Year Goal)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
21-1010	8/31/2021	9/1/2021	8/31/2021	Investigator	JS	2/28/2022	8/31/2022	Use of Force, Discrimination	1	4	11	Use of Force and Racial Discrimination
21-1139	9/23/2021	9/23/2021	9/23/2021	Investigator	AL	3/22/2022	9/22/2022	Discrimination	1	1	2	Discrimination Race/Gender
21-1411	11/19/2021	11/23/2021	11/19/2021	Investigator	AL	5/18/2022	11/18/2022	Truthfulness	1	2	4	Performance of Duty, False Arrest
21-1426	11/22/2021	12/21/2021	11/22/2021	Investigator	AL	5/21/2022	11/21/2022	Use of Force	1	4	6	Use of Force
21-1478	12/6/2021	12/7/2021	12/6/2021	Investigator	ED	6/4/2022	12/5/2022	Use of Force	1	2	10	Use of Force, Refusal to Provide Name and Serial Number, Unlawful Detention, Performance of Duty
21-1514	10/13/2021	12/14/2021	12/13/2021	Investigator	MM	6/11/2022	12/12/2022	Use of Force	1	1	2	Use of Force, False Arrest
21-1547	12/20/2021	12/22/2021	12/20/2021	Investigator	ED	6/18/2022	12/19/2022	Use of Force	1	1	1	Use of Force
21-1558	12/24/2021	12/28/2021	12/24/2021	Investigator	ED	6/22/2022	12/23/2022	Use of Force	1	3	10	Use of Force, Miranda, Performance of Duty
21-1569	6/11/2021	12/27/2021	12/27/2021	Investigator	MM	6/25/2022	12/26/2022	Discrimination	1	15	30	Failure to accept or refer, discrimination, performance of duty
22-0001	1/1/2022	1/4/2022	1/2/2022	Investigator	JS	7/1/2022	1/1/2023	Use of Force	1	1	1	Use of Force
22-0018	1/8/2022	1/11/2022	1/8/2022	Investigator	MM	7/7/2022	1/7/2023	Use of Force	1	4	4	Use of Force
22-0040	1/15/2022	1/18/2021	1/15/2022	Investigator	AL	7/14/2022	1/14/2023	Use of Force	1	1	1	Use of Force
22-0065	1/21/2022	1/25/2022	1/21/2022	Investigator	MM	7/20/2022	1/20/2023	Use of Force	1	1	1	Use of Force
22-0093	1/27/2022	2/1/2022	1/27/2022	Investigator	MM	7/26/2022	1/27/2023	Racial Discrimination	1	1	5	Racial Discrimination
20-1406	11/3/2020	11/6/2020	11/3/2020	Investigator	ED	5/2/2021	2/6/2023	Use of Force	1	6	6	Use of Force
22-0132	2/8/2022	2/8/2022	2/8/2022	Investigation	JS	8/7/2022	2/7/2023	Discrimination	1	1	2	Discrimination, Performance of Duty
22-0139	2/10/2022	2/15/2022	2/10/2022	Investigator	JS	8/9/2022	2/9/2023	Use of Force	1	1	1	Use of Force
22-0144	2/12/2022	2/15/2022	2/12/2022	Investigator	ED	8/11/2022	2/11/2023	Use of Force	1	3	6	Use of Force
22-0145	2/12/2022	2/15/2022	2/12/2022	Investigator	JS	8/11/2022	2/11/2023	Use of Force	1	4	11	Use of Force, Performance of Duty, Demeanor, Harrassment/Discrimination
22-0155	2/15/2022	2/17/2022	2/16/2022	Investigator	JS	8/15/2022	2/16/2023	Use of Force	1	7	16	Use of Force
22-0157	2/14/2022	2/18/2022	2/17/2022	Investigator	AL	8/16/2022	2/17/2023	Discrimination	1	2	6	Discrimination
22-0181	2/23/2022	2/24/2022	2/23/2022	Investigator	AL	8/22/2022	2/23/2023	Use of Force	1	1	1	Use of Force
22-0203	2/28/2022	3/2/2022	2/28/2022	Investigator	JS	8/27/2022	2/27/2023	Use of Force	1	1	2	Use of Force, Performance of Duty
22-0201	2/16/2022	3/2/2022	2/28/2022	Investigator	MM	8/27/2022	2/27/2023	Use of Force	1	1	1	Use of Force
22-0212	3/2/2022	3/4/2022	3/2/2022	Investigator	AL	8/29/2022	3/1/2023	In-Custody Death	1	12	12	Performance of Duty, Supervisors Authorities and Responsibilities, General Conduct
21-0238	3/2/2021	3/2/2021	3/2/2021	Investigator	ED	8/29/2021	3/2/2023	Use of Force	1	4	4	Use of Force, Supervisors Authorities and Responsibilities
22-0228	3/4/2022	3/10/2022	3/4/2022	Investigator	AL	8/31/2022	3/3/2023	Discrimination	1	3	3	Harassment/Discrimination
22-0230	3/5/2022	3/10/2022	3/5/2022	Investigator	AL	9/1/2022	3/4/2023	Use of Force	1	1	2	Use of Force; Performance of Duty
22-0227	3/2/2022	3/10/2022	3/5/2022	Investigator	JS	9/1/2022	3/4/2023	Use of Force	1	4	4	Use of Force
22-0225	3/5/2022	3/10/2022	3/5/2022	Investigator	ED	9/1/2022	3/5/2023	Use of Force	1	2	6	Use of Force; Performance of Duty
22-0247	3/4/2022	3/7/2022	3/7/2022	Investigator	JS	9/3/2022	3/7/2023	Use of Force	1	1	1	Use of Force
22-0241	3/7/2022	3/10/2022	3/9/2022	Investigator	AL	9/5/2022	3/8/2023	Use of Force	1	1	3	Unlawful Arrest, Unlawful Search, Use of Force
22-0248	3/10/2022	3/15/2022	3/10/2022	Investigator	JS	9/6/2022	3/9/2023	Use of Force	1	2	2	Use of Force
22-0267	3/11/2022	3/15/2022	3/11/2022	Investigator	ED	9/7/2022	3/10/2023	Use of Force	1	1	1	Use of Force

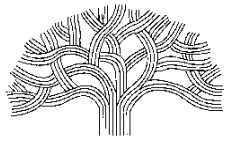
*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of July 2022
(Sorted by One-Year Goal)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-0261	3/12/2022	3/15/2022	3/12/2022	Investigator	MM	9/8/2022	3/11/2023	Truthfulness	1	3	2	Demeanor, Truthfulness
22-0258	3/13/2022	3/15/2022	3/13/2022	Intake	JS	9/9/2022	3/12/2023	Use of Force	1	1	1	Use of Force
22-0288	2/26/2022	3/22/2022	3/18/2022	Investigator	ED	9/14/2022	3/17/2023	Other	2	1	3	False Arrest
22-0290	3/18/2022	3/22/2022	3/18/2022	Investigator	MM	9/14/2022	3/17/2023	Racial Profiling	1	2	6	Racial Profiling, False Arrest
22-0449	11/16/2010	4/21/2022	3/20/2022	Investigator	ED	10/17/2022	3/20/2023	Use of Force	1	1	1	Use of Force
22-0335	3/26/2022	3/30/2022	3/26/2022	Investigator	JS	9/22/2022	3/25/2023	Discrimination	1	1	2	Discrimination, Demeanor
22-0349	3/31/2022	4/5/2022	3/31/2022	Investigator	AL	9/27/2022	3/31/2023	Racial Discrimination	1	1	2	Racial Discrimination; Performance of Duty
22-0395	4/10/2022	1/20/1900	4/10/2022	Investigator	MM	10/7/2022	4/9/2023	Use of Force	1	2	4	Conduct/Demeanor, Use of Force
22-0403	4/12/2022	4/14/2022	4/12/2022	Investigator	MM	10/9/2022	4/12/2023	Use of Force	1	1	1	Use of Force
22-0409	4/13/2022	4/15/2022	4/13/2022	Investigator	JS	10/10/2022	4/13/2023	Discrimination	1	1	3	Racial Discrimination; Performance of Duty
22-0428	4/16/2022	4/19/2022	4/16/2022	Investigator	JS	10/13/2022	4/16/2023	Truthfulness	1	1	1	Truthfulness
22-0464	4/21/2022	4/27/2022	4/22/2022	Intake	KC	10/19/2022	4/21/2023	Racial Discrimination	1	3	3	Racial Profiling, False Arrest
22-0477	4/24/2022	4/27/2022	4/24/2022	Investigator	AL	10/21/2022	4/23/2023	Racial Discrimination	1	2	2	Racial Discrimination
22-0494	4/28/2022	5/3/2022	4/28/2022	Investigator	MM	10/25/2022	4/27/2023	Use of Force	1	1	1	Use of Force
22-0528	5/5/2022	5/10/2022	5/5/2022	Investigator	MM	11/1/2022	5/4/2023	Use of Force	1	2	1	Use of Force
22-0532	5/8/2022	5/10/2022	5/8/2022	Investigator	AL	11/4/2022	5/7/2023	Use of Force	1	2	2	Use of Force
22-0551	5/9/2022	5/11/2022	5/9/2022	Intake	KC	11/5/2022	5/8/2023	Harassment	1	1	1	Harassment
22-0563	5/13/2022	5/18/2022	5/13/2022	Investigator	JS	11/9/2022	5/12/2023	Use of Force	1	2	2	Use of Force
22-0569	5/13/2022	5/18/2022	5/13/2022	Investigator	JS	11/9/2022	5/12/2023	Discrimination	1	2	4	Discrimination, Demeanor
22-0576	5/16/2022	5/18/2022	5/16/2022	Investigator	AL	11/12/2022	5/15/2023	Truthfulness	1	1	1	Performance of Duty - general
22-0575	5/16/2022	5/18/2022	5/16/2022	Intake	KC	11/12/2022	5/15/2023	Use of Force	1	1	2	Use of Force, Demeanor
22-0574	5/16/2022	5/18/2022	5/17/2022	Intake	FC	11/13/2022	5/16/2023	Use of Force	1	1	1	Use of Force
22-0583	5/18/2022	5/20/2022	5/18/2022	Investigator	MM	11/14/2022	5/17/2023	Discrimination	1	2	2	Harassment, Discrimination
21-1140	9/26/2021	9/26/2021	9/26/2021	Investigator	ED	3/25/2022	5/18/2023	Other	2	5	5	Performance of Duty, Supervisors Authority and Responsibilities
22-0617	5/18/2022	5/24/2022	5/24/2022	Investigator	JS	11/20/2022	5/23/2023	Use of Force, Discrimination	1	1	3	Discrimination, Use of Force
22-0618	5/24/2022	5/25/2022	5/24/2022	Intake	KC	11/20/2022	5/23/2023	Racial Discrimination	1	1	2	Racial Discrimination/Performance of Duty - false arrest
22-0597	5/22/2022	5/24/2022	5/22/2022	Investigator	MM	11/18/2022	5/23/2023	Racial Discrimination; Use of Force	1	1	2	Force
22-0623	5/14/2022	5/26/2022	5/25/2022	Intake	FC	11/21/2022	5/24/2023	Truthfulness	1	1	3	Demeanor, Performance of Duty
22-0630	5/26/2022	5/31/2022	5/26/2022	Intake	FC	11/22/2022	5/25/2023	Use of Force	1	1	1	Use of Force
22-0635	5/26/2022	5/31/2022	5/26/2022	Intake	FC	11/22/2022	5/25/2023	Use of Force	1	9	9	Use of Force
22-0638	5/28/2022	6/2/2022	5/28/2022	Intake	MB	11/24/2022	5/28/2023	Racial Discrimination	1	1	3	Racial Discrimination; Demeanor
22-0661	6/1/2022	6/7/2022	6/1/2022	Intake	FC	11/28/2022	5/31/2023	Use of Force	1	4	5	Use of Force
22-0670	6/2/2022	6/7/2022	6/3/2022	Investigator	AL	11/30/2022	6/2/2023	Use of Force, Performance of Duty	1	1	2	Use of Force, Performance of Duty
22-0667	6/2/2022	6/7/2022	6/3/2022	Intake	MB	11/30/2022	6/3/2023	Racial Discrimination; Demeanor	1	3	12	Demeanor
22-0678	6/5/2022	6/7/2022	6/5/2022	Investigator	MM	12/2/2022	6/4/2023	Racial Discrimination	1	1	4	Racial Discrimination/Performance of Duty/Demeanor
22-0729	6/12/2022	6/14/2022	6/12/2022	Intake	KC	12/9/2022	6/11/2023	Use of Force	1	2	2	Use of Force
22-0728	6/11/2022	6/14/2022	6/12/2022	Intake	MB	12/9/2022	6/12/2023	Use of Force	1	1	1	Use of Force
22-0744	6/14/2022	6/21/2022	6/14/2022	Intake	FC	12/11/2022	6/13/2023	Use of Force	1	1	2	Unlawful Detention, Use of Force
22-0741	6/15/2022	6/15/2022	6/16/2022	Investigator	AL	12/12/2022	6/14/2023	Use of Force	1	1	3	Use of Force, Obedience to Laws

*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of July 2022
(Sorted by One-Year Goal)

Attachment 3
Page 3 of 3
 (Total Pending = 100)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-0740	6/15/2022	6/16/2022	6/15/2022	Intake	FC	12/12/2022	6/14/2023	Use of Force	1	1	3	Use of Force, Demeanor, No MOR Violation
22-0753	10/17/2021	6/21/2022	6/17/2022	Intake	MB	12/14/2022	6/17/2023	Racial Discrimination	1	1	1	Racial Discrimination
22-0783	6/22/2022	6/28/2022	6/22/2022	Intake	FC	12/19/2022	6/21/2023	Use of Force	1	1	1	Use of Force
22-0796	6/26/2022	6/26/2022	6/26/2022	Investigator	ED	12/23/2022	6/25/2023	In-Custody Death; Truthfulness	1	2	2	Unauthorized pursuit; Truthfulness
22-0800	6/25/2022	6/28/2022	6/25/2022	Intake	MB	12/22/2022	6/25/2023	Racial Discrimination	1	1	1	Racial Discrimination
22-0810	6/27/2022	6/29/2022	6/27/2022	Intake	KC	12/24/2022	6/26/2023	Use of Force	1	5	5	Use of Force
22-0838	7/1/2022	7/6/2022	7/1/2022	Intake	FC	12/28/2022	6/30/2023	Use of Force	1	2	4	Use of Force, Unlawful Arrest
22-0835	7/1/2022	7/6/2022	7/1/2022	Intake	MB	12/28/2022	7/1/2023	Racial Discrimination; Use of Force	1	2	4	Racial Discrimination; Use of Force
22-0839	7/5/2022	7/6/2022	7/5/2022	Intake	FC	1/1/2023	7/4/2023	Use of Force	1	1	5	Use of Force, Service, Demeanor
22-0850	7/5/2022	7/7/22	7/6/2022	Intake	FC	1/2/2023	7/5/2023	Use of Force	1	1	1	Use of Force
22-0864	7/4/2022	7/12/2022	7/6/2022	Intake	FC	1/2/2023	7/5/2023	Discrimination	1	1	2	Discrimination, Performance of Duty
22-0877	7/8/2022	7/12/2022	7/8/2022	Intake	MB	1/4/2023	7/8/2023	Discrimination	1	1	2	Discrimination
22-0871	7/9/2022	7/12/2022	7/11/2022	Intake	KC	1/5/2023	7/9/2023	Use of Force	1	2	2	Use of Force
22-0872	5/31/2022	7/12/2022	7/9/2022	Intake	MB	1/5/2023	7/9/2023	Discrimination	1	1	2	Discrimination
22-0884	7/11/2022	7/13/2022	7/12/2022	Intake	FC	1/8/2023	7/11/2023	Use of Force	1	1	2	Use of Force, Performance of Duty
22-0893	7/14/2022	7/19/2022	7/14/2022	Intake	MB	1/10/2023	7/14/2023	Discrimination	1	1	2	Discrimination
22-0904	7/15/2022	7/19/2022	7/15/2022	Intake	KC	1/11/2023	7/15/2023	Harassment	1	1	5	Harassment; False arrest; Demeanor
22-0919	7/11/2022	7/20/2022	7/19/2022	Intake	FC	1/15/2023	7/18/2023	Discrimination	1	1	4	Demeanor, Performance of Duty, Discrimination, Retaliation
22-0977	7/7/2021	7/26/2022	7/26/2022	Intake	FC	1/22/2023	7/25/2023	Use of Force	1	1	5	Use of Force, Performance of Duty
22-0984	4/14/2022	7/28/2022	7/28/2022	Intake	FC	1/24/2023	7/27/2023	Harassment, Truthfulness	1	2	5	Retaliation, Harassment, Reports, Truthfulness
22-0299	3/20/2022	7/29/2022	7/29/2022	Intake	FC	1/25/2023	7/28/2023	Harassment	1	1	2	Harassment, Obedience to Laws
22-0626	5/25/2022	5/26/2022	5/25/2022	Intake	MB	11/21/2022	11/21/2023	Racial Discrimination; Use of Force	1	2	3	Racial Discrimination; Use of Force
21-1410	11/20/2021	11/20/2021	11/20/2021	Investigator	AL	5/19/2022	Tolled	Use of Force	1	14	17	Use of Force
19-1169	10/17/2019	10/22/2019	10/17/2019	Investigator	ED	4/14/2020	Tolled	Discrimination, Use of Force	1	2	7	Use of Force, Discrimination, False Arrest
21-1114	9/22/2021	9/22/2021	9/22/2021	Investigator	JS	3/22/2022	Tolled	Use of Force	1	3	3	Use of Force
21-0993	8/25/2021	8/25/2021	8/25/2021	Investigator	MM	2/27/2022	Tolled	Use of Force	1	3	6	Use of Force, Performance of Duty, Supervision
22-0622	5/25/2022	5/25/2022	5/25/2022	Investigator	MM	11/21/2022	Tolled	Use of Force	1	1	1	Use of Force

*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND | POLICE COMMISSION
250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

Current Committees

Standing Committee	Commissioners
Personnel	Jackson

Ad Hoc Committee	Commissioners
Budget	Milele, Peterson
Body Worn Cameras Policy	Peterson, Harbin-Forte, Hsieh
Chief of Staff Search	Milele, Jackson, Jordan
Community Outreach	Howell, Hsieh, Jordan
CPRA Executive Director Search	Milele, Jackson, Peterson
CPRA Director + IG Performance Evaluation	Milele, Peterson
IG Policies	Peterson, Harbin-Forte, Jackson
Militarized Equipment Policy	Hsieh, Jordan
OBOA Allegations Investigation	Harbin-Forte, Jackson
Racial Profiling Policy	Milele, Jackson, Jordan
Rules of Procedure	Harbin-Forte
OBOA Association	Jackson, Harbin-Forte, Karely Ordaz

Recently Completed/Paused/Dormant

Ad Hoc Committee	Commissioners
Annual Report	Milele, Jackson
Antidiscrimination Policy	Harbin-Forte, Hsieh, Jackson
Electronic Communication Devices	Howell, Harbin-Forte, Peterson
Police Chief Goals and Evaluation	Milele, Peterson, Jackson
Risk Management Policy	Peterson, Harbin-Forte, Howell
Social Media Policy	Milele, Hsieh, Jackson
White Supremacists and Other Extremist Groups	Harbin-Forte, Jackson
Community Policing (15-01)	Harbin-Forte, Howell, Hsieh

For a roster of current Commissioners and their emails, visit:

<https://www.oaklandca.gov/teams/police-commission>

Police Commission Pending Agenda Matters List

	A	B	C	D	E
1	Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
	Performance Reviews of CPRA Director and OPD Chief	Conduct performance reviews of the Agency Director and the Chief	The Commission shall determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation.		Ord. Section 2.45.070(G)
2	Provide Policy Guidelines to CPRA Director re Case Prioritization				Ord. § 2.45.070(I)
3	Advise OIG of Priorities, Functions, & Duties				Ord § 2.45.120
4	Solicit/Consider Public Input re Quality of Interactions with CPRA and Commission				Ord. § 2.45.070(Q)
5	Review and Comment on Proposed Budget for Education and Training re: Job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues				Charter § 604(d)(1) and Ord § 2.45.090
6	Propose a Budget for Education and Training re: Job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues				Ord. § 2.45.070(C) & (D) (C) Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of post-traumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter. (D) Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection C, above.
7	Two meetings per year outside City Hall - "Community Roundtables"	Agendized ten days in advance	Commission shall consider inviting to each roundtable individuals and groups familiar with the issues involved in building and maintaining trust between the Department and the community, including but not limited to representatives from the Department, members of faith-based groups, youth groups, advocacy groups, residents of neighborhoods that experience the most frequent contact with the Department and formerly incarcerated members of the community		Charter § 604(d)(1) and Ord. § 2.45.090
8	Establish Rules/Procedures re Mediation/Resolution of Complaints of Misconduct				Ord. § 2.45.070(N)
9	Review And Comment On Department's Practices/Policies Re: Reporting And Publishing Data On Its Activities				Ord. § 2.45.070(P)
10					

Police Commission Pending Agenda Matters List

	A	B	C	D	E
1	Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022	Measure 11 ("Charter") and Enabling Ordinance ("Ord.") Sections
	Public Hearing on OPD Policies	Commission may shall determine which Department policies are subject of the hearing			Charter Section 604(b)(2)
11	Public Hearing on OPD Budget	Purpose of hearing is to "determine whether budgetary allocations for the Department are aligned with the Department's policies"	Tentative release date of Mayor's proposed budget is May 1st of each year.		Charter Section 604(b)(7)
12					
13	Revisit OPD's Grooming & Presentation policy		Requested by Comm. Gage (1.13)		
14	Ad Hoc to review and learn about OPD's Tow policy		Requested by Comm. Harbin-Forte (4.14)		
	For the Chief:				
15	- Report on claims regarding bail and increase in crime		Requested by Comm. Harbin-Forte (4.14)		
16	Report from Chief Armstrong regarding OPD's homelessness policy		Requested by Comm. Harbin-Forte (2.10)		
17	Presentation from the Department of Violence Prevention		Requested by Comm. Jackson (2.24)		
18	Presentation from OPD's Risk Management team on traffic stops, towing and use of force		Requested by Comm. Hsieh (3.10)		