



# OAKLAND POLICE COMMISSION

## REGULAR MEETING AGENDA

February 23, 2023

6:30 P.M.

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/84444895886> 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 +1 669 444 9171 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 931 3860

**Webinar ID: 844 4489 5886**

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 [opc@oaklandcommission.org](mailto:opc@oaklandcommission.org). 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 [opc@oaklandcommission.org](mailto:opc@oaklandcommission.org).

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### Public Statement by Commission Chair Dr. Tyfahra Milele on [February 16, 2023](#)

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

Chair Tyfahra Milele

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

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

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. ***This is a recurring item.***

#### III. Update from Oakland Police Department (OPD)

Representatives of the Oakland Police Department will provide an update. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions; and specific topics requested by the Commission.

***This is a recurring item. (Attachment 3)***

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

#### IV. Update from Community Police Review Agency (CPRA)

Director Jones will provide updates on the CPRA, to the extent permitted by state and local law. Topics discussed in the update may include the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item.***

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

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## REGULAR MEETING AGENDA

February 23, 2023

6:30 P.M.

### V. Presentation and Possible Approval of Changes to Militarized Equipment Policies ([Attachment 5](#))

- **TB V-F.02 (Chemical Agents)** — Approved 9/16/22
- **TB-III-H (Specialty Impact Munitions)** — Approved 9/16/22
  - a. Discussion
  - b. Public Comment
  - c. Action, if any

### VI. Budget Proposals for the Oakland Police Commission, Community Police Review Agency, and Office of the Inspector General

The Oakland Police Commission will hear presentations related to its Municipal Code responsibility under Section 2.45.180(A) to propose staff positions necessary to permit the Commission and the Agency to fulfill their functions and duties. The Commission will invite the IG to present on the budget of the Office of the Inspector General, per its supervisory authority in Municipal Code 2.45.100. ([Attachment 6 — Supplemental](#))

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

### VII. Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work.

*This is a recurring item.* ([Attachment 7](#))

- **Staff Searches Committee (Commissioners Milele, Howell, and Jordan)**
- **Oakland Black Officers Association “OBOA” (Commissioners Harbin-Forte, Jackson, Ordaz)**
- **Negotiated Settlement Agreement “NSA” (Commissioners Harbin-Forte, Hsieh, Milele)**
  - a. Discussion
  - b. Public Comment
  - c. Action, if any

### VIII. Consent Calendar ([Attachment 8 — Supplemental](#))

Meeting minutes for 11/5/22; 1/26/23; 2/9/23; 2/15/23

# OAKLAND POLICE COMMISSION

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February 23, 2023

6:30 P.M.

### IX. 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 9](#))

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

### X. Open Forum Part 2 (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should raise their hands and they will be called on in the order their hands were raised. ***This is a recurring item.***

### XI. 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 the Police Commission's Chief of Staff, Kelly Yun, at [kyun@oaklandca.gov](mailto:kyun@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.



# Monthly Risk Analysis Report – Citywide

## Through January 31, 2023

	Jul '22- Dec '22 Avg	Jan 2023	% Change	YTD 2022	YTD 2023	% Change
<b>Stops</b>						
Total Stops	1,402.0	1,534	+9%	1,108	1,534	+38%
Dispatch Stops	619.3	595	-4%	660	595	-10%
Non-Dispatch Stops	782.7	939	+20%	448	939	+110%
Non-Dispatch % Intel Led	33% (261.2)	21% (200)	-12%	61% (275)	21% (200)	-40%
Non-Dispatch % Non Intel-Led	67% (521.5)	79% (739)	+12%	39% (173)	79% (739)	+40%
% Non-Intel Led African American	38% (198.0)	40% (298)	+2%	45% (78)	40% (298)	-5%
% Non-Intel Led Hispanic	38% (197.5)	33% (244)	-5%	42% (72)	33% (244)	-9%
% Non-Intel Led White	10% (52.0)	11% (78)	+1%	5% (8)	11% (78)	+6%
% Non-Intel Led Asian	8% (43.0)	11% (82)	+3%	6% (10)	11% (82)	+5%
% Non-Intel Led Other/Unknown	6% (31.0)	5% (37)	-1%	3% (5)	5% (37)	+2%
% Non-Intel Led Traffic Stops	93% (483.0)	95% (701)	+2%	68% (118)	95% (701)	+27%
<b>Use of Force (all force by every officer and every subject)</b>						
Level 1	0.0	0	0%	1	0	-100%
Level 2	1.5	2	+33%	0	2	PNC
Level 3	2.8	2	-29%	3	2	-33%
Level 4 (Excluding Type 32)	471.7	365	-23%	135	365	+170%
Total	476.0	369	-22%	139	369	+165%
L4 Type 32s (Reporting began June 4, 2022)	326.0	279	-14%		279	
% African American (each subj counted once)	59% (103.2)	54% (75)	-5%	71% (61)	54% (75)	-17%
% Hispanic (each subj counted once)	24% (42.2)	24% (34)	0%	17% (15)	24% (34)	+7%
% White (each subj counted once)	10% (17.2)	7% (10)	-3%	3% (3)	7% (10)	+4%
% Asian (each subj counted once)	3% (5.0)	6% (9)	+3%	3% (3)	6% (9)	+3%
% Other/Unknown (each subj counted once)	4% (7.2)	8% (11)	+4%	5% (4)	8% (11)	+3%
<b>Officer Involved Shootings</b>						
# of Incidents	0	0	0%	0	0	0%
# of Officers that Discharged Their Firearm	0	0	0%	0	0	0%
<b>Canine Deployment</b>						
Actual Deployments	2.7			9		
Bites	0.2			0		
<b>Complaints (by complaint date)</b>						
Service Complaint Allegations	86.0	61	-29%	44	61	+39%
Total Allegations	405.5	280	-31%	250	280	+12%
Total Cases	151.7	173	+14%	106	173	+63%
<b>Pursuits</b>						
# of Incidents	9.5	3	-68%	17	3	-82%
# Units Involved		5		32	5	-84%
Ave # of Units per Pursuit	1.7	1.7	0%	1.9	1.7	-11%
<b>Collisions</b>						
# of Incidents	10.7	10	-7%	11	10	-9%

\*Numbers are preliminary and subject to change\*

# All Stops Compared to Probation/Parole Stops

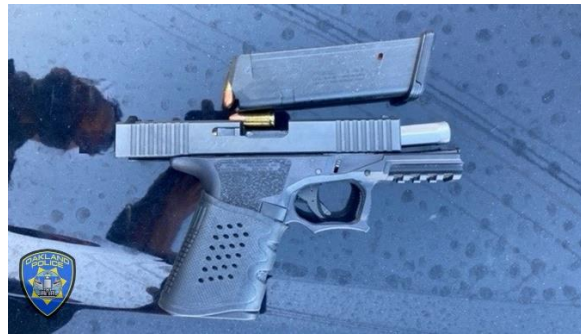


DGO R-02 went into effect October 11, 2019. Prior to R-02 Probation/Parole stops represented 2% of stops, in 2022, they represented 0%.



**For Immediate Release February 2, 2023**  
**OPD NEWS:**

## **OPD Makes Multiple Arrests in Robbery Series**



This year the Oakland Police Department (OPD) has investigated nearly 200 robberies citywide, down more than 30% from this time last year.

On January 31, 2023, OPD officers arrested three adult males in connection with multiple robberies throughout the City of Oakland. These arrests were made due to the diligent coordination, collaboration, and hard work of OPD's Violent Crime Operations Center (VCOC), helicopter (ARGUS), Patrol Officers in Areas 1 and 2, and investigators in OPD's Criminal Investigations Division.

The first robbery occurred on **January 17, 2023, just after 11:00 AM, in the 4400 block of Foothill Boulevard**. As the victim entered a business, he was approached from behind by an individual who forcefully pushed him while grabbing his belongings and fleeing the scene in a waiting vehicle.

The second robbery occurred on **January 27, 2023, just after 2:30 PM, in the 3400 block of Fruitvale Avenue**. As the victim entered a business, she was approached by two individuals who forcefully grabbed her purse, causing her to fall to the ground. The victim was dragged several feet before the individuals broke away with her purse and fled the scene in a vehicle.

The third robbery occurred on **January 31, 2023, just after 3:00 PM, in the 100 block of 40<sup>th</sup> Street**. As the victim entered a business, she was approached by an individual who forcefully grabbed her belongings from her person. A struggle ensued causing the victim and another person to fall to the ground. The individual took the victim's belongings and fled the scene in a vehicle.

Shortly following the robbery on January 31, 2023, officers in the VCOC located the vehicle associated with the robbery, and safely took three individuals into custody. A privately made firearm, commonly referred to as a "ghost gun", was also recovered.

Thus far, investigators have connected these individuals to three robberies in Oakland, as well as robberies in neighboring cities.

Today, the Alameda County District Attorney's Office charged two of the individuals with the crimes; the third individual was not charged.





For Immediate Release February 3, 2023

OPD NEWS:

## 190th Basic Recruit Academy Graduation



Today, the Oakland Police Department (OPD) welcomed 18 new officers to the OPD family as members of the 190th Basic Recruit Academy graduated at a ceremony held at the Scottish Rite Center. "As officers of this great city of Oakland, we are not only here to address crime, we're also communicators, relationship builders, and guardians," said Oakland Police Deputy Chief Clifford Wong. "Our legitimacy comes from the support and direction of the communities we serve. Everyone must be treated with dignity and respect."

"I worked closely with the leadership at the Police Department and my colleagues on City Council to fund new academies in a fiscally responsible way so we could better address our public safety challenges. I'm excited to join Deputy Chief Wong to welcome these new graduates to the Oakland Police Department and express my gratitude for their service to the city," said Mayor Sheng Thao. "It is great to see our efforts to recruit and train more diverse officers is paying off and I know that together, along with violence prevention programs and community-led efforts, we can make our communities safer, prevent crime and compassionately support victims."

The 190th Academy Class is a diverse group with two females and 16 males; members of the group speak multiple languages including Spanish, Farsi, and Tagalog. For the first time in 20 years, the Valedictorian was a female, as Officer Sandria Bolden received the top honors. The newly sworn Officers are Adrian Cuadra-Shomer, Amu Omari, Jacob Rodriguez, Yianni Alevizos, Hasibullah Alocozy, Jocelyn Chang Newman, Brodrick Villamor, Jonathan Laforteza, Trenton Trammell, Ben Smith, John Catambay, Jimmi Kelly, Kevin Angulo, Juan Mercado, Eyob Worku, Daniel Icban, and Yothin Gluaymai Na Ayudhaya.

One officer from Alameda Police Department also graduated from OPD's 190th Academy.

The graduates are a welcomed addition to our Oakland family, bringing the department to 714 sworn officers. Our highest number since January 2022.

# TRAINING



# BULLETIN

Effective Date:  
XX MMM 22

Index Number: V-F.2  
Alpha Index: Chemical Agents  
Use of Chemical Agents

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

## CHEMICAL AGENTS

### I. INTRODUCTION

#### A. Purpose

1. Chemical agents broadly encompass multiple force options which utilize an agent that reacts with the human body to distract or counter threats, disperse crowds under very limited circumstances, or detect and dislodge barricaded persons. Chemical agents are an intermediate force option and are designed to be less-lethal.

#### B. Overall Description

1. Chemical agents used by the Oakland Police Department are divided into three classes: duty aerosol to distract and confuse threats (discussed in Part II), chemical agents to disperse crowds (discussed in Part III), and chemical agents to detect and dislodge barricaded subjects (discussed in Part IV).
2. Some chemical agents are used for more than one purpose and fall into more than one category.
3. When used correctly, chemical agents are highly effective, but their effects dissipate quickly when a subject leaves a contaminated area.
4. Members shall report all incidents when a chemical agent is applied to a subject in accordance with Department General Order (DGO) K-4, REPORTING AND INVESTIGATING THE USE OF FORCE.

#### C. Contamination Levels

1. Level 1: Direct physical contact with a chemical agent.  
  
A Level 1 contamination is the result of a chemical agent being applied directly to a person.
2. Level 2: Indirect or secondary contact with a chemical agent.  
  
Level 2 contamination may occur when person attempts to control an individual who has Level 1 contamination and the chemical agent is transferred through physical contact.
3. Level 3: Area contamination.




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 Chemical Agents, Index Number V-F.2

Level 3 contamination refers to the location or the site where a chemical agent has been dispersed. An individual traveling through a contaminated area may be affected by the chemical agent present.

D. Delivery & Dissemination Methods

Chemical agents are deployed in five ways:

1. Aerosol Delivery

A chemical agent laden liquid is forced through the nozzle of an aerosol container by a compressed gas.

2. Blast Dispersion

A fine chemical powder is expelled into the atmosphere in one of three ways: a detonator device, a compressed inert gas device, or a primer/black-powder cartridge. Because they offer very little fire hazard, these devices are ideal for indoor use.

3. Fogging

A chemical is discharged into the atmosphere by introducing a chemical laden formula into an area of hot exhaust. This process produces a high volume of smoke heavily permeated with the chemical. Fogging devices are used outdoors when large areas require contamination.

4. Launching

A chemical agent is delivered to a specific location by means of a launching device. The Department uses the Defense Technologies 37mm, double action, single shot, smooth-bore launcher. This launcher is capable of delivering chemical agent projectiles at distances up to 150 yards, providing officers with maximum standoff capability.

5. Pyrotechnic Release

A chemical is released by mixing the chemical with smoke produced by a burning fuel. These devices are designed for outdoor use and should not be thrown into or onto a building without proper flame containment.

E. Effects of Chemical Agents Used by the Oakland Police Department

1. Oleoresin Capsicum (OC)

- a. When OC is properly applied, the contaminated person involuntarily closes his/her eyes and is not able to reopen their eyes until the effects dissipate. Contaminated persons experience a burning sensation, redness, and a slight swelling at affected areas; a burning sensation and slight swelling to mucous membranes; excessive nasal mucous secretion; and shortness of breath.
- b. Allergic reactions to OC are rare. Although most allergic reactions are not life threatening, medical treatment must be provided. Signs of an allergic reaction may include itching, hives, difficulty in swallowing, and facial swelling (particularly around the eyes, lips, or nose).



- c. Exposure to OC may cause some individuals to become disoriented and confused. Due to the physical discomfort, some individuals may experience anxiety and panic.
  - d. Most individuals react to OC within 1-5 seconds, providing the eyes and facial area have been sufficiently contaminated. OC is most effective on individuals who are lucid and have a normal pain threshold.
  - e. An individual's mindset may influence OC's effectiveness. Goal oriented and mentally focused subjects may still accomplish their goals even though they cannot see and are experiencing significant pain and discomfort.
  - f. Many OC failures are a result of operator error.
  - g. Failure may also occur when OC is applied to individuals under the extreme influence of drugs/alcohol and/or with mental disturbances. Officers should never rely solely on a chemical agent, and alternate plans should be in place if the chemical agent does not produce the desired effect.
  - h. Animals used in police work, such as dogs and horses, are affected by exposure to OC.
  - i. Any powder or liquid OC chemical device which is delivered by a hand-held aerosol, or is hand-thrown or launched is color-coded with an ORANGE label or with ORANGE printing.
2. Orthochlorobenzalmononitrile (CS)
- a. When CS is properly applied, the contaminated individual feels a prickly, burning sensation on the skin, especially around the moist areas of the body such as the eyes, mouth, nose, throat, and armpits. CS causes excessive tearing and mucous discharge from the nasal passages. The contaminated person involuntarily closes and is not able to keep open his/her eyes. Breathing CS may create a feeling of tightness in the chest, shortness of breath, coughing, and/or sneezing. Extended and extreme exposures may result in nausea and vomiting.
  - b. Exposure to CS may cause some individuals to become disoriented and confused. Due to the physical discomfort, some individuals may experience anxiety and panic.
  - c. Most individuals react to CS within 3-7 seconds, depending on contamination concentration and the subject's mental state and physical condition. CS is most effective on individuals who are lucid and have a normal pain threshold.
  - d. Failure may occur when CS is applied to individuals under the extreme influence of drugs/alcohol and/or with mental disturbances. No deaths have been attributed to the use of CS.
  - e. Animals used in police work will suffer very little, if at all, from the effects of CS.
  - f. Any CS chemical device is color-coded BLUE.



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Chemical Agents, Index Number V-F.2

3. Hexachloroethane (HC)(White Smoke)
  - a. Smoke munitions produce dense clouds of white-gray smoke.
  - b. Smoke is not a chemical agent; however, it may cause coughing and slight nasal and throat irritation. Smoke is used to mask the movement of personnel, plot wind direction and speed for chemical agent deployment, and to distract attention from other activities.
  - c. Smoke can only be deployed in the pyrotechnic form and is primarily designed for outdoor use.



## II. DESCRIPTION AND OPERATION OF DUTY AEROSOL

### A. Description of Duty Aerosol

1. Officers carry Oleoresin Capsicum (OC) aerosol spray on their duty belts for immediate deployment as a force option.
2. Officers consistently carry OC in the same location on their duty belt, facilitating a quick draw. What may work for one officer may not work for others.
3. The canister should lend itself to retention techniques if a subject attempts to remove the canister from an officer's belt. Officers ensure the positioning of an OC canister behind a firearm does not interfere with unsnapping and drawing the firearm from its holster.
4. Officers carry OC canisters in a manner that eliminates the possibility of accidental discharge.
5. The Oakland Police Department authorizes two sizes of aerosol canisters for duty carry; the size an officer carries is his or her discretion.
6. The First Defense/Federal Laboratories MK6 is a hand held aerosol device that contains .68 fluid ounces of liquid OC. The OC is dissolved in a non-flammable, water-based liquid carrier that is propelled by compressed nitrogen. The small size of the canister and the built-in belt clip make this canister ideal for plainclothes carry. The MK6 delivers a ballistic stream to a distance of 10 feet. The hydraulic needle effect range (explained below) is 3 feet. Under exigent circumstances, this canister may be deployed at distances closer than 3 feet.
7. The First Defense/Federal Laboratories MK4 is a hand held aerosol device that contains 3.0 fluid ounces of liquid OC. As with the MK6, the OC is dissolved in a non-flammable, water-based liquid carrier that is propelled by compressed nitrogen. The MK4 delivers a ballistic stream to a distance of 10 feet. The hydraulic needle effect range is 3 feet. Under exigent circumstances, this canister may be deployed at distances closer than 3 feet.
8. OC may have little or no effect on individuals who have a high pain threshold, are under the influence of alcohol or narcotics, or are mentally disturbed.
9. The hydraulic needle effect is the consequence of solid particulates traveling at high velocity and damaging soft tissue. Under normal conditions, the minimum safe distance for OC application is 36 inches. Although no documented cases exist in which the hydraulic effect has caused injury, officers are reminded that the possibility of injury, although rare, exists.

### B. Operation of Duty Aerosol

1. The primary target areas for OC are the eyes, eyebrows, and forehead. The secondary target areas are the nose and mouth. It is recommended that officers spray the target areas using a one to three second burst to ensure sufficient agent direct contamination. Officers need to be prepared to use multiple bursts as subjects often move as they are being sprayed and the subject may not react to the effects of the OC immediately. Like any other force option, only the proper application of OC ensures its effectiveness. The majority of OC application failures are due to applying OC to non-target areas.



Chemical Agents, Index Number V-F.2

2. Wind, rain, fans, hats, glasses, and other forms of shielding may affect the successful delivery of the ballistic stream.
3. Officers should never rely solely on one course of action. A preplanned alternate course should be readily available should the delivery of OC fail.
4. Commanders and officers shall make reasonable efforts to ascertain the presence of minors, the elderly, medically compromised people, people with physical, mental or intellectual disabilities, people with limited English proficiency, or other vulnerable people. (Reference DGO K-3 Use of Force for definition of "vulnerable people.")  
If present, commanders and officers shall make reasonable efforts to avoid the deployment of OC in the immediate presence of the above people.
5. Officers shall attempt to avoid the use of OC on the following persons unless there is an imminent threat of injury to the officer, third party, or the person:
  - a. The elderly;
  - b. A person known or reasonably believed to be experiencing a mental health or emotional crisis;
  - c. A person known or reasonably believed to be suffering from obvious respiratory disabilities;
  - d. A person known or reasonably known to be pregnant;
  - e. Young children;
  - f. A handcuffed person.

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C. Authorized Uses of Duty Aerosol

1. Use of duty OC aerosol is governed by the Department's Use of Force policy, DGO K-03. Duty OC aerosol is intended to overcome **active** and **assaultive resistance**<sup>1</sup>, and shall only be used when objectively reasonable, necessary, and proportional to the level of resistance posed, threat perceived, or urgency of the situation to achieve a lawful purpose or objective<sup>2</sup>.

D. Prohibited Uses of Duty Aerosol

1. OC spray shall not be used to wake up or arouse unconscious or sleeping individuals who otherwise pose no threat.
2. OC spray shall not be used on passive resisters who go limp or offer no physical resistance.<sup>3</sup>

<sup>1</sup> DGO K-03, Section F-3

<sup>2</sup> DGO K-03, Section D-1

<sup>3</sup> DGO K-03, Section G-3



3. Duty Aerosol OC shall not be used for crowd dispersal. During crowd control situations, Duty Aerosol OC may only be used against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.

E. Duty Aerosol Training

1. All sworn officers shall receive training in the OC spray during the basic academy or academy transition course after graduation, including opportunity for exposure to OC spray in a controlled training environment.
2. Continued professional training (CPT) defensive tactics training includes refresher training on transitioning to and between less-lethal force options, including OC spray, and the Training Section may add dedicated OC spray training during the CPT cycle as appropriate.

### III. TRAINING ON CHEMICAL AGENTS FOR CROWD CONTROL AND TACTICAL OPERATIONS

A. Initial Instruction

1. The Department's Basic Tactical Team school ("SWAT School") shall include training on chemical agent deployment, exposure, safe delivery in both crowd control and tactical operations, and legal rules and considerations for chemical munitions.
2. Members of the Department's Patrol Rifle Program (PRO, reference DGO K-06) may be trained during a quarterly PRO training day.
3. Staff conducting training shall keep a running count of how many SIM are expended during training and report it quarterly to the Department's Military Equipment Coordinator or designee.
4. All training/qualification records and lesson plans shall be maintained by the Training Section. The records shall not be purged once training and qualification have been updated or renewed. The records shall represent the entire history of the member's training, qualifications and the curriculum utilized for each training session.

B. Ongoing Instruction

1. Members of the Department's Tactical Team shall attend training at least once per year on chemical agent deployment, exposure, safe delivery in both crowd control and tactical operations, and legal rules and considerations for chemical munitions.
2. Members of the Department's PRO program who are trained on chemical agent deployment shall attend training at least once per year on chemical agent deployment, exposure, safe delivery in both crowd control and tactical operations, and legal rules and considerations for chemical munitions.

C. Training Staff

1. Members providing training on chemical agent deployment shall be POST certified instructors.

### IV. CHEMICAL AGENTS FOR CROWD CONTROL






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 Chemical Agents, Index Number V-F.2
 

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## A. Introduction

1. Chemical agents may be used during certain limited crowd control situations, but are severely limited by California law (Penal Code 13652<sup>4</sup>) and OPD Policy (Training Bulletin III-G). All chemical munitions used during any crowd control situations shall be deployed solely by Tango Teams staffed by trained personnel.
2. Commanders and officers shall make reasonable efforts to ascertain the presence of minors, the elderly, medically compromised people, people with physical, mental or intellectual disabilities, people with limited English proficiency, or other vulnerable people. (Reference DGO K-3 Use of Force for definition of “vulnerable people.”)  
  
If present, commanders and officers shall make reasonable efforts to avoid the deployment of OC in the immediate presence of the above people.
3. This Training Bulletin discusses **how to deliver chemical munitions**. For specific crowd control guidelines and tactics, refer to Training Bulletin III-G, Crowd Control and Crowd Management, which incorporates prevailing law and policy restrictions.
4. Training Bulletin III-G sets forward the following regarding chemical agent use in crowd control:
  - a. Authorized uses
  - b. Prohibited uses

## B. Delivery of Pyrotechnic Chemical Munitions

Pyrotechnic chemical munitions are hand thrown grenades or munitions launched from a launching device.

1. Hand Deployed Grenades
  - a. Description
    - 1) Hand-thrown munitions are primarily pyrotechnic grenades. There are many types of grenades, but all have the same basic operating characteristics. A standard grenade consists of a body, a fuse, burning and chemical agents, and a safety lever.
    - 2) The body of a grenade is nothing more than a container holding the fuse and burning and chemical agents together.
    - 3) Pyrotechnic grenades use a M201A1 mechanical fuse. This fuse has a burn time of approximately 2.0 seconds. After the safety lever is released, the delay element burns for approximately 2 seconds before the main burning agent ignites.
    - 4) The burning agent is the fuel mixture that burns along with the chemical agent. The burning agent produces a smoke cloud that carries the chemical agent particles into the atmosphere.

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<sup>4</sup> [The language of the statute is attached to this training bulletin as Appendix A.](#)



- 5) The safety lever is the metal lever attached to the fuse. When attached to the fuse, the safety lever prevents the spring-loaded striker mechanism in the fuse from striking and igniting the delay element.
  - 6) The deployment range of a grenade is dependent upon the throwing ability of the deploying officer.
- b. Instruction for Deploying a Grenade by Hand
- 1) To deploy a grenade by hand, follow these steps:
  - 2) Grip the grenade with the safety lever positioned in the web of the throwing hand. The pin should face the non-throwing side of the body.
  - 3) Left-handed throwers may have to invert the grenade and grip it so that the fuse is pointed toward the ground. This grip facilitates the pin facing the non-throwing side of the body.
  - 4) Prepare the pin by partially straightening the tail end of the safety pin.
  - 5) Use the index finger of the non-throwing hand to hook the safety pin through the pin ring. Twist and pull the pin out of the fuse. Retain the pin until after the grenade has been deployed.
  - 6) Visually check the target area for subjects that might be injured by the deployment or unable to escape the effects of the chemical agents, (e.g., elderly, physically disabled, or young children).
  - 7) If you decide not to throw the grenade, you may re-insert the safety into the fuse (Expect some difficulty in re-inserting the safety pin.).
  - 8) Throw the grenade toward the target area.
  - 9) An officer may throw a grenade in three ways. The best way of throwing a grenade depends upon the preference of the individual officer.
  - 10) Officers execute a straight-arm throw by extending their arm to the rear and throwing the grenade in a sweeping motion over their head. The free arm maintains balance and creates momentum for the throwing arm.
  - 11) The overhand throw is similar to throwing a baseball. Officers cock their throwing arm behind their head while pointing their free hand toward the target area.
  - 12) Officers execute an underhand lob by "lobbing" the grenade in the same fashion as lobbing a horseshoe or a slow-pitch softball. Officers may choose this throw when the target area is only a short distance away.
- c. Types of Grenades Used by the Department




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 Chemical Agents, Index Number V-F.2
 

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- 1) #2/Spede-Heat
  - a) The #2/Spede-Heat is a metal-bodied grenade shaped like a soda can. The grenade is 2.62 inches in diameter and 6.12 inches long. It contains 81.2 grams of chemical agent. The Department maintains an inventory of this grenade in both CS and HC (Smoke).
  - b) The #2/Spede-Heat is a long burning, high volume, continuous discharge grenade. It has a 30 – 40 second burn time. The chemical agent is discharged through 4 gas ports located at the top of the grenade, 3 gas ports on the sides, and 1 gas port on the bottom.
  - c) The long burn time may allow for “throwback” by individuals using burn protection on their hands. This device should not be deployed onto rooftops, in crawl spaces, or indoors due to its fire producing capability.
  
- 2) The #4/Triple Chaser
  - a) The #4/Triple Chaser is a metal-bodied grenade shaped like a soda can. The grenade is 2.70 inches in diameter and 6.5 inches long. It contains 92 grams of chemical agent. The Department maintains an inventory of this grenade in both CS and HC (Smoke).
  - b) The #4/Triple Chaser is a fast burning, medium volume grenade that separates into three sub-munitions on deployment. When the grenade is deployed, a small charge between the sections causes the sub-munitions to separate, creating approximately 20 feet between the sub-munitions. The #4/Triple Chaser has a 20 – 30 second burn time.
  - c) This device should be thrown under-hand to keep the grenade moving towards the target area. This method assists the sub-munitions to deploy on a line from left to right.
  - d) The separating sub-munitions and quick burn time minimize “throw-back” potential. This device should not be deployed onto rooftops, in crawl spaces, or indoors due to its fire producing capability.
  
- 3) #15 Han-Ball
  - a) The #15 Han-Ball grenade is a rubber-bodied grenade shaped like a baseball. The grenade is 3.10 inches in diameter and 4.8 inches long. It contains a total of 45.4 grams of chemical agent. The Department maintains an inventory of this grenade in both CS and HC (Smoke).
  - b) The #15 Han-Ball is a fast burning, high volume continuous discharge grenade. It has a 15-20 second burn time. The

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XX MMM 22 • Oakland Police Department



chemical agent is discharged through 3 ports located on the equator of the grenade body.

- c) The location of the ports minimizes the grenade's "throw-back" potential. This device should not be deployed onto rooftops, in crawl spaces, or indoors due to its fire producing capability.
- 4) #98 Pocket
- a) The #98 Pocket grenade is a metal-bodied grenade that is cylindrical shaped. The grenade is 1.4 inches in diameter and 4.75 inches long. It contains a total of 25.2 grams of chemical agent. The Department maintains an inventory of this grenade in both CS and HC (Smoke).
  - b) The #98 Pocket grenade is a small, lightweight, easily carried, quick burning, reduced volume, continuous discharge grenade. It has a 20-25 second burn time.
  - c) The #98 Pocket grenade is not specifically intended as a crowd control device. It was designed with the tactical team in mind for distraction, concealment, rescue, or signaling. This device should not be deployed onto rooftops, in crawl spaces, or indoors due to its fire producing capability.
- 5) #15 Rubber CS Blast Dispersion
- a) The #15 Rubber CS Blast Dispersion grenade is a rubber-bodied grenade shaped like a baseball. The grenade is 3.10 inches in diameter and 4.8 inches long and contains 8.0 grams of flash powder and 2.0 grams of powdered CS chemical agent.
  - b) When the #15 Rubber CS Blast Dispersion grenade is deployed, the grenade has an initial 1.5 second delay that initiates fuse assembly separation, followed by another .5 second delay before the grenade discharges.
  - c) Unlike other grenades, the #15 Rubber CS Blast Dispersion grenade is a non-pyrotechnic grenade. Instead, this grenade produces 3 stimuli for psychological and physiological effect: light, sound, and chemical agent in the form of powdered CS.
  - d) Upon discharge, a bright white light is emitted along with a loud report sufficient to disperse the powdered chemical agent in a 50-foot radius.
  - e) This grenade may be deployed for ground or aerial bursts at the discretion of the officer deploying the munition. The #15 Rubber CS Blast Dispersion grenade may also be used in tactical situations.




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 Chemical Agents, Index Number V-F.2

2. Launched Pyrotechnic Munitions
  - a. Description and Use
    - 1) Launched chemical munitions enhance officer safety in crowd control situations by providing officers with standoff capability while delivering chemical agents from a distance.
    - 2) The Department Tactical Team maintains three configurations of the Defense Technologies Model L1, 37mm Launcher: the full stock configuration, the tactical model, and the pistol model.
    - 3) The L1 Launcher is a single shot, smooth bore launcher. It has a double action trigger and a top latch breech lock that, when lifted, may be opened for loading and un-loading.
    - 4) The launcher has a bladed front sight and a rear leaf sight.
    - 5) The sights are configured so that, when the rear sight is folded down, the front sight may be used for precision fire to a range of 50 yards. When the rear leaf sight is raised, the lower aperture of the rear sight is used for precision fire to a range of 50-75 yards. The upper aperture on the rear leaf sight is used for precision fire onto targets that are at a range of 75-100 yards.
    - 6) The launchers are cleaned in the same fashion and using the same equipment and solvents as are used for cleaning a firearm. Only trained personnel who maintain qualification standards may use the launcher.
  - b. Types of Launched Munitions Used by the Department
    - 1) Spede-Heat 37 or 40
      - a) The Spede-Heat 37 or 40 is a 37mm or 40mm pyrotechnic munition designed to deliver one chemical or smoke canister down range to a target at a distance of up to 150 yards. The Department maintains this munition in the CS configuration.
      - b) The canister is 1.5 inches in diameter and 4.75 inches long (37mm) or 1.6" diameter and 4.8" long (40mm). It contains 25.2 grams of CS and has a burn time of 20-30 seconds.
      - c) The canister may be fired in the air at an angle of 25-30 degrees to achieve maximum standoff distance. The canister may also be skip-fired into the target area from lesser distances.
      - d) The Spede-Heat 37 or 40 is designed for outdoor use and is not intended for barricade penetration. A spotter should ensure launched canisters do not ignite fires. Because serious injury may result, do not fire this canister directly at persons.
    - 2) Skat Shell 37 or 40



- a) The Skat Shell 37 or 40 is a 37mm or 40mm munition designed to deliver multiple pyrotechnic chemical or smoke canisters down range to a target at a distance of up to 75 yards. The Department maintains this munition in the CS configuration.
  - b) The cartridge is 1.5 inches in diameter and 5.5 inches long (37mm) or 1.6" diameter and 4.8" long (40mm). The cartridge contains five separate sub-munitions with 25.2 grams of chemical agent. The burn time for the sub-munitions is 10-25 seconds.
  - c) The Skat Shell 37 or 40 allow for a broad deployment of chemical agents by one grenadier. The separate sub-munitions function individually once the cartridge is discharged. The small scattering effect and the rapid burning of the sub-munition canisters provide a wide area of coverage and minimize the "throwback" potential.
  - d) The cartridge may be fired at an angle of 25-30 degrees to achieve maximum standoff distance. The cartridge may also be skip-fired into the target area from lesser distances.
  - e) The Skat Shell 37 or 40 are designed for outdoor use and is not intended for barricade penetration. A spotter should ensure the sub-munitions do not ignite fires. Because serious injury may result, do not fire this canister directly at persons.
- c. 37mm or 40mm Muzzle Blast
- 1) The 37mm or 40mm Muzzle Blast is designed to deliver chemical agent laden powder from a 37mm or 40mm launcher to a distance of 30 feet. The Muzzle Blast is not a pyrotechnic device.
  - 2) The cartridge is 1.5 inches in diameter and 5.5 inches long (37mm) or 1.6" in diameter and 4.8" long (40mm). The CS cartridge contains 12.3 grams of CS agent. The OC cartridge contains 2.0 grams of OC agent. The Department maintains this munition in both CS and OC configurations.
  - 3) The 37mm or 40mm Muzzle Blast is used as a crowd control tool for the immediate and close deployment of chemical agent. The 37mm or 40mm Muzzle Blast is an excellent round for deploying chemical laden powder directly onto subjects at ranges up to 30 feet.
  - 4) The 37mm or 40mm Muzzle Blast has also proved successful during tactical operations. It may be used for room clearing, space denial, and contaminating crawl and attic spaces to deny a subject access or to dislodge barricaded subjects.
  - 5) It is recommended that the grenadier and all personnel in the immediate vicinity of deployment wear protective masks.



Chemical Agents, Index Number V-F.2

**V. CHEMICAL AGENTS FOR TACTICAL OPERATIONS**

**A. Introduction**

- 1. Chemical agents play a significant role in tactical operations.
- 2. Subjects barricaded inside a structure present a clear and identifiable hazard to officers.

[REDACTED]

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[REDACTED]

[REDACTED]

- 6. [REDACTED]

**B. Authorized Uses**

- 1. Chemical agents for tactical operations shall be authorized by the incident commander, at the rank of Lieutenant or above, unless there are exigent circumstances where the immediate use of the chemical agent would overcome life-threatening resistance or is necessary to stop a situation in which the officer reasonably believes that death or great bodily injury would occur to the officer or others unless the chemical agent is used immediately.
- 2. Incident commanders on tactical operations may authorize the deployment of chemical munitions for incidents involving actual or threatened violence, or when reasonable suspicion, based on articulable facts, exists that violence will occur when attempting to take a person into custody using the tactical team or when attempting to rescue others from a place where an engaged person is located.
- 3. Incident commanders on tactical operations may authorize the deployment of chemical munitions for incidents involving armed and unresponsive persons in vehicles (reference TB III-P.01).
- 4. Incident commanders on specific criminal operations where a large group of persons engaged in mass lawbreaking and violence (e.g., sideshow), where an operations plan allows for chemical agents, may authorize chemical agents as an intermediate force option for incidents involving actual or threatened violence, or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives.



5. Chemical agents shall only be deployed by tactical team members who are trained in the specific munition or munitions to be deployed.
- C. Prohibited Uses
1. Chemical munitions shall not be used without a deployment of the tactical team or tango team, unless there are exigent circumstances where the immediate use of the chemical agent would overcome life-threatening resistance or is necessary to stop a situation in which the officer reasonably believes that death or great bodily injury would occur to the officer or others unless the chemical agent is used immediately. In these cases, command authorization shall be sought from a command officer at the rank of Lieutenant or above unless this is not feasible and doing so would jeopardize safety for officers, the engaged person, or the community.
  2. Chemical munitions shall not be used in situations where persons who might be injured by the deployment or unable to escape the effects of the chemical agents are present (e.g., elderly, physically disabled, or young children) unless there are articulable facts and circumstances that would reasonably demonstrate a need to use the chemical agent to resolve the situation which outweigh the danger of the chemical agent use that might impact the member(s) of these vulnerable population(s).
  3. All uses that are not authorized by this policy are prohibited. For purposes of clarity, the following are specifically noted as prohibited uses:
    - a. Recruitment, public relations, or promotional activities;
    - b. Chemical agents shall not be deployed for purposes of crowd management, crowd control, or crowd dispersal except as provided in TB III-G (Crowd Control)
    - c. Routine Patrol Operations.
- D. Preparation for Delivery
1. Before the delivery of chemical agents in tactical operations, the complete evaluation of an area is required. Information gathering is one of the keys to preparation. Several key factors may prove advantageous.
  2. Floor Plan – It is advantageous to know the structure’s floor plan and the location of the subject before deployment of munitions.
  3. Agent Selection – Based on the tactical situation and objectives, select the type and form of agent to use.
  4. Method of Deployment – Based on the tactical situation and Department policy, decide the method of deployment. This method may be simultaneous deployment affecting the entire structure or a methodical deployment targeting particular areas.
  5. Precautions – Because of their potential danger and contamination properties, indiscriminate use of chemicals must be avoided. Medical and fire fighting personnel and equipment should be readily accessible.

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 Chemical Agents, Index Number V-F.2

- a. Additional precautions must include the review of intelligence to determine whether other unintended persons may be affected by the use of chemical agents. This includes situations such as:
  - 1) Other persons who share the home (e.g., multi-generational homes)
  - 2) Other persons who share the structure (e.g., duplexes, triplexes, or apartment buildings)
  - 3) Other persons in the area (e.g., close quarter developments or nearby parks, schools, or gathering places and whether these areas should be evacuated prior to the use of chemical agents)
6. Perimeter Control – Ensure the inner and outer perimeter are secure. Ensure that the area is clear of bystanders and traffic.
7. Communications – Alert all officers on the scene that chemical munitions will be deployed. This alert informs officers chemical munitions, not weapons, are fired and allows officers within the immediate area to don protective masks.
8. Personnel – Make specific assignments for which officer(s) is to deploy chemical munitions and which officer(s) is to provide over-watch for the deployment.
9. Delivery – Establish the order of locations within the structure to be contaminated. Also establish the quantity of chemical munitions to be delivered into each target area and the frequency at which chemical agents should be re-deployed into the structure.

[REDACTED]

[REDACTED]

## E. Types of Chemical Munitions for Tactical Operations

1. Launched Munitions: 37mm or 40mm Barricade Penetrating Projectile (Ferret)
  - a. The Department maintains the 37mm or 40mm Barricade Penetrating Projectile (Ferret) as a staple tool for resolving barricaded subject incidents.
  - b. Although the chemical agent payload is low, the benefit of the Ferret is its ability to penetrate barriers and disperse agent beyond the barrier. The Ferret round penetrates windows, particleboard, doors, and interior walls. Upon impact, the nose cone breaks apart and instantaneously delivers the agent payload inside the structure.
  - c. The Ferret is a launched chemical munition designed for penetrating physical barriers and is not suitable as a specialty impact munition (SIM). These munitions shall not be direct fired at a subject unless lethal force is authorized.
  - d. The Ferret uses the 37mm or 40mm Launcher as the launching device.



- e. The Ferret is a fin stabilized, frangible projectile filled with 6.9g of liquid CS. The plastic projectile itself is 1.5 inches in diameter and 4.8 inches long (37mm) or 1.6" diameter and 4.1" long (40mm).
- f. Spin stabilization affords maximum standoff distance. The Ferret has a maximum range of about 200 yards and is highly accurate at ranges of 50 yards or closer.
- g. The Ferret round is non-burning and suitable for indoor use.
- h. Additional considerations before deployment of the Ferret:
- 1) Trajectory considerations – The Ferret must be fired so that the trajectory is low to high. This trajectory reduces the possibility of the Ferret striking any subject standing on the other side of a window or door.
  - 2) Dispersion considerations – For the agent to disperse, the Ferret's impact must be hard enough to fracture the projectile. Double paned windows, heavy window coverings, and hard wood doors will interfere with the dissemination of the agent from this round.
  - 3) Deployment considerations – As a rule of thumb, initially deploy two liquid projectiles per room. If the first deployment does not dislodge the suspect, wait 5 – 15 minutes and repeat the procedure. Remember that each time you make an insertion with the Ferret round, you are ventilating the structure and allowing for chemical agent to be released.
  - 4) Performance – After the munitions have been deployed, exercise patience. Allow the agent to contaminate the area and affect the subject. Although the subject may not evacuate the structure, he/she may be reacting in a way that displays his/her location within the structure. Further containment may then be possible at that location.
  - 5) Force Options– Liquid Ferret projectiles do not produce the intense effects that other chemical munitions produce due to the small payload the Ferret carries. Beginning with Ferret projectiles affords officers ample time to evaluate whether more Ferret projectiles or another form of chemical agent delivery system is required.
  - 6) Penetration factors for the 37mm Barricade Penetrating Projectile

**Direct 90 degree impact**

Barricade material	Range
5/8" CDX Plywood	50 yards
3/4" CDX Plywood	35 yards
1/4" OSB	50 yards
1/2" Drywall	50 yards
5/8" Drywall	50 yards
Hollow Core Door	50 yards

**Indirect 45 degree impact**




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 Chemical Agents, Index Number V-F.2

Barricade material	Range
5/8" CDX Plywood	35 yards
3/4" CDX Plywood	15 yards
1/4" OSB	50 yards
1/2" Drywall	50 yards
5/8" Drywall	50 yards
Hollow Core Door	50 yards

2. Hand Thrown Chemical Munitions for Tactical Operations
  - a. A majority of grenades designed for indoor use operate by dispersing a powdered chemical agent into the atmosphere through a non-fire blast or compressed air expulsion.
  - b. Unable to contaminate a large structure, these non-burning grenades are ideal for contaminating small enclosed areas such as crawl spaces, attics, hallways, and closets.
3. T-16 Flameless Expulsion Grenade
  - a. The T-16 Flameless Expulsion Grenade is 1.65 inches in diameter and 7.5 inches long and has a payload of 4.5 grams of CS powder or .5 grams of OC powder.
  - b. The grenade uses a M201A1 fuse to create a 1.5 second delay. Upon activation of the onboard CO2 cartridge, the chemical agent powder is expelled within seconds through two ports in the body of the grenade.
  - c. The extremely light powder remains airborne for extended periods of time depending on draft conditions.
4. The Multi-Purpose Grenade (MPG)
  - a. The MPG is designed for indoor and outdoor use and alleviates the potential dangers associated with fire or fragmentation grenades. The grenade can be hand thrown or launched.
  - b. The MPG is 3.3 inches in diameter and 6.4 inches long and has a payload of 54.3 grams of powdered CS. The fuse has a variable delay mechanism of either two or five seconds, depending on the choice of delivery.
  - c. When hand throwing this device, the deploying officer must exercise caution and ensure the discharge port is pointed at the intended target.
5. #514 Instantaneous Blast Grenade
  - a. The payload of the #514 Instantaneous Blast Grenade is a powdered chemical agent expelled upon initiation of a small internal detonator that has sufficient force to split the canister at the six machined grooves on the outside of the grenade body.



- b. The grenade is 2.62 inches in diameter and 6.12 inches long. The grenade uses a M201A1 standard fuse with a 1.5 second delay. The payload is 44.0 grams of CS or 9.2 grams of OC.
  - c. This grenade is most effective when used in confined areas and close to the target area.
6. #517 Tri-Chamber Flameless Grenade
- a. This pyrotechnic grenade is specifically designed for indoor use.
  - b. The grenade's internal combustion allows the chemical-laden smoke to release through three ports on the outer canister side while the grenade's two internal canisters safely contain the fire producing properties.
  - c. The grenade is 2.62 inches in diameter and 6.62 inches long and contains 20 grams of CS agent; it has a burn time of 30 – 40 seconds. The grenade uses a M201A1 standard fuse with 1.5–second delay. The fuse is shrouded to protect surrounding materials from fire.
  - d. The Tri-Chamber Flameless grenade delivers a pyrotechnic chemical device indoors to maximize the chemical's effectiveness through heat and vaporization while minimizing the chance of fire. As with all pyrotechnic carriers, contamination is greater than contamination produced by powders or liquids.
  - e. The smoke and chemical content is minimal enough that oxygen displacement concerns and lethal concentration levels are rarely reached.
  - f. This grenade is an option when chemical laden powders or liquids are ineffective or inappropriate for the situation.

## VI. SAFETY PRECAUTIONS DURING USE OF CHEMICAL AGENTS

- A. Description and Use of Chemical Protective Mask
  - 1. Description of Chemical Protective Mask
    - a. A protective mask offers the user respiratory and eye protection against chemical agents in the atmosphere. Protective masks generally have an external canister and a full-face cover protecting the eyes, nose, and mouth.
    - b. The Department uses the following chemical protective masks: the Phalanx #68, the Advantage 1000, and the Millennium #70.
    - c. Military issued chemical protective masks such as the M17, M17A1, M17A2, and Model 40 & Model 40A are not National Institute for Occupational Safety and Health (NIOSH) approved for CN/CS/OC. Although the military masks are effective against these agents, Occupational Safety and Health Administration (OSHA) requires law enforcement personnel to use NIOSH approved canisters.
    - d. The term gas mask is inaccurate to describe these chemical protective masks, for the chemical agents officers use are not gases but micro-pulverized particulates




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 Chemical Agents, Index Number V-F.2
 

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- that are burned and vaporized and then disseminated as blast dispersion or released in an aerosol or fog.
- e. Members should periodically inspect the following areas of their masks to ensure serviceability:
- 1) *Head harness* – Check for frays, crimps, cuts, rips, or holes.
  - 2) *Fasteners* – Check for chips, cracks, bends, or rust.
  - 3) *Nose cups* – Determine if one is installed. If so, make sure it is installed properly. Check for visible damage.
  - 4) *Face piece* – Check for cracks or irregular shape or form. Look for tears, cracks, or holes in the lens. Make sure the lens is sealed properly to the face piece.
  - 5) *In-take\Out-flow Valves* – Check for dryness, cracks, and proper seating.
  - 6) *Canisters* – Make sure the correct canister for the mask is installed and that it has no cracks, dents, or holes.
2. Donning and Clearing a Chemical Protective Mask
- a. To don a chemical protective mask, follow these steps:
- 1) Hold your breath.
  - 2) Remove the protective mask from the carrier and grab the temple straps with your middle index fingers. Grab the bottom straps with your thumbs.
  - 3) Insert your chin into the protective mask, followed by your nose, then your forehead.
  - 4) Pull the head harness assembly over your head, affixing your face in the mask. Tighten the bottom chinstraps first, then the temple straps, and finally the head straps. Adjust until the fit is snug but comfortable.
  - 5) Make certain that hair (including facial hair) is not compromising the mask's face seal. Do not pull straps out and away from your head but rather pull to the rear of your head. Do not pull the straps too tight!
- b. To clear a chemical protective mask, follow these steps:
- 1) Once the mask is properly donned, inhale deeply. Using the right or left hand, take your palm and cover the in-take valve and the out-flow valve. With your other hand, cover the canister in-take and QUICKLY BLOW OUT. The protective mask will release a small amount of air past the temple area and part slightly from the face, allowing bad air to escape the inside of the mask.



- 2) Leaving the hand on the canister, QUICKLY INHALE good air into the mask completing the seal. The mask should slightly collapse against the face and remain collapsed until the wearer uncovers the filter.
  - 3) Readjust the face piece to correct for any leakage and repeat steps 2 and 3. Wearing a helmet or other protective headgear may require some adjustments. If the seal has been broken in a contaminated environment, clear and seal the mask 2-3 times to purge the mask as well as possible.
3. Performance of Chemical Protective Mask
 

Filters reduce a user's ability to breathe normally. Using dual filters improves performance. Breathing efficiency becomes continuously reduced as the filter(s) becomes clogged with contaminants. Labored breathing place extra burden on the heart and lungs, thus hastening fatigue.
  4. Storage of Chemical Protective Mask
 

The life of a protective mask and canister is dependent on proper storage. When not in use, a properly maintained mask with an attached sealed canister (using protective tape) should be stored in its carry case. Storing a chemical protective mask in a dry area with a moderate constant temperature minimizes deterioration of the rubber and the canister's absorption of moisture. When inserting the mask into its carry case, avoid folding or creasing the mask so it will not retain the memory of the crease or fold. Do not stretch the head harness over the face piece and lens.
  5. Maintenance of Chemical Protective Mask
 

Remove the filter and perform a tap-test by tapping the filter against a hard surface in order to free any residual materials. Thoroughly wash the rubber and plastic parts of the mask with a small amount of mild, non-oil based soap dissolved in warm water. Rinse the mask thoroughly. Allow the mask to air dry. Do not use items such as a heat lamp or hair dryer to dry the mask because the direct, intense heat will cause the rubber to dry out and become brittle. Avoid exposing the mask to direct sunlight.

Do not allow the filter to become wet. Should the filter become exposed to water or any other liquid, replace it. If you have a respiratory illness, the filter may become contaminated. Replace it after use. Standard filters are rated for 4 hours in a heavily contaminated atmosphere. If breathing becomes very labored after 4 hours, replace the filter.
- B. Steps to Decontaminate a Person Exposed to a Chemical Agent
1. Steps to Decontaminate a Person Exposed to Level 1 and Level 2 Contamination
 

Perform the following steps to help decontaminate a person exposed to level 1 and 2 contamination:

    - a. Remove the contaminated individual from the contaminated environment.
    - b. Calm the subject and remind the subject to breathe normally and relax.




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 Chemical Agents, Index Number V-F.2
 

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- c. Monitor the subject's condition.
- d. Summon medical attention to the scene for the purpose of flushing the contaminated areas. Any subject exposed to chemical agents must receive medical assistance as soon as practical.
- e. Flush the contaminated area with copious amounts of cool water.  
The effects of the chemical agent should dissipate within 30 to 45 minutes
  - 1) **Do Not** rub the affected area. **Do Not** use creams, salves, or lotions to ease the pain.
  - 2) **Do Not** leave the individual un-attended.

## 2. Steps to Decontaminate a Level 3 Area Contamination

- a. Mark the contaminated area and remove spent chemical agent devices, if present.
- b. Open all doors and window to ventilate the building and remove airborne particulates. Fans may used to increase ventilation.
- c. Clean surfaces using non-ionic, non-oil based detergents such as Tide or Ivory liquid.
- d. If powdered chemical agents were used, use an HEPA –filtered vacuum cleaner to collect the residual powder. A household vacuum may stir the powder rather than trap it.
- e. Close all doors and windows if the chemical agent is still present. Heat the building as hot as practical (at least 4 hours at a minimum of 95 degrees). After 4 hours, open a window at each end of the building and ventilate with fans. Continue heating the building and ventilating until the agent is removed.
- f. Wash / dry clean clothing and fabrics. More than one treatment may be necessary.
- g. Discard all food in plastic containers or wrapped in plastic wrap. Foods stored in sealed metal cans may be used after the containers have been thoroughly washed.

Some or all of the above steps may be repeated a number of times to remove lingering traces of chemical agents in heavily contaminated areas. Some furniture and fabrics may have to be replaced.

## C. Medical Considerations

Although there have been no deaths attributed to the use of CS, several cases of in-custody death involved the use of OC. Although there is no evidence that OC directly caused these deaths, officers must be aware of their duty to care for subjects on whom they have applied a chemical agent.



Individuals who have ingested cocaine are at risk because cocaine constricts the blood vessels, elevates the heart rate, raises blood pressure, and increases body temperature.

After officers handcuff a subject, the subject should be turned on his/her side or placed in a seated position. Medical assistance should be summoned as soon as practical. The subject should not be left unattended while waiting for medical response.

### **Post Deployment Considerations**

**First Aid or Medical Treatment** – Members shall provide first aid (e.g., assisting with washing away chemical agents from the facial area) and summon professional medical assistance whenever any person is contaminated by chemical munitions and taken into custody (See DGO K-3, USE OF FORCE, TB III-K, FIRST AID, and DGO I-4, AMBULANCE SERVICE, regarding first aid and emergency medical treatment.).

**Decontamination of Structures** – Incident commanders for any incident where chemical munitions are deployed inside of a structure (e.g., home or business) shall ensure that the property owner or designee is provided information for the Office of City Attorney’s claim process (at minimum they may be directed to the City Attorney’s claim website, <https://www.oaklandcityattorney.org/Resources/fileclaim.html>), and information on how to decontaminate a structure (see “Steps to Decontaminate a Level 3 Area Contamination,” above).

**Evidence** – Personnel shall recover all expended casings and projectiles for documentation purposes and make inventory of all remaining live munitions for accountability. If the situation or exigency does not allow the recovery of the evidence (e.g. crowd control situation), officers shall document in their respective reports the number of munitions deployed and the circumstances disallowing the recovery of the evidence.

Additionally members shall, when notifying their supervisor of the use of force, notify their supervisor regarding the non- recovery of evidence.

### **Equipment Use Reporting**

Any personnel firing or using chemical agents outside of training shall report the use to their supervisor. Uses of force shall be handled as detailed in the next section. Other uses shall be reported via the military equipment deployment notification process by the deploying member’s commander.

**Documentation** – As required by Department General Order K-4, REPORTING AND INVESTIGATING THE USE OF FORCE, a supervisor shall be summoned to the scene to conduct a force investigation whenever chemical agents are used.

### **Inquiry and Complaint Process**

The Oakland Police Department DGO M-3: **Complaints Against Departmental Personnel or Procedures** will inform all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct.<sup>5</sup>

Refer to DGO K-7 for additional information on inquiries around controlled equipment.

<sup>5</sup> DGO M-3 states, “IAD investigations shall be completed, reviewed, and approved within 180 days unless approved by the IAD commander.”





Appendix A

Penal Code 13652 (2023) – Use of kinetic energy projectiles and chemical agents

(a) Except as otherwise provided in subdivision (b), kinetic energy projectiles and chemical agents shall not be used by any law enforcement agency to disperse any assembly, protest, or demonstration.

(b) Kinetic energy projectiles and chemical agents shall only be deployed by a peace officer that has received training on their proper use by the Commission on Peace Officer Standards and Training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:

- (1) Deescalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- (2) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- (3) Persons are given an objectively reasonable opportunity to disperse and leave the scene.
- (4) An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
- (5) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
- (6) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- (7) An objectively reasonable effort has been made to extract individuals in distress.
- (8) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
- (9) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.

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(10) Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:

- (A) A violation of an imposed curfew.
- (B) A verbal threat.
- (C) Noncompliance with a law enforcement directive.

(11) If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

(c) This section does not prevent a law enforcement agency from adopting more stringent policies.

(d) For the purposes of this section, the following terms have the following meanings:

(1) "Kinetic energy projectiles" means any type of device designed as less lethal, to be launched from any device as a projectile that may cause bodily injury through the transfer of kinetic energy and blunt force trauma. For purposes of this section, the term includes, but is not limited to, items commonly referred to as rubber bullets, plastic bullets, beanbag rounds, and foam tipped plastic rounds.


(2) "Chemical agents" means any chemical that can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure. For purposes of this section, the term includes, but is not limited to, chloroacetophenone tear gas, commonly known as CN tear gas; 2-chlorobenzalmalonitrile gas, commonly known as CS gas; and items commonly referred to as pepper balls, pepper spray, or oleoresin capsicum.

(e) This section does not apply within any county detention facility or any correctional facility of the Department of Corrections and Rehabilitation.

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<b>TRAINING</b>		<b>BULLETIN</b>
Effective Date: XX MMM 22		Index Number: III-H Alpha Index: Specialty Impact Munitions
Evaluation Coordinator: Training Division		
<i>“Department Training Bulletins shall be used to advise members of current police techniques and procedures and shall constitute official policy.”</i>		

## SPECIALTY IMPACT MUNITIONS

### **Introduction**

The purpose of this Training Bulletin is to provide members with guidelines on the use of Specialty Impact Munitions (SIM). This Training Bulletin does not supersede the training and qualification requirements members shall meet to use and deploy SIM.

This Training Bulletin is a supplemental to Department General Order K-3, USE OF FORCE, which is the master policy regarding the use of force. In addition to this policy, members shall have a complete and thorough understanding of DGO K-3, USE OF FORCE and TB III-H.2, HAND HELD IMPACT WEAPONS which outline, in part, when the use of an impact weapon is appropriate and objectively reasonable, criteria for consideration, definitions, force options and medical requirements.

### **Purpose of Specialty Impact Munitions**

Specialty Impact Munitions (SIM) are pieces of ammunition that are fired from either specifically-designed firearms (such as the 40mm launcher) or from firearms that can be utilized to fire the SIM ammunition (such as the 12 gauge shotgun). SIM are designed as less-lethal weapons; while these may cause injury, when used within the scope of law, policy, and manufacturer recommendations the likelihood of death or great bodily injury, while existent, is minimal.

SIM are impact weapons, and are an intermediate force option. Less-lethal weapons, such as SIM, are used to interrupt an engaged person’s threatening behavior so that officers may take physical control of the engaged person with less risk of injury to the engaged person or officer than posed by other force applications<sup>1</sup>. SIM specifically allow for the application of less-lethal intermediate force at a distance; distance, along with physical cover and other factors, can be used to enhance de-escalation efforts as well as the safety of the engaged person, officers, and the community during an incident. SIM are used when it is not safe for an officer to close on a physically violent person and try to control that person with physical strength and skill, or when a safe, standoff distance is needed. In addition, SIM may be used to further safe resolution of

<sup>1</sup> [DGO K-03](#), Section G-3.




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 Specialty Impact Munitions, Index Number III-H
 

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incidents by hitting or destroying items from a distance (e.g., windows or surveillance cameras) with minimal exposure of officers to dangerous conditions.

### **Authorized Use**

#### *General Use Requirements*

Only trained and currently qualified members are authorized to use SIM, and members are only authorized to use the specific SIM for which they have been trained.

#### *As a Use of Force*

Except during crowd control (when the use of SIM is severely restricted; reference TB III-G), less-lethal SIM shall only be used as a weapon against an engaged person when objectively reasonable, necessary, and proportional<sup>2</sup>. The use of SIM is an intermediate use of force<sup>3</sup> and is not authorized against persons who are only engaged in **non-compliance** or **passive resistance**. SIM use is intended to overcome **active** and **assaultive resistance**.<sup>4</sup>

“Reasonable force” is defined by law as that amount of force that is objectively reasonable to affect a lawful police purpose and protect the safety of officers or others based upon the totality of the circumstances.

The United States Supreme Court ruled in *Graham v. Connor* that force must be analyzed under the Fourth Amendment’s objectively reasonable test<sup>5</sup>. The application of this test requires an analysis of the totality of circumstances, including these factors to determine if the seizure is reasonable:

1. The severity of the crime at issue;
2. Whether the suspect poses an immediate threat to the safety of law enforcement officers or others; and
3. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

The determination of reasonableness is not based on the 20/20 vision of hindsight.

#### *As a Distraction or to Target Objects*

All SIM specified in this policy may be used in non-Crowd Control or Crowd Management Operations as distraction devices or to destroy an object by firing against objects, (e.g., buildings, walls, doors, windows). Verbal notice to members and outside law enforcement agency personnel shall be made before their use as a distraction device or against an object.

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<sup>2</sup> [DGO K-03](#), Section D-1.

<sup>3</sup> *Deorle v. Rutherford* 272 F.3d 1272,1279 (9<sup>th</sup> Cir. 2001)

<sup>4</sup> [DGO K-03](#), Section F-03.

<sup>5</sup> 490 U.S. 386 (1989)

8 Oct 17 • Oakland Police Department



### *Against Animals*

SIM may be used to subdue, distract or chase away vicious animals, but not to dispatch animals (see prohibited uses, below).

### **Lethal vs. Less-lethal**

The distinction between lethal force and less-lethal force is important.

“Less-lethal” force is defined as:

Any use of force, other than lethal force, which by design and application is less likely to cause great bodily injury or death. The possibility of an unintended lethal outcome, although very rare, still exists. SIM are less-lethal weapons. Refer to DGO K-3 for additional less-lethal force options.

### **Use of Direct Fired Specialty Impact Munitions (SIM)**

1. Direct Fired SIM are less-lethal specialty impact weapons that are designed to be direct fired at a specific target including but not limited to Drag Stabilized Flexible Batons (DSFB), often referred to as a "bean bags."
2. A member and/or supervisor on the scene, absent exigent circumstances, shall take reasonable steps to have the engaged person submit to police authority and issue a verbal warning before the use of SIM.
3. Members shall, absent exigent circumstances, avoid intentionally targeting the upper chest. Impacts to center mass have the highest potential for immediate incapacitation, but also have the highest potential to cause serious internal injury or in some very rare instances, death.
4. Lethal force backup shall be in place prior to SIM usage, absent exigent circumstances.
5. Any person struck by SIM shall be transported to a hospital for observation and any necessary treatment. Ambulance service, if required, shall be ordered per Department General Order I-4, AMBULANCE SERVICE. First aid, when necessary, shall be administered per Training Bulletin III-K, FIRST AID. Members shall, absent exigent circumstances summon medical personnel to stage near the scene when they reasonably believe the use of SIM is imminent.

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### **Prohibited Uses**

1. Direct Fired SIM shall not be used against a person who is under restraint<sup>6</sup>.

<sup>6</sup> See DGO K-03, Section B-24 for definition.




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 Specialty Impact Munitions, Index Number III-H
 

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2. Members shall not intentionally target and fire specialty impact munitions at an engaged person's head, neck, spleen, liver, kidneys, throat, spine, left arm pit, or groin due to the increased likelihood of serious bodily injury or death. Absent the engaged person presenting a lethal threat or engaging in life-threatening resistance, members shall not target these areas.
3. Absent the engaged person presenting a lethal threat or engaging in life-threatening resistance, direct fired drag-stabilized beanbag (DSFB) shall not be used against a person within 7 yards (21 feet).
4. Direct Fired SIM shall not be used indiscriminately against a person, a crowd, or group of people even if some members of the crowd or group are violent or disruptive.
5. Members shall not use SIM to dispatch animals.
6. Members shall not use SIM against persons who are only engaged in non-compliance or passive resistance.
7. SIM shall not be "skip-fired" (i.e., intentionally fired such that the round impacts another surface first before striking the intended target).

#### **Crowd Control and Crowd Management Usage**

All use of SIM during Crowd Control and Crowd Management is controlled by OPD's Crowd Control Policy ([Training Bulletin III-G](#)). *Kinetic energy projectiles (SIM) shall not be used by any member to disperse any assembly, protest, or demonstration.*

#### **Deployment Considerations**

1. [Commanders and officers shall make reasonable efforts to ascertain the presence of minors, the elderly, medically compromised people, people with physical, mental or intellectual disabilities, people with limited English proficiency, or other vulnerable people \(as defined in DGO K-03\).](#)

[If present, commanders and officers shall make reasonable efforts to avoid the deployment of SIM and SIM launchers in the immediate presence of the above people.](#)

2. Members shall, absent exigent circumstances, reasonably evaluate the intended person for the following Special Conditions before using SIM:
  - a. **Pregnant People**: Members shall not use SIM against a person who is known, or should reasonably be known, by a member to be pregnant, unless the member believes it is objectively reasonable that his/her life, or life of another, is in immediate danger of death or serious bodily injury, and alternative arrest and control techniques would pose a greater safety or injury risk to the engaged person, third parties or members.

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8 Oct 17 • Oakland Police Department



- b. Pre-Teen Children/Elderly people: Members shall not use SIM against a person known, or should reasonably be known, by the member to be the age of ten (10) or younger or over the age of seventy (70), unless the member believes it is objectively reasonable that his/her life, or life of another, is in immediate danger of death or serious bodily injury, and alternative arrest and control techniques would pose a greater safety or injury risk to the engaged person, third parties or members.
- c. Physically Disabled: Members shall not use SIM against a person known, or should reasonably be known, by the member to be physically disabled unless the member believes it is objectively reasonable that his/her life, or life of another, is in immediate danger of death or serious bodily injury, and alternative arrest and control techniques would pose a greater safety or injury risk to the engaged person, third parties or members.
3. Members shall, absent exigent circumstances, consider, as applicable to the incident, the following factors which may have a direct effect on the engaged person, members or third parties which would influence the decision to use SIM, or whether to use force at all. At all times, members shall be guided by the Department's Mission, Purpose, and Core Principles (DGO K-03, Section A) and the Department's Policy Requirement Regarding De-escalation (DGO K-03, Section C-3). The factors specific to SIM that officers shall consider include, but are not limited to:
- Is the engaged person armed and, if so, with what type of weapon? If the engaged person is armed with a firearm, will the firing of "less-lethal" SIM cause the engaged person to fire his/her firearm?
  - Is the level of force by the officer appropriate for the level of resistance or aggression exhibited by the engaged person?
  - What is the type of situation? Is the engaged person holding a hostage or are there other bystanders in the immediate area?
  - Are the officers on the Dedicated Arrest Team (DAT), the inner perimeter, and other surrounding areas aware that less-lethal SIM may be deployed? Has notification been made or will it be made to the surrounding officers? Will the firing of less-lethal SIM cause other officers to initiate sympathetic fire?

**Absent exigent circumstances, notification before and after the use of a SIM shall be made over the radio and/or in person when radio volume may be turned down for tactical reasons, radio communication problems are occurring or the incident involves outside agency personnel who may not have radio contact with the OPD.**

**Absent exigent circumstances, members shall ensure that personnel from other public safety agencies involved in the incident acknowledge receipt of**

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**the information prior to the use of SIM. This is to ensure the employment of SIM is not mistaken for lethal force.**

- Are other tactics in place, (e.g., O.C., TASERS, K-9's, multiple less-lethal SIM shooters, and arrest teams) as an alternate or contingency plan should less-lethal SIM not create the desired results?
- What is the distance of the threat in relation to the less-lethal SIM shooter? The farther the threat, the less accurate the munitions and the less kinetic energy delivered. **As the threat gets closer to the less-lethal SIM shooter, the shooter must lower the point of aim, (i.e., to the legs, buttocks, etc.)**
- What is the distance of the threat in relation to the arrest team? The further away the arrest team, the longer the threat has to recover from the effects of the SIM.
- Follow up shots: because the first round may miss or not be effective, always be prepared to fire multiple rounds at the engaged person.
- What is the availability of spare less-lethal SIM?
- Are there any language or hearing barriers that affect the engaged person's ability to comprehend clear and articulate communication/directions from members?
- Is the engaged person under the influence of medication, illegal drugs, or an intoxicant?
- Are there any potential secondary injury possibilities to the engaged person (e.g. falling off of a building, running into traffic, etc.)?
- Does the engaged person have any mental or psychological impairment?
- What is the age of the engaged person? Does their age factor into the level of resistance the engaged person is posing or the immediacy of the threat they present?
- What was the success or resilience to the use of previous SIM?
- What is the probability of success in achieving the intended results with the SIM and a engaged person's defenses (e.g. engaged person swinging a jacket, body protection, etc.)?
- Are alternative plans of action in place should the SIM not have the intended results?

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**Training**

Sworn members shall receive training on SIM during every continued professional training (CPT) cycle. This training shall include, but is not limited to, the following:

- Live fire of SIM at practice targets with emphasis on proper target selection;





- Overview of the provisions of this SIM policy;
- Information on situations in which SIM may be used for tactical purposes other than as a weapon; and
- Information on SIM prohibitions during crowd control.

Staff conducting training shall keep a running count of how many SIM are expended during training and report it quarterly to the Department’s Military Equipment Coordinator or designee.

All training/qualification records and lesson plans shall be maintained by the Training Section. The records shall not be purged once training and qualification have been updated or renewed. The records shall represent the entire history of the member’s training, qualifications and the curriculum utilized for each training session.

**Non-flexible vs. Flexible Projectiles**

There are two categories of SIM projectiles: non-flexible and flexible.

Non-flexible projectiles are composed of rigid or semi-rigid materials such as hard rubber or wood. Non-flexible projectiles DO NOT conform to the contour of the surface they strike.

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Flexible projectiles are generally composed of lead or silica filled cloth bags, or a softer substance such as foam. Flexible projectiles conform to the contour of the surface they strike.

**Single Projectile vs. Multiple Projectiles**

Generally, single projectile munitions (e.g. Drag stabilized flexible baton round, 40 mm sponge round) are rounds that launch one projectile with an expectation of point of aim – point of impact accuracy. Generally, these munitions are intended to be direct-fired munitions.

Multiple projectile munitions (e.g. Wooden dowels, 40mm foam baton round) are rounds launching more than one–or multiple–projectiles at the same time. Generally, these rounds are “skip-fired.” Indirect or skip fire munitions are prohibited.

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**Direct Fired vs. Indirect Fired/Skip Fired**

There are two methods in which less-lethal SIM are deployed onto a target: direct fired and indirect or skipped fired.

Direct fired munitions are intended to be fired directly at an engaged person while reasonably attempting to avoid prohibited areas, as specified in parts 5 and 6 of the *Use of Direct Fire Specialty Impact Munitions (SIM)* section, above.

Indirect or skipped fired munitions are intended to be fired so that the projectile impacts the ground first and then “skips” into the intended target. Indirect or skip fire munitions are prohibited.

**Psychological (Mental) Effects**




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 Specialty Impact Munitions, Index Number III-H
 

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Impact munitions have a tremendous mental effect on an individual. In many cases, the mental effects far outweigh the physical effects and may be the determining factor in the engaged person's response to the munitions.

Possible effects in engaged persons who have SIM deployed against them are fear, anxiety, and panic:

Fear: Impact munitions may cause a powerful mental distraction. If the engaged person has prior knowledge of the effects of impact munitions and realizes that he/she is about to be targeted, this realization may be enough to cause the engaged person to comply or, at least, be distracted long enough for a plan of action to be implemented. The engaged person must also mentally cope with the physical pain that he/she feels after being struck with impact munitions.

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Anxiety: The action of pointing a firearm directly at an individual and/or firing a projectile at him or her arouses fear in the individual of being shot with a firearm. The pain and, sometimes, the appearance of the injury may reinforce this belief.

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Panic: Because it may create the "fight or flight" response, panic may not be the most desired effect.

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Members shall consider and prepare contingencies for a panic response. Should it induce a "fight" response, a reliable secondary plan for incapacitation is needed. Should it induce the "flight" response, a secure perimeter along with other available assets should overcome any eluding actions.

### **Physiological (Physical) Effects**

There are two types of injuries caused by projectiles: penetrating and non-penetrating.

Penetrating injuries are caused from low mass, high velocity projectiles, such as bullets and some SIM if used at a close distance, or low velocity sharp objects such as knives.

Non-penetrating injuries are caused when blunt objects impact the surface of the body at moderate speeds causing blunt trauma but do not penetrate the body.

In simple terms, blunt trauma is the primary desired physical effect of less-lethal impact munitions.

The flexible baton inflicts enough pain to get most individuals to comply yet, when used properly, has a low probability of causing serious physical harm. Generally, the impact of the projectile along with the associated pain works to deter the individual from unwanted aggressive behavior.

The possibility of physical injury always exists whenever impact weapons are used. Inappropriate use of a SIM significantly increases the risk of injury or death to a suspect. Abrasions, lacerations, contusions, and fractures may result and need to be addressed by trained medical personnel (See DGO K-3, TB III- K, and DGO I-4 regarding first aid and emergency medical treatment.)

8 Oct 17 • Oakland Police Department



The human body can withstand high levels of force for very short durations of time if the force is distributed on the strong parts of the skeleton. The soft body tissues are responsible for absorbing and dissipating a great deal of force without producing a large amount of compression. However, if the amount and speed of blunt trauma is greater than can be absorbed, soft tissues can be damaged by tearing or rupturing, causing lacerations, cuts, and bruises.

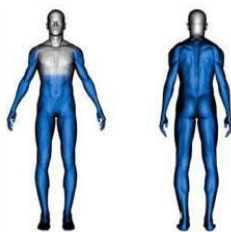
Impacts to the abdomen can cause injury to the liver and spleen causing crushing deformation. Chest impacts can displace internal organs and possibly lacerate major vessels by crushing or stretching.

Although rare, penetration into the body has occurred and is always a possibility, especially when improperly used, as a result of a combination of kinetic energy (weight, size, shape, and velocity); target distance; the engaged person's weight, mass, clothing, or other material coverings; and the area of the body at which the engaged person is impacted. Members shall use SIM within training guidelines and Department policy.

#### **Viable Target Areas**

The authorized target areas for SIM are the same as for hand held impact weapons.

The primary target areas are areas consisting of large muscle groups such as the buttocks and thighs. Other target areas are the shoulder, upper arms, elbows, lower arms, lower abdomen area, knees, and lower legs. Skeletal target areas include the wrists, hands, ankles, and feet. It should be noted that impacting skeletal target areas may result in fractures.



Preferred Target Areas in Blue

Center mass shots provide for the highest probability of immediate incapacitation but also have the highest potential to cause serious injury or, in rare instances, death (See part 6 of *Use of Direct Fire Specialty Impact Munitions (SIM)* section above.)

Factors an officer shall consider when selecting a target area to strike are the following:

- **Clothing**– In colder climates, heavier clothing and jackets reduce the amount of blunt trauma the engaged person receives. Exposed target areas such as the legs should be considered. In hotter climates, where lighter clothing is worn, factors to




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 Specialty Impact Munitions, Index Number III-H

consider are shot placement and engagement distance. Engaged persons may also wear “armor” to defeat/lessen the effects of impact munitions.

- **Physical stature and condition** – Is the engaged person heavy and muscular or is the engaged person thin and skeletal? How old is the engaged person? Most likely, a 250-pound person will be less physically affected than a 100-pound person when both are struck in the same target area. The blunt trauma effects and the potential for injury are much greater for the smaller stature engaged person.
- **Immediate surroundings** – Be aware of what or who is in the background. Are there any persons in the immediate area that might be struck from a deflected or missed shot?

### **Non-Target Areas**

Department policy prohibits intentionally targeting and firing SIM at vulnerable body parts. Members shall avoid striking a engaged person’s head, neck, spleen, liver, kidneys, throat, spine, left arm pit, or groin with any type of specialty impact weapon. Unless your intent is to use LETHAL FORCE, all reasonable attempts shall be made to avoid striking these areas. It should be noted that, when an engaged person is moving or attempting to shield him/herself, avoiding these target areas may be difficult. Given the inherent risk of striking vulnerable body parts, members and supervisors should weigh the risk vs. benefit of using SIM against a moving person.

Members shall, absent exigent circumstances, avoid intentionally targeting the upper chest.

### **12 Gauge Specialty Impact Munitions**

Safariland Drag Stabilized Bean Bag rounds (both marking #3028 and non-marking #3027), and the CTS Super-Sock (both marking #2581G and non-marking #2581) are the only authorized 12 gauge SIMs. These rounds are hereafter referred to as Drag Stabilized Flexible Baton, or DSFB, rounds.

All authorized 12 gauge SIMs share a common design and function in the same manner. These SIM rounds employ a tail design to improve accuracy and a conforming projectile to deliver blunt-force-trauma.

The Safariland rounds are single, tear-shaped, heavy-cotton and ballistic material projectiles with four stabilizer tails. The CTS rounds are single, tear shaped, heavy-cotton and ballistic material projectiles with a single cone shaped stabilizer tail. All authorized DSFB rounds are filled with 40 grams (1.43 oz.) of #9 lead shot loaded into a translucent 12 gauge shell. The rounds use smokeless gunpowder as a propellant. When fired, the projectile travels at about 280 feet per second. Because it is tear-shaped with a stabilizer tail(s), it is very aerodynamic and has a high degree of accuracy. The tear shape also creates a blunt impacting surface, which causes fewer injuries than the discontinued flat flexible baton round.



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8 Oct 17 • Oakland Police Department



The 12 gauge DSFB round has an optimal energy range of 20-75 feet and is intended to be a direct fired munition. The user shall be thoroughly trained, qualified and maintain the Department standard of annual qualification to maintain certification in its use.

Some encounters may require two or more shots placed on an engaged person to gain compliance and shall be justified as required by DGO K-3. Each application is a use of force. Alternate plans of action should be in place should the desired results not be achieved.



### **The Remington 870 Pump Action Shotgun**

The 12 gauge Drag Stabilized Flexible Baton Round shall be fired from a barrel with a choke rating of “Cylinder Bore.” A “Cylinder Bore” choke is required to ensure that the SIM exits the barrel of the weapon system completely and does not become lodged inside. The only shotgun deployed by the Department that has this choke rating is the Remington, Model 870, 12 gauge pump-action shotgun.

Other factors adversely impacting a flexible baton projectile’s ability to exit the barrel when fired are:

- A dirty/fouled barrel;
- A bent/damaged barrel; and/or
- Damaged munitions.



### **Safety Checks**

Incidents have occurred when peace officers in other agencies shot engaged persons with lethal shotgun ammunition when those officers believed that less-lethal ammunition was loaded into their shotguns. In order to prevent a lethal firearms discharge, members shall strictly follow the deployment safety checks detailed in this section.

Prior to the deployment of **any** 12 gauge less-lethal SIM, members shall thoroughly complete the following safety checks:

1. Clear the weapon system of all lethal ammunition. Double check to ensure that the weapon system is indeed clear of any lethal ammunition.
2. Have a second officer double check that the weapon system is clear of any lethal ammunition. This step is incorporated to ensure that an officer has not overlooked any lethal ammunition due to fatigue, darkness, or stress.
3. Ensure that lethal ammunition for the weapon system is inaccessible to the less-lethal shooter. The best course of action to ensure that no lethal ammunition is accessible is to lock it in a secure location such as the glove box or the trunk. THE LESS-LETHAL SHOOTER SHALL NEVER INTER-MINGLE LETHAL AMMUNITION FOR THE WEAPON SYSTEM ON HIS/HER PERSON OR SHOTGUN.
4. Inspect each less-lethal round to ensure that the munitions are less-lethal. Visually inspect each and every less-lethal round that is deployed to ensure that it is indeed less-lethal. Never assume.




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 Specialty Impact Munitions, Index Number III-H

5. Have a second officer double check each less-lethal round to ensure that the munitions are in fact less-lethal. This step is incorporated to ensure that an officer has not overlooked any lethal ammunition due to fatigue, darkness, or stress.

Although there are designated orange colored less-lethal Remington, Model 870 shotguns for Crowd Control Operations, this does not preclude negligent lethal discharges. The only way to prevent negligent lethal discharges is to strictly follow the five safety checks listed above.

#### **40mm Single and Multi Shot Launchers**

40mm SIM shall be fired from a 40mm launcher. The launchers used by the Oakland Police Department are the Penn Arms Single and Multi Shot shoulder fired launchers and the Defense Technology 40LMTS. These launchers can be fired either in the single action or double action mode. Each launcher has a full length Picatinny rail adaptable for mounted electronic sight systems, and also a fixed front sight bead and rear ghost ring sight.

All users shall be thoroughly trained and qualify annually to maintain their Department certification in its use. The user shall visually inspect each round before placing it in the launcher to ensure he/she is using the intended round type.

**40mm Multiple Foam Baton** - A Direct and Indirect Fired SIM manufactured by Defense Technologies. It consist of a 1.60 inch diameter by 4.89 inch long casing that contains (3) foam rubber projectiles. This SIM uses smokeless powder as a propellant. Each foam rubber is a 1.40 inch cylindrical shaped baton made of foam. Each baton weighs .40 ounces. When fired, the batons travel at about 325 feet per second.

The 40 mm Foam Baton Round is intended to be direct fired. The operator shall be adequately trained in the use of Less Lethal Impact Munitions and have a thorough understanding of the round and considerations for selecting shot placement such as level of threat, target distance, size, and clothing.

The 40 mm Foam Baton Round is most suitable in close to medium ranges of fire, approximately 15 to 30 feet. Beyond 30 feet, the lightweight foam batons may move off target and lose most of their energy.

Engagement distances may be limited by walls or barriers. It may also prove valuable in urban riot situations where police lines and protestors are in close proximity. As a dynamic energy round for the incapacitation or distraction of single non-complaint or aggressive persons, it is best suited at close to moderate distances, approximately 10 to 20 feet. All users shall be thoroughly trained and qualify annually to maintain their Department certification in its use.



**40mm Direct Impact Round** – A Direct Fired SIM manufactured by Defense Technologies. It consists of a

1.60 inch diameter by 4.40 inch long casing that contains (1) crushable foam nose, powder payload and plastic body projectile. This SIM uses smokeless powder as a propellant. Each foam is a 2.92 inch cylindrical shaped projectile made of foam. Each foam weighs 1.45 ounces. When fired, the batons travel at about 295 feet per second.

The 40 mm Direct Impact Round is a “point-of-aim, point-of-impact” direct fire round that is most commonly used by tactical teams in situations where greater accuracy and deliverable energy is desired for the incapacitation of an aggressive, non-compliant engaged person at longer distances. The 40mm sponge round is the only SIM that may be deployed during Crowd Management and Control incidents.

The 40 mm Direct Impact Round is intended for direct fire deployment. The operator shall be adequately trained in the use of Less Lethal Impact Munitions and have a thorough understanding of the round and considerations for selecting shot placement such as level of threat, target distance, size and clothing. The 40 mm Direct Impact Round will prove most successful for incapacitation when used within their optimal energy range of 5 – 36 meters, although it may be used in situations from 2 – 50 meters.

All users shall be thoroughly trained and qualify annually to maintain their Department certification in its use. The user shall visually inspect each round before placing it in the launcher to ensure he/she is using the intended round type.

**Hand Deployed Specialty Impact Munitions**

The Oakland Police Department deploys the following hand deployed SIM.

**#15 Stinger Grenade** – The Stinger Grenade is a combination specialty impact munition and diversion device that may incorporate optional CS or OC laden powder. The Stinger Grenade is a maximum effect device because it delivers up to four stimuli for psychological and physiological effect: rubber pellets, bright light, sound, and optional chemical agent powder.

These munitions are 3.1 inches in diameter and 5.2 inches long. These munitions contain 8 ounces of flash powder and 150 .32 caliber soft rubber balls. The munitions that contain powder chemical agent can contain up to 2.0 grams of CS or .30 grams of OC. Other variations that may be deployed are the same munitions without the rubber pellets.






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 Specialty Impact Munitions, Index Number III-H

The Stinger Grenade has an initial 1.5 second delay that initiates fuse assembly separation, followed by another .5 second delay before the device functions. The blast is sufficient to project the rubber balls and optional chemical agent powder in a 50 foot radius.

Only members of the Tactical Operations Team are authorized to use the Stinger Grenade and the user shall be thoroughly trained, qualified and maintain the Department standard of annual qualification to maintain authorization in its use. The Stinger Grenade is not authorized for use in any Crowd Control or Crowd Management Operation or against people (See exception under *Tactical Operations Deployment* section below).

#### **Tactical Operations Deployment**

The Stinger Grenade may only be deployed against a person by the Tactical Operations Team, during a Non- Crowd Control or Crowd Management Operation, when a member objectively and reasonably believes that his/her life, or life of another, is in immediate danger of death or serious bodily injury based upon the totality of the facts known at the time.

#### **Post Deployment Considerations**

After an engaged person has been taken into custody using a SIM, specific tasks shall be completed.

First Aid or Medical Treatment – Members shall provide, as necessary, and summon professional medical assistance, as soon as practical, whenever an engaged person is struck by a SIM and taken into custody (See DGO K-3, USE OF FORCE, TB III-K, FIRST AID, and DGO I-4, AMBULANCE SERVICE, regarding first aid and emergency medical treatment.)

Evidence – Personnel shall recover all expended casings and projectiles for documentation purposes and make inventory of all remaining live munitions for accountability. If the situation or exigency does not allow the recovery of the evidence (e.g. crowd control situation), officers shall document in their respective reports the number of munitions deployed and the circumstances disallowing the recovery of the evidence.

Additionally members shall, when notifying their supervisor of the use of force, notify their supervisor regarding the non- recovery of evidence.

#### **Equipment Use Reporting**

Any personnel firing or using a SIM outside of training shall report the use to their supervisor. Uses of force shall be handled as detailed in the next section. Other uses shall be reported via the military equipment deployment notification process by the deploying member's commander.



Documentation – As required by Department General Order K-4, REPORTING AND INVESTIGATING THE USE OF FORCE, a supervisor shall be summoned to the scene to conduct a Level 2 force investigation when SIM are used against a person.

At a minimum, members shall consider the following factors, as applicable, for detailed inclusion in their Offense, Supplemental or Investigation Report:

- The engaged person’s behavioral signals at the onset of the incident.
- The engaged person’s tone of voice or language (Was the engaged person yelling or using profanity or verbal threats, etc.?)
- The engaged person’s body language/physical gestures (shirt off, violent combative gestures/movements, hands clenched into fists, rapid pacing).
- Any signals of submission by the engaged person (compliance, agreement to comply, etc.)
- Any indications the engaged person made to comply with verbal instructions (submission, going to a specific location, relinquishing/dropping objects/weapons).
- The conditions that dictated shot placement (lighting, obstacles, distance, etc.)
- Environmental conditions (darkness, rain, sunlight).
- The engaged person’s approximate age, height, weight, clothing.
- Whether a physical confrontation would have resulted if less-lethal SIM had not been used.
- Whether BWC was viewed prior to writing the final version of the report.
- Identification of other Department members and public safety personnel, who were present, and their activities and/or role in the incident.
- What safety checks were done prior to deployment of SIM and who conducted the checks.
- When and type of first aid or emergency medical treatment that was provided, and by whom.
- Attach a copy of the paramedic and/or hospital medical report, if available.
- Evidence collected.



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Specialty Impact Munitions, Index Number III-H

- Names, contact information, and thorough recorded statements of witnesses.
- Time when supervisor was advised of the use of SIM.
- Availability of photographs, sketches, diagrams, video, etc. of the scene.
- Photos of the suspect and clothing.
- Other articulable factors which led the member to believe it was objectively reasonable to utilize force and the type of force used.

#### **Inquiry and Complaint Process**

The Oakland Police Department DGO M-3: **Complaints Against Departmental Personnel or Procedures** will inform all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct.<sup>7</sup>

Refer to DGO K-7 for additional information on inquiries around controlled equipment.

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<sup>7</sup> DGO M-3 states, "IAD investigations shall be completed, reviewed, and approved within 180 days unless approved by the IAD commander."



## CITY OF OAKLAND

## POLICE COMMISSION

250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CALIFORNIA 94612

February 21, 2023

**Via Electronic Submission**

Interim City Administrator Harold Duffey  
 Deputy City Administrator Angela Robinson Piñon  
 City Administrator's Office, City of Oakland  
[HDuffey@oaklandca.gov](mailto:HDuffey@oaklandca.gov)  
[ARobinsonPinon@oaklandca.gov](mailto:ARobinsonPinon@oaklandca.gov)

**RE: Oakland Police Commission Biennial Budget Proposal (2023-25)**

Interim City Administrator Duffey and Deputy City Administrator Robinson Piñon:

Thank you for this opportunity to deepen the City of Oakland's ("City") investment in constitutional policing and public safety through the Oakland Police Commission ("Commission"). As the City's independent police reform body, the Commission is vested with broad oversight and authority over the Oakland Police Department, Community Police Review Agency, and Office of the Inspector General. This structure of governance<sup>1</sup> exists to serve our most vulnerable populations and ameliorate systemic injustices through equity-centered outcomes.

We are at an inflection point in preserving and building public trust in the Police Department. Since the Commission's inception through Measure LL in 2016 and expansion of authority through Measure S1 in 2020, our impact through policies and programs have rapidly accelerated, while our resources have not proportionately increased to meet us at this moment.<sup>2</sup> With an exit from the Negotiated Settlement Agreement ("NSA") approaching, the Commission must proactively create the infrastructure supporting a sustainable transition to provide the highest level of service to the community.

In particular, the City Auditor's 2020 Report<sup>3</sup> recommended the Commission increase the number of staff to adequately perform all its duties. The intentional and strategic addition of new staff would:

- Realize the fullest potential of the Commission's impact on communities experiencing historical racial disparities and trauma.

<sup>1</sup> Infographic: [Governance Model](#)

<sup>2</sup> Link to: [Measure LL and S1](#)

<sup>3</sup> Link to: [2020 Performance Audit of the Oakland Police Commission](#)

- Maximize the Commission’s ability to fulfill all of its duties and functions voted into the City Charter and Municipal Code.
- Reduce exposure and risks, working with subject matter experts on complex projects.
- Prioritize the wellbeing and professional development of staff by equitably balancing the division of labor and reducing costly turnover due to burnout.
- Facilitate the transition of police oversight (and \$1.2M) back to the City of Oakland, after successfully exiting the Negotiated Settlement Agreement under a federal monitor.

As such, we propose equipping the Commission with the following additional staff positions:

- **Senior Policy Analyst**
  - Develop and analyze policies on behalf of the Commission that are informed by best practices and tailored to the specific needs and challenges facing Oakland
  - Advance national standards in constitutional policing through informed policies
  - Lead the Commission in developing a data-driven and behaviorally informed racial profiling policy
- **Program Analyst II**
  - Translate ideas and concepts into strategic programs leading to a sustainable transition of authority in police oversight to the Police Commission
  - Ensure that the transition process is transparent and accessible to the public
  - Manage budget and contracts related to a successful transition out of the NSA
- **Public Information Officer I**
  - Drive a communications plan including social media presence, website management, press statements, and official correspondence
  - Provide opportunities for public feedback and input
  - Coordinate public forums and community outreach events
  - Support Commission and staff with marketing materials and publications

These positions are crucial for the Police Commission to exercise its functions and duties that the voters of Oakland and City Council vested in the Commission by City Charter and Municipal Code. What is more, investing in these vital resources for the Commission will facilitate deeper engagement with the public to inform oversight, amplify the voices of communities historically marginalized or excluded from the political process, and make lasting changes in public safety that improve the quality of life for everyone in Oakland. Please note that this preliminary budget proposal is subject to final approval from the full Commission.

Sincerely,



Dr. Tyfahra Milele  
 Chair, Oakland Police Commission  
[TMilele@oaklandcommission.org](mailto:TMilele@oaklandcommission.org)

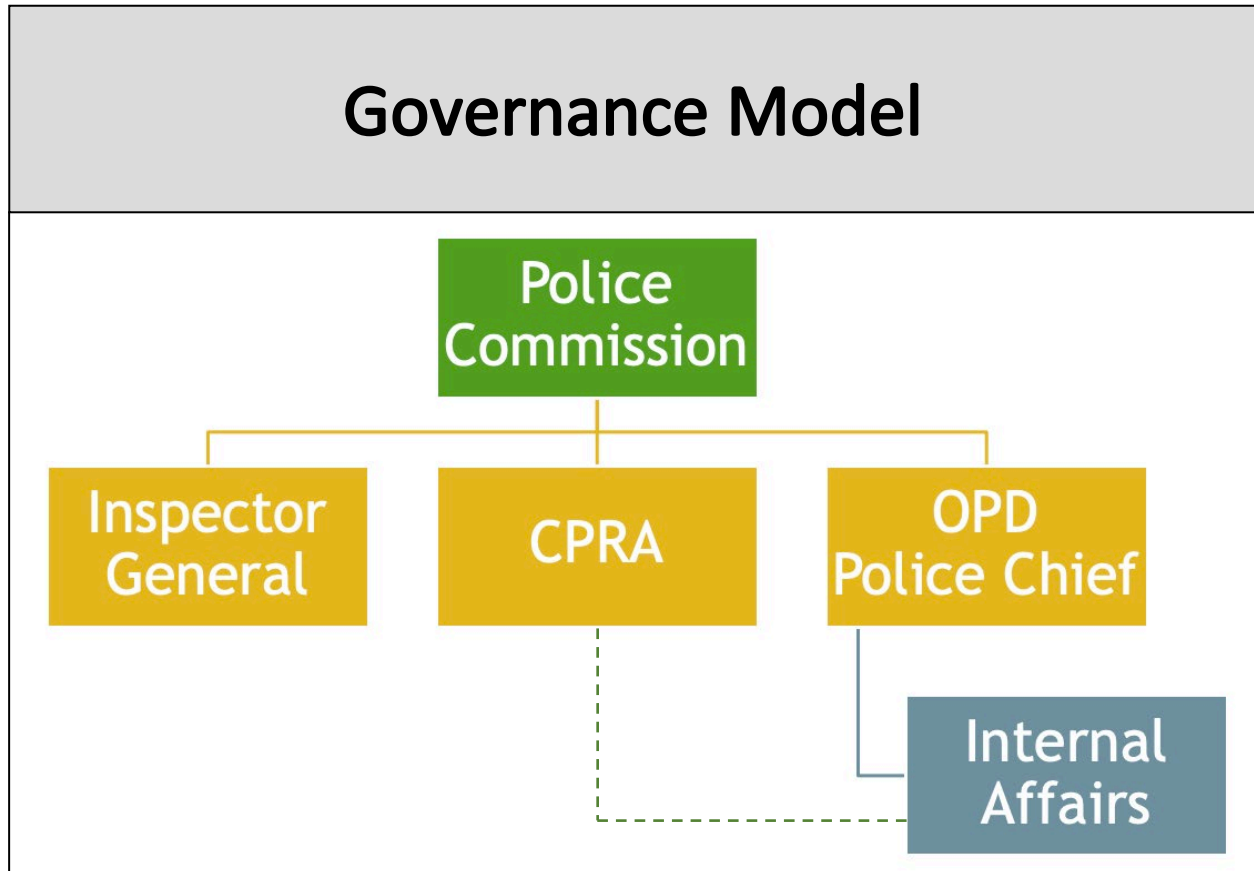
### Budget Proposal Summary

Dept Proposal #	Short Description	FY 2023-24 Total \$ Change	FY 2024-25 Total \$ Change
1	Add 1.0 FTE for Senior Policy Analyst	228,461	259,072
2	Add 1.0 FTE for Program Analyst II	179,024	203,008
3	Add 1.0 FTE for Public Information Officer I	170,468	193,305
		<b>577,953*</b>	<b>655,385*</b>

*\*Reflects full burden of new FTE (e.g., benefits, etc.)*

### Attachment 1

Organizational Structure of Police Oversight in Oakland ([Return to Page](#))



--- \*Pending CPRA and IAD Merge

## Attachment 2

Example Job Descriptions and Classification Specifications to follow ([Return to Page](#)):

[Senior Policy Analyst](#) | [Program Analyst II](#) | [Public Information Officer I](#)

Senior Policy Analyst



### City of Oakland

#### Senior Council Policy Analyst

Class Spec Code: AP387  
 Established Date: 06/26/2001  
 Last Revised Date: 12/21/2016  
 Effective: 01/24/2023

#### Salary Range

\$54.92 - \$67.43 Hourly  
 \$8,924.63 - \$10,958.01 Monthly  
 \$107,095.56 - \$131,496.12 Annually

#### Bargaining Unit

TW1

#### EEO

EE04-Professionals

#### Occupational Group

B1

#### FLSA

Non-Exempt

#### Benefit Code

General

#### Physical Class

NOT APP

#### Definition

Under general direction of the President of the City Council, provides professional assistance to the City Council and its committees, including policy analysis and formulation; reviews and evaluates current and proposed Council legislation; researches, reviews and evaluates Council procedures and processes; gathers and analyzes information, compiles reports and prepares drafts for Council action on issues of concern to individual Council members and the entire City Council; and performs related duties as assigned.

#### Distinguishing Characteristics

This is an advanced journey level classification in the Policy Analyst series responsible for providing policy analysis and recommendations on matters of concern to the City Council. This position differs from the City Council Policy Analyst in that the former provides professional work for an individual City Council Member, whereas the Senior Council Policy Analyst provides support to the entire Council. This position is to be maintained only for the duration of Measure X.

#### Examples of Duties

*Duties may include, but are not limited to the following:*

Provide assistance and support to the Council and its committees and committee chairpersons.

Analyze and review current and proposed Council legislation as requested by Council members or as assigned by the Council President.

Provide research support to Council members on assigned policy issues.

Provide support to Council members and their staffs in preparing proposals for Council consideration.

Study public policy issues, urban problems and municipal services, and work with citizens, public officials and others to assist Council develop solutions; provide analysis of problems, issues and Council legislation; prepare and recommend alternative courses of action with supporting argument for and against; draft legislation for consideration by the City Council.

Coordinate activities with the Office of the City Clerk and other departments who provide regular assistance to the Council, in support of Council initiatives.

Coordinate activities with the Mayor's and City Manager's offices to ensure that their proposed legislation meets Council policy and procedural requirements, and to ensure that adequate and timely information is provided to the Council prior to consideration.

Participate in meetings of local, state and federal agencies relative to departmental programs and policies.

**Knowledge and Abilities**

Extensive knowledge of:

- Public policy issues and development.
- The operations and organization of municipal government.
- The methods and techniques of data collection and analysis.

Considerable knowledge of:

- Municipal and other public financial policy development and administration.
- Departmental administration and organization.
- City and county governmental structure and legislative processes.

Knowledge of:

- The principles and practices of budget development.

Ability to:

- Establish, evaluate and recommend administrative/operational policies, practices and procedures.
- Collect, synthesize and analyze a wide variety of information.
- Evaluate and present verbal and written conclusions on a wide variety of public policy issues.
- Maintain confidential data and information.
- Coordinate functions and activities between the City Council, City departments and outside agencies.
- Prepare and analyze clear and concise reports.
- Communicate effectively and persuasively in both oral and written form.
- Facilitate communication and gain consensus.
- Train Council staff in policies and procedures of the Council and City government.
- Establish and maintain effective working relationships with those contacted in the performance of required duties.

**License or Certificate / Other Requirements**

Individuals who are appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment OR demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties.





## City of Oakland

### Program Analyst II

Class Spec Code: AP293

Established Date: 01/01/1900

Last Revised Date: 01/01/1900

Effective: 01/24/2023

#### Salary Range

\$43.04 - \$52.84 Hourly

\$6,993.36 - \$8,586.66 Monthly

\$83,920.32 - \$103,039.92 Annually

#### Bargaining Unit

TW1

#### EEO

EEO4-Professionals

#### Occupational Group

B1

#### FLSA

Non-Exempt

#### Benefit Code

General

#### Physical Class

NOT APP

#### Definition

Under general supervision, performs program planning, research, analysis and development; writes grant proposals and submits applications; implements and monitors programs; prepares reports and drafts proposed programs; performs needs assessment; provides assistance to community organizations, district boards and citizen advisory bodies; provides lead direction to assigned staff; and performs related duties as assigned.

#### Distinguishing Characteristics

This is a journey-level classification in the series. The incumbent develops programs, finds sources of funds, administers programs, and evaluates results. The incumbent works independently with limited supervision. Program Analyst II differs from Program Analyst III in that the latter may supervise professional or act a team leader on complex projects.

A Program Analyst II receives general supervision from a Program Analyst III or other management staff and may provide lead direction over clerical or temporary staff.

#### Examples of Duties

*Duties may include, but are not limited to the following:*

- Translates ideas and concepts into fundable programs or projects; develops strategies to locate funds for programs; coordinates funding requests and contract implementation with public service agencies; arranges supplemental funds and program revisions when needed.
- Writes grant proposals and applications; reviews and evaluates grant documents to ensure compliance with grantor and City standards; administers grant programs; develops and monitors required grant procedures.
- Acts as program leader, including the planning and implementation of programs, preparing budgets, identifying sources of funds, developing and negotiating contracts, resolving problems and communicating with participants.
- Designs, negotiates, and administers contracts with service providers; monitors contracts to ensure compliance; conducts site visits; reviews invoices and recommends payments to contractors and consultants.
- Provides staff assistance to citizen advisory bodies, committees and commissions; facilitates meetings of community organizations, district boards, and neighborhood groups relating to the development and implementation of programs;
- Writes reports, letters, agendas, and minutes; researches, prepares, and analyzes complex reports.
- Makes public presentations relating to assigned programs; prepares written material for public distribution.
- Reviews and prepares City Council agenda materials; prepares staff reports.

**Knowledge and Abilities**

Considerable knowledge of:

- Principles and practices of program management.
- Grant writing and reporting procedures.

Program Analyst II

Working knowledge of:

- Research and analysis techniques.
- Computer applications, including word processing, spreadsheets, databases, and project management.
- Community resources and organizations.
- Public contact and community relations techniques.
- Budget development and administration.

Ability to:

- Plan, organize, direct and evaluate programs.
- Analyze professional reports and implement individualized education plans.
- Communicate effectively in writing and orally with the public, including City departments and State agencies.
- Interpret federal and state regulations pertaining to block grants.
- Work independently and set priorities.
- Maintain accurate records; prepare clear, concise reports.
- Prepare and administer grants.
- Perform project management and supervision.
- Conceptualize programs in response to constituent needs and request for proposal requirements; develop appropriate budget, organizational and staffing structures.
- Prepare, analyze and interpret complex reports of a general or technical nature.
- Establish and maintain positive relationships with both governmental and non-profit agencies, community leaders and program constituents.
- Communicate effectively and persuasively in both oral and written form with a diverse group.
- Establish and maintain effective work relationships with those contacted in the performance of required duties.

**License or Certificate / Other Requirements**

Successful incumbents in this position are expected to operate automotive vehicles in the performance of assigned duties. Due to the nature of the assignment and the hours worked, public transportation may not be a cost effective or efficient method for traveling to the various locations required. Individuals who are appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment OR demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties.

**Class History**

Established: 5/14/1998; CSB Reso#: 44376



## City of Oakland

### Public Information Officer I

Class Spec Code: AP298  
 Established Date: 01/01/1900  
 Last Revised Date: 01/02/2013  
 Effective: 01/24/2023

#### Salary Range

\$40.98 - \$50.32 Hourly  
 \$6,659.11 - \$8,176.26 Monthly  
 \$79,909.32 - \$98,115.12 Annually

#### Bargaining Unit

TW1

#### EEO

EEO4-Professionals

#### Occupational Group

B1

#### FLSA

Non-Exempt

#### Benefit Code

General

#### Physical Class

NOT APP

#### Definition

Under general supervision, provides information services to City staff, the public, and the mass media for a department or program; assists in implementing special events and promoting departmental programs and services.

#### Distinguishing Characteristics

Public Information Officer I is an entry level classification in the Public Information Officer series. Incumbents perform a variety of public information duties involving the provision of department or program information to the City, the public and the mass media. Duties include establishing relationships with the media and assisting in the planning and production of promotional materials. Incumbents are expected to use judgment and skill in the performance of assignments which are subject to review by professional superiors. Public Information Officer I differs from Public Information Officer II in that incumbents in the latter class perform assignments with greater independence while Public Information Officers I receive on the job training as they perform assignments of a limited scope within a framework of established procedures.

#### SUPERVISION RECEIVED AND EXERCISED

Receives supervision from a Department Director, Division Manager, Public Information Officer III, or other assigned management staff.

#### Examples of Duties

- Establish relationships with the press, radio, television and other media for publicizing and promoting a particular city department or program; assist in writing feature stories, press releases and public service announcements for print and broadcast media; assist in the design, editing and production of newsletters for specific programs.
- Assist in the development of promotional material on department or program, such as slide presentations, videos, photographs, printed matter, display materials and press kits; prepare layout, design and paste-ups; proofreads printed materials.
- Represent department or program at conferences, seminars and various ad hoc meetings.
- Serves as a resource for departmental staff in identifying and addressing public information needs.
- Assist in planning and producing special events promoting departmental or programmatic activities.
- Assist in the preparation of special or routine reports or publications on departmental activities; write reports or grants of a technical or evaluative nature.
- Respond to inquiries for information on department or program activities.
- Perform related duties as assigned.

**Knowledge and Abilities**

Working knowledge of:

- The principles of mass communications and community relations.
- English language mechanics, syntax, grammar, and spelling.

Some knowledge of:

- Print media production, graphic design and printing methods.
- Photographic techniques, styles and formats.
- The methods and practices for effective public speaking.
- Event coordination and promotion of public events.
- Computer systems and applications.

Ability to:

- Meet critical deadlines; coordinate a number of concurrent events.
- Prepare press releases, public service announcements, feature articles.
- Assist in the preparation of graphic and photographic layouts.
- Communicate effectively orally and in writing with a number of constituent groups.
- Coordinate and promote special events, department activities and programs.
- Utilize computer software.
- Establish and maintain effective work relationships with those contacted in the performance of required duties.

**License or Certificate / Other Requirements**

None required.

**Class History**

Established: 07-27-1995; CSB Reso#: 44339

EXAMPLE



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

### Current Committees

Ad Hoc Committee	Commissioners
Budget	Milele, Jordan, Jackson-Castain
Body Worn Camera Policy	Harbin-Forte, Peterson, Hsieh
Community Outreach	Howell, Hsieh, Jordan
Contracts	Peterson, Howell, Ordaz
OIG Policies	Peterson, Harbin-Forte, Jackson
CPRA Policies	Harbin-Forte, Jackson-Castain, Ordaz
Militarized Equipment Policy	Hsieh, Jackson-Castain, Jordan
Negotiated Settlement Agreement	Harbin-Forte, Hsieh, Milele
Racial Profiling Policy	Committee of the Whole
Rules of Procedure	Hsieh, Howell, Jackson-Castain
Staff Searches (CPRA, CoS)	Milele, Jordan, Howell
Staff Evaluations (CPRA, IG, CoP, CoS)	Milele, Peterson, Ordaz
OBOA Association	Harbin-Forte, Jackson, 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>



# OAKLAND POLICE COMMISSION

## SPECIAL MEETING MINUTES

November 5, 2022  
9:00 A.M.

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

Chair Tyfahra Milele called the meeting to order at approximately 9:00 a.m. and took roll.

#### Roll Call:

**Present:** Chair Tyfahra Milele; Vice Chair Marsha Peterson; Commissioner Brenda Harbin-Forte; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner David Jordan; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

**Late:** Commissioner Rudolph Howell joined the meeting at approximately 9:20 a.m.

**Absent:** None

### II. Open Forum

No Public Comment was made.

### III. Police Commission Retreat

The Police Commission Retreat was facilitated by Frank J. Omowale Satterwhite, Ph.D., President, Leadership Incorporated.

#### a. Opening Session (Chair Milele / Dr. Satterwhite)

Chair Milele introduced the desired outcomes and ground rules for the retreat:

##### Desired Outcomes

- Shared understanding of OPC's legal mandate and the role of OPC Commissioners
- Vision 2023 by Chief of Police Chief/OPD Sustainability Plan
- Vision 2023 on the transition plan and operations of the Community Police Review Agency
- Status report on corrective actions to address audit issues raised by the City Auditor
- Consensus about OPC's 2022-23 strategic priorities, plan of action and division of labor
- Shared commitment to establish an OPC culture of respect and collaboration

##### Ground rules

- Mutual respect; active participation; big picture focus; community first; valuing the collective wisdom; assuming the positive; and self-care

Counsel Garcia provided guidance on meeting management, the Brown Act, and Commission protocols. Commissioners engaged in a productive discussion on procedure and protocol. Facilitator Dr. Satterwhite gave an overview of the issues raised and what the Commission retreat seeks to address. Each Commissioner was provided 2 minutes to share a self-introduction and what they hope to contribute to the Police Commission's work.

**b. OPC's Legal Mandate and Role of OPC Commissioners (Legal Counsel Nguyen / CoS Yun)**

Legal Counsel Thuy Nguyen and CoS Kelly Yun presented on OPC's Legal Mandate and Role of Commissioners, with a focus on functions and duties, proactivity, and overall role of the OPC post NSA. Input was provided by Counsel Garcia and comment was made by Commissioner Harbin-Forte and Commissioner Jackson.

**c. Vision 2023 on OPD Sustainability Plan (Chief of Police)**

OPD Chief LeRonne Armstrong presented a progress report on the NSA and gave an overview of OPD's sustainability plan for 2023. Included was a description of the various Tasks required for compliance and OPD's efforts regarding reaching sustainability. Comments and questions were raised by Chair Milele, Commissioner Jackson, and Vice Chair Peterson.

**d. Break**

The Commissioners took a brief recess at 11:10 a.m. and reconvened at approximately 11:22.

Quorum was redetermined upon return from the break with all Commissioners present.

**e. Guest Speaker: Samuel Sinyangwe, Founder of Mapping Police Violence**

Vice Chair Peterson introduced guest speaker Samuel Sinyangwe and provided a background on his efforts in Police accountability and oversight. Guest speaker Sinyangwe presented on Police violence statistics and trends, including informative data and charts used to provide predictive analytic information, and provided insight on how to address the issue systemically. Included in the presentation were statistics concerning the addressing of non-violent or low-level arrests by alternative means. Comments and questions were raised by Commissioner Jackson, Vice Chair Peterson, Commissioner Harbin-Forte, and Alternate Commissioner Jackson-Castain.

Public Comments were made by 2 persons (Jaffe; JP)

**f. Vision 2023 on the Community Review Police Agency (Director Zisser)**

Interim CPRA Director Zisser presented on CPRA's vision for 2023, included were:

- **Fidelity to Charter** (Maintaining and fully implementing policy reforms, especially concerning the investigation of all mandated complaints; resisting backsliding and shortcuts that fracture community trust; training on investigation de-escalation and use of force; and training on investigating allegations of discrimination)
- **Commitment to Community** (including outreach, engagement, and transparency)
- **Meeting deadlines and ensuring thoroughness** (challengers and needs concerning 2023-2024 budget)

- **Culture and collaboration** (the onboarding of new staff, expanding and strengthening the Race and Equity Team, “Arm’s-length” collaboration with Commission and OIG, working with OPC on realistic expectations, promoting civility, respect, and ethics both internally and externally)

Questions were raised by Alternate Commissioner Jackson-Castain.

**g. Lunch**

The Commissioners took a lunch break at 12:30 p.m. and reconvened the meeting at 1:00 p.m.

**h. Status Report on OPC Audit Compliance (CoS Yun)**

CoS Yun provided a presentation on the Commission’s progress in complying with recommendations made by the City Auditor. Comments were made by Commissioner Jackson and Alternate Commissioner Jackson-Castain.

**i. OPC Annual Planning (Dr. Satterwhite)**

Facilitator Dr. Satterwhite advised Commission on planning strategies to achieve the desired outcomes of the Commission, including timelines, collaboration with outside agencies, and deliverables. Dr. Satterwhite then broke the Commission into small groups for the purpose of planning meetings to discuss separately; Racial Profiling; Budget; and Policy Development Processes.

Upon return from small group work, roll was taken to reestablish quorum, and all Commissioners were present. The small groups reported out:

**Racial Profiling**

Commissioner Howell, Commissioner Jordan, and Vice Chair Peterson discussed strategies for addressing Racial Profiling in law enforcement. Comments were made and questions raised by Commissioner Jackson and Commissioner Hsieh.

**Budget: Staffing and Operations**

Alternate Commissioners Jackson-Castain and Ordaz shared their collaborative ideas on the subject of budget and staffing. Feedback was provided by the rest of the Commission.

**Policy Development Process**

Commissioner Hsieh, Commissioner Jackson, and Commissioner Harbin-Forte shared on how to address the process of Policy Development and associated deliverables. Feedback was provided by the rest of the Commission concerning the organization of ad hoc committees.

**j. Break**

Commissioners took a brief recess at 2:30 p.m. and reconvened at 2:40 p.m. Upon return, Chair Milele redetermined quorum, and all Commissioners were present.

Public comment was made by 1 person (Jaffe).



**k. OPC Culture and Working Relationships (Dr. Satterwhite)**

The Commissioners broke into small groups to discuss and present on; relationships with City (including Mayor and City Administrator), OPC internal relationships, and community relationships. After these groups met to discuss these issues, the Chair took roll to redetermine quorum, and all Commissioners were present. Small group report outs included:

**Relationship with City**

Commissioner Ordaz presented on suggested strategies for building and fostering positive relationships with City leadership through communication.

Commissioner Jackson commented on the subject.

**OPC Internal Relationships**

Commissioner Hsieh presented on his group's strategy for building internal relationships within the Commission and stressed the difficulty in doing so during the COVID-19 pandemic due to the absence of physical meetings. Commissioner Harbin-Forte also offered comment on the Brown Act and in person meeting and the necessity for cohesiveness within the Commission.

Commissioner Jordan, Alternate Commissioner Jackson-Castain, Alternate Commissioner Ordaz, and Vice Chair Peterson provided comment and input on the subject.

**Community Relationships**

Commissioner Howell spoke to the importance of transparency and access to information in building community relationships, including improved access to information via OPC's website and the need for public engagement by the Commission within the community.

Comment was made by Vice Chair Peterson, Commissioner Jordan, Alternate Commissioner Jackson-Castain, and Alternate Commissioner Ordaz.

Chair Milele requested confirmation from Counsel Garcia on guidelines concerning in-person meeting of Commissioners and the discussion of Commission related information, both agendaized or otherwise. Question was raised by Commissioner Hsieh and answered by Counsel Garcia.

Public Comment was made by 1 person (Cleveland).

**l. Closing Session (Chair Milele/Dr. Satterwhite)**

Chair Milele and Dr. Satterwhite ended the retreat with a review of the day, next steps, and an announcement about evaluation surveys provided via email.

**IV. Adjournment**

Chair Milele adjourned the meeting at approximately 4:03 p.m.



# OAKLAND POLICE COMMISSION

## REGULAR MEETING MINUTES

January 26, 2023  
5:30 P.M.

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

Chair Tyfahra Milele called the meeting to order at approximately 5:39 p.m. and took roll.

#### Roll Call:

**Present:** Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

#### Absent: None

Following roll call, Chair Milele read a public statement about the challenges facing the Commission as it moves forward in its work.

### II. Consider and Approve Request to OPD and City of Oakland for Investigation Files and Records (Charter § 604(f)(2))

In furtherance of its prior requests on January 17, 2022 and October 11, 2022, the Police Commission formally requested internal affairs and City personnel files and records related to two case numbers and formally articulate a nexus to its Charter Authorities in Section 604(b) of the City Charter.

Public Comments were made by 11 persons (Cleveland; Grinage; Vale; Contreras; Olugbala; Parker; Jenkins; Patty; Christal; Hugh; Bey).

Commissioner Harbin-Forte made a motion, seconded by Commissioner Jackson, to request investigation files and records from OPD and the City of Oakland. The motion carried with the following vote:

**Ayes:** 6 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh

**Nays:** 0

**Absent:** 1 - Jordan

### III. Closed Session

#### PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957(b))

#### CONFERENCE WITH LEGAL COUNSEL –

**EXISTING LITIGATION (Government Code Section 54956.9(d)(1))****Delphine Allen et al., v. City of Oakland, et al.****N.D.Cal No, 00-cv-4599-WHO**

Following public comment from 7 persons (Wofford; Bey; Beck; Grinage; Olugbala; Hugh; Jenkins), the Commission adjourned to closed session.

After the closed session, Chair Milele reported: that the Commission has received some of the confidential records with the prior vote under Item #2 and will take the necessary time to review the information just received. The Chair clarified that the vote on Item #2 also covers additional records. There was no reportable action from closed session, and the Chair noted that the Commission will be scheduling a special closed session meeting on Thursday, February 2<sup>nd</sup>.

**IV. Redetermination of Quorum**

Chair Milele called the meeting back to order and took roll to redetermine quorum.

**Roll Call:**

**Present:** Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

**Absent: None**

**V. Open Forum Part 1**

Public comments were made by 3 persons (Olugbala; Janks; Jaffe).

**VI. Discussion of Commission Authority on Priorities for N.S.A. Tasks 5 & 45**

Chair Milele and the Commission discussed how this agenda item is critical to the Commission as it relates to court oversight of OPD. In addition to centering the role of the Commission, the court has made clear its desire to hear from OPD and staff on April 11, 2023. The Chair reported that she will be creating an ad hoc committee to address the work a future standing committee on post-NSA sustainability would eventually take on, pursuant to the Commission's authority under the City Charter.

Public comments were made by 9 persons (Olugbala; Bey; Grinage; Hugh; Findley; Leonard; Vale; Jenkins; Tigges).

**VII. Update from Oakland Police Department (OPD)**

Acting Chief Darren Allison reported on current crime statistics, staffing numbers, and NSA compliance. Dr. Leigh Grossman provided a briefing on monthly and yearly risk analysis.

Following discussion and questions from Commissioners, public comments were made by 9 persons (Grinage; Olugbala; Bey; Janks; Christal; Hugh; Leonard; Jaffe; Janks).

Commissioner Jackson made a motion, seconded by Commissioner Harbin-Forte, to extend the meeting one hour. The motion carried with the following votes:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

Chair Milele responded to public comment by T. Christal and provided her contact information.

#### **VIII. Update from Community Police Review Agency (CPRA)**

Interim Executive Director Jones provided an update on CPRA's closed cases list and reported that, since taking on her new role, she has been focused on two main issues: the timely submission of objective and comprehensive investigative cases, as well as establishing procedures to be codified in the Standard Operating Procedures manual. Director Jones shared her hands-on approach to training investigators and answered follow-up questions about staffing, training, and the CPRA's jurisdiction under the City Charter.

Public comments were made by 9 persons (Tigges; Grinage; Olugbala; Bey; Harris; Leonard; Christal; Lindsay-Poland; Jenkins).

#### **IX. Presentation of Proposed Amendments by City Council related to Militarized Equipment Policies**

Counsel Nguyen briefed the Commission on recent work of the Militarized Equipment Policy Ad Hoc Committee and why this agenda item was necessary. Counsel advised that a motion be made to allow supplemental materials for Items #9 and #10.

Commissioner Jackson made a motion, seconded by Commissioner Harbin-Forte, to allow supplemental materials for Agenda Items #9 and #10. After no public comments were made, the motion carried with the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

A second motion was recommended by Counsel Nguyen to amend Item #10 for consideration of only the first three policies: DGO I-26 (Ground Robots); DGO K-6 (Department Rifles); and DGO K-7 (Military Equipment Funding, Acquisition and Use Policy).

Commissioner Jackson made a motion, seconded by Commissioner Hsieh, that the Commission amend Item #10 for consideration of only the first three policies: DGO I-26 ; DGO K-6; and DGO K-7. After no public comments were made, the motion carried with the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

Commissioner Harbin-Forte made a motion, seconded by Commissioner Hsieh, to extend the meeting to 1:00 a.m. The motion carried by the following vote:

**Ayes:** 6 - Milele, Peterson, Harbin-Forte, Howell, Hsieh, Jordan

**Nays:** 1 - Jackson

**Absent:** 0

#### **X. Presentation and Possible Approval of Updated Militarized Equipment Policies**

**DGO I-26 (Ground Robots) — Approved 9/22/22**

**DGO K-6 (Department Rifles) — Approved 9/16/22**

**DGO K-7 (Military Equipment Funding, Acquisition and Use Policy) — Approved 9/8/22**

Commissioner Hsieh, Chair of the Militarized Equipment Ad Hoc Committee, presented on the committee's work thus far and walked the commissioners through the revisions to the three policies recommended by the Militarized Equipment Ad Hoc Committee, and explained what policies will be discussed at the next meeting.

Public comments were made by 3 persons (Lindsay-Poland; Christal; Bey).

Commissioner Hsieh made a motion, seconded by Commissioner Jackson, that the Commission send policies DGO I-26 (Ground Robots), DGO K-6 (Department Rifles), and DGO K-7 (Military Equipment Funding, Acquisition and Use Policy) to the City Council with the recommendation to approve. The motion carried with the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

#### **XI. Committee Reports**

##### **Budget Committee (Commissioners Milele, Jordan, Jackson-Castain)**

Chair Milele reported that the Budget Committee met for preliminary discussions and planning, with plans to continue soliciting feedback from Commissioners, staff, and members of the public. Chair Milele shared that the Mayor will be meeting to discuss budget proposals in early March.

##### **Rules of Procedure Committee (Commissioners Hsieh, Howell, Jackson-Castain)**

Commissioner Hsieh reported that the committee met to discuss a plan for soliciting feedback on the Rules of Procedure.

Public comment was made by 1 person (Bey).

**XII. Upcoming/Future Agenda Items**

Commissioner Peterson requested an update from CPRA on the training for investigators and a timeline, as well as an update on Task 5 and NSA sustainability on future agendas.

Alternate Commissioner Jackson-Castain requested a discussion on the content of future OPD reports.

Public comment was made by 5 persons (Bey; Christal; Leonard; Jaffe; Olugbala).

**XIII. Open Forum Part 2**

Public comments were made by 4 persons (Bey; Janks; Jaffe; Christal).

**XIV. Adjournment**

Chair Milele adjourned the meeting at 12:23 a.m.



# OAKLAND POLICE COMMISSION

## REGULAR MEETING MINUTES

February 9, 2023  
5:30 P.M.

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

Chair Tyfahra Milele called the meeting to order at approximately 5:36 p.m. and took roll.

#### Roll Call:

**Present:** Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Karely Ordaz

**Excused:** Alternate Commissioner Angela Jackson-Castain

### 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.

Chair Milele shared an update on the City's transition to in-person meetings. Once Governor Gavin Newsom lifts California's State of Emergency related to COVID-19, all Boards and Commissions under the Brown Act will no longer be able to invoke AB-361 to conduct meetings via Zoom.

After public comments by 5 persons (Olugbala; Beck; Bey; Jenkins; Leonard) Commissioner Jackson made a motion, seconded by Commissioner Harbin-Forte, to adopt the renewal resolution. The motion carried by the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

### III. Closed Session

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957(b))**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1))** Delphine Allen et al., v. City of Oakland, et al. N.D.Cal No, 00-cv-4599-WHO

Following public comment from 9 persons (Grinage, Vale, Contreras, Bey, Olugbala, Janet, Leonard, Jenkins, Bosserman) the Commission adjourned to closed session. During public comment, there was an outburst of “Zoom bombings” including profane language and derogatory comments from individuals who were muted and subsequently removed from the meeting.

After the closed session, Chair Milele reported:

Over the past few months, the Court Monitor has been working on two investigations of sworn officers implicating Task 5 of the NSA. The Investigations conducted for the Monitor on these matters have led to Chief Armstrong being placed on administrative leave and subject to discipline. From the beginning the Commission has asked for all documents relevant to this matter and has been consistently ignored by the City and OPD and the Monitor. This isn't surprising as the role of the Commission has been minimized. We have been asked to cut our budget by 20%. We have had little or no support in getting contracts finalized or amended. Our attorneys have not been paid in 8 months; a matter that will be agendized. We are hopeful that the City follows through on the new Mayor's commitment made in open court to fully support the Commission and its work because the Commission is going to exercise all its powers, especially those relating to the discipline of Oakland's police officers.

We have received the first batch of documents Jan 26; we've recently received the 2<sup>nd</sup> batch yesterday and we understand that there is to be a 3<sup>rd</sup> release date unknown. It is our understanding that the chain of custody begins with Clarence Dyer and Cohen firm to the federal monitor, to the City Attorney, to commission counsel and finally to the commissioners. On a motion by Commissioner Jackson, seconded by Commissioner Harbin-Forte, the Commission voted unanimously to expand our January 26, 2023 request for documents to include any and all complaints being handled by the Monitor or OPD or the City. On a motion by Commissioner Jackson, seconded by Commissioner Harbin-Forte, the Commission voted unanimously to establish a Discipline Committee pursuant to Charter Section 604 (g). Neither CPRA nor OPD have investigated complaints concerning the Chief within 250 days of the incidents complained about. This means the Commission can exercise its own authority over the matters. The Commission's power to fire includes the authority to impose discipline short of firing, or no discipline at all. Indeed, the Commission served a written warning on a prior Chief before moving to fire her, all without objection from the City. The Commission recognizes the need to move quickly. The Court has ordered the parties to have a plan for exiting the NSA by April 4, so we need to resolve all issues involving the Chief as soon as possible. The commission is planning to hold a special closed session meeting on Monday. And after the Commissioners have completed their review of documents. We will extend an invitation to the Mayor to meet with the Commission.

As a final note, it has taken time to get documents to the commission because we were complying with security requirements that involved placing watermarks that track the source of the documents on the documents. There's nothing in the records that would show that any commissioner violated confidentiality. We're confident that no commissioner disseminated these documents. We are very sorry and share the frustrations that the community is feeling about being left in the dark.



Chair Milele then called the meeting back to order and took roll.

**Roll Call:**

**Present:** Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Karely Ordaz

**Excused:** Alternate Commissioner Angela Jackson-Castain

**IV. Open Forum Part 1**

Public comments were made by 4 persons (Grinage; Leonard; Olugbala; Stylus).

After public comment was taken, Chair Milele directed Counsel to clarify some of the questions raised during open forum.

Counsel anticipated that there will be a special meeting of the Police Commission coming up and that an invitation to the Mayor would be extended. The Discipline Committee will take the comment and direction of the Commission and meet to decide the appropriate course of action.

**V. Presentation by Alameda County District Attorney Pamela Price**

Alameda County District Attorney Pamela Price gave a presentation with Senior Assistant District Attorney Kwixuan Maloof and Chief Assistant District Attorney Otis Bruce on the new Public Accountability Unit and its mission, vision, and impact on law enforcement.

Prior to taking questions and comments, District Attorney Price stated she would not be permitted to speak to the issue of Chief Armstrong or any related matters.

Commissioners Harbin-Forte, Jackson, Peterson, and Hsieh raised questions and made comments. Public comment was made by 7 persons (Contreras, Grinage, Bey, Olugbala, Jaffe, Janks, Leonard).

**VI. Update from Oakland Police Department (OPD)**

An update was provided by Deputy Chief Cliff Wong. Included in this update were current crime statistics and staffing numbers, despite the city network being down. Also included in Deputy Chief Wong's report was information relating to OPD's mental health liaison, Sergeant Dorian Neff, and information about MACRO. Comment and questions were raised by Commissioners Howell, Peterson, and Hsieh.

Public comments were made by 6 persons (Contreras; Jaffe; Janks; Bey; Olugbala; Cleveland).

After public comment, Deputy Chief Wong responded to some of the questions raised.

#### **VII. Presentation by Elliott Jones, MACRO Program Manager**

MACRO Program Manager Elliott Jones presented on MACRO's pilot program, including their engagement with the Oakland Police Department and Oakland Fire Department, challenges faced, staffing numbers, and the criteria required to dispatch MACRO for service calls. Comments and questions were raised by Commissioners Howell and Jackson.

Public comment was made by 6 persons (Cleveland; Janks; Jaffe; Olugbala; Bey; Leonard).

After public comment, Commissioner Harbin-Forte made a motion, seconded by Commissioner Jackson, to extend the meeting one hour. The motion carried by the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

#### **VIII. Committee Reports**

##### **Staff Searches (Commissioners Milele, Jordan, Howell)**

Chair Milele provided an update on the Staff Searches committee. The Ad Hoc completed its first round of interviews January 31<sup>st</sup> and met Tuesday February 7<sup>th</sup> to discuss interview responses and identify second round candidates. Second-round interviews for the CPRA Executive Director role are expected to be completed by the end of February, with a public forum hopefully being held in March.

##### **CPRA Policies (Commissioners Harbin-Forte, Jackson-Castain, Ordaz)**

Commissioner Harbin-Forte provided an update on the CPRA Policies Ad Hoc Committee, including updated scheduling information. The Committee is hopeful that a sample proposal will be put together by mid to late March.

Public comment was made by 2 persons (Vale; Bey).

#### **IX. Consent Agenda**

On the consent calendar were the approval of meeting minutes for 10/13/22; 10/27/22; 11/10/22; 12/8/22; 1/12/23; and 2/2/23.

Commissioner Harbin-Forte made a motion, seconded by Commissioner Hsieh, to approve the items listed on the consent calendar. The motion carried by the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

**X. Upcoming/Future Agenda Items**

Commissioner Hsieh requested that the approval of the Militarized Equipment Ad Hoc Committee's proposed edits to TB III-H Specialty Impact Munitions and TB V-F.02 Chemical Agents be placed on an upcoming agenda, so that they may be put back to Council.

Commissioner Peterson requested a monthly report on the number of calls diverted to MACRO and information on how OPD is getting information regarding MACRO to their officers.

Vice Chair Jordan suggested drafting a letter of support or a resolution for Commission oversight at a county level and in relationship to the Sheriff's Department.

Commissioner Jackson requested an update on the Chief of Staff, a quarterly budget update, and a look at where the OPC is in relationship to anticipated audit items.

Commissioner Peterson also added the request for information and clarity on the nature of hybrid meetings.

Commissioner Hsieh added that he would like to see an update on the issue of a Juvenile Miranda Policy, as it relates to the juvenile detention program.

Commissioner Jackson added that she would like to see a report from the Department of Violence Prevention.

Public comment was made by 3 persons (Olugbala; Grinage; Bey).

**XI. Open Forum Part 2**

No public comment was made.

**XII. Adjournment**

Chair Milele adjourned the meeting at approximately 10:56 p.m.



# OAKLAND POLICE COMMISSION

## SPECIAL MEETING MINUTES

February 15, 2023

5:30 P.M.

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

Chair Tyfahra Milele called the meeting to order at approximately 5:34 p.m. and took roll.

#### Roll Call:

**Present:** Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Jesse Hsieh; Commissioner Regina Jackson; Commissioner Marsha Peterson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

**Excused:** Commissioner Rudolph Howell

### II. Closed Session

#### **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957(b))**

Following public comment by 6 persons (Beck; Leonard; Grinage; Tigges; Olugbala; Contreras), the Commission adjourned to closed session.

Chair Milele then called the meeting back to order and took roll.

#### Roll Call:

**Present:** Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Jesse Hsieh; Commissioner Regina Jackson; Commissioner Marsha Peterson; Alternate Commissioner Karely Ordaz

**Excused:** Alternate Commissioner Angela Jackson-Castain

After redetermining quorum, Chair Milele made the following statement, by unanimous vote of the Commission:

Tonight's Discipline Committee, by design, was intended to assess the outside investigation reports and not to conduct its own investigation. By unanimous vote, the Commission has canceled tonight's Discipline Committee given the Mayor's termination of Chief Armstrong without cause.

We give a heartfelt farewell to Chief Armstrong, who has led the Department through:

- An incredibly challenging pandemic with a huge surge in violent crime;
- Who has brought OPD into compliance with 51 out of 52 of the NSA Tasks;
- Who has brought OPD into Sustainability after 20 years of federal oversight;
- Who has crafted one of the most, if not the most diverse leadership team in the country.

We want to acknowledge that the last few months revealed significant problems, including:

- Miscommunications between the City and the Commission;
- The questionable quality, sufficiency, and credibility of the outside investigations;
- Significant gaps and shortfalls in Department policies and procedures for internal investigations.

We have a start to a road map to make sure that this never occurs again. The outside investigations provide some recommendations about how we move forward. In conjunction with the mayor, the Department, and the community, the Police Commission will take the next few months to assess the mess with which we have been left and find solutions to the problems that led us to where we are today.

Commissioners Jackson, Harbin-Forte, and Peterson made comments thanking the former Chief for his service.

### **III. Adjournment**

Chair Milele adjourned the meeting at approximately 7:58 p.m.

Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022-23	Annual vs. Incident-Based vs. Continuous Functions	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
Annual evaluation of Chief of Police	Conduct performance reviews of the Agency Directors and the Chief	The Commission shall determine the performance criteria for periodically 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.	Postponed	Annual	Ord. Section 2.45.070(G)
Annual evaluation of Inspector General	Conduct performance reviews of the Agency Directors and the Chief	The Commission shall determine the performance criteria for periodically 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.	Postponed	Annual	Ord. Section 2.45.070(G)
Hiring CPRA Director including public forum	Staff Searches Ad Hoc	Commission responsible for hiring of Agency Director	Anticipated Hire in Q2	Incident-based	Charter - 604(e)(4)
Annual evaluation of CPRA Director	Conduct performance reviews of the Agency Director and the Chief	The Commission shall determine the performance criteria for periodically 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.	Mar/Apr 2024	Annual	Ord. Section 2.45.070(G)
Annual report to the Mayor/City Council/the public	Complete Annual Report		2022 Annual Report to Commission for first review in Q1	Annual	
<b>MEETINGS</b>					
In-Person Meeting - Brown Act	After City Council provides guidance, agendaize to announce and discuss lifting of emergency exception & conduct in-person meetings		March 2023	Incident-based	Ord. Section 2.45.090
Public Hearing on OPD Policies	Commission may shall determine which Department policies are subject of the hearing	Possible topic: racial disparity in policing	Apr 2023 meeting - coupled with community roundtable and public hearing requirement	Annual	Charter Section 604(b)(2)
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	Apr 2023 meeting - coupled with community roundtable and public hearing requirement  May 2023 meeting - combine with community roundtable with budget public hearing	Annual	Charter § 604(d)(1) and Ord. § 2.45.090

Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022-23	Annual vs. Incident-Based vs. Continuous Functions	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
<b>BUDGET</b>					
Public Hearing on OPD Budget	Purpose of hearing is to "determine whether budgetary allocations for the Department are aligned with the Department's policies". Develop and Approve Recommendations to City Council re Mayor's Budget	Tentative release date of Mayor's proposed budget is May 1st of each year.	May 2023 meeting - coupled with community roundtable and budget public hearing	Annual	Charter Section 604(b)(7)
Propose a Commission Budget, in general	Propose staff position submission to City Administrator necessary to permit the Commission and the CPRA to fulfill its functions and duties.	Include budget for Commission and CPRA	Feb/March 2023	Annual	Ord. Section 2.45.180
Review and Comment on Proposed Budget for Education and Training re: job-related stress, PTSD Signs and Symptoms, and Other Jobrelated Mental Health/Emotional Issues		Possibly include in general budget or OPD budget	April/May 2023	Annual	Charter § 604(d)(1) and Ord § 2.45.090
Propose a Budget for Education and Training re: job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues		Possibly include in general budget or OPD budget	April/May 2023	Annual	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.
Quarterly budget review		Requested by Comm. Jackson (12.8.23; 2.9.23)			
<b>OTHER ITEMS: for CPRA</b>					
Solicit/Consider Public Input re Quality of Interactions with CPRA and Commission			Public Forum for CPRA Director Search	Continuous	Ord. § 2.45.070(Q)
Establish Rules/Procedures re Mediation/Resolution of Complaints of Misconduct					Ord. § 2.45.070(N)
RFP for IAD transition to CPRA		Requested by CPRA			

Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022-23	Annual vs. Incident-Based vs. Continuous Functions	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
<b>OTHER ITEMS: for CPRA</b>					
Review the Agency's dismissal and/or administrative closure of all complaints of misconduct involving Class I offenses			August 2023 - maybe 6 mos. into new Director's time with OPC	Continuous	Ord. Section 2.45.070(M)
Provide policy guidelines to CPRA Director for determining case prioritization		Requested by Comm. Jackson (11.10.22) about Charlotte's August 2022 email; Chair is asking Charlotte when she can report on it	February 2023	Continuous	
Determine the number of existing CPRA staff who would work at a "street-level or ground-floor, visible office that is accessible by public transportation."			Possibly February 2023 before in-person mtgs	Continuous	Ord. Section 2.46.020
Update on CPRA training for investigators and timeline		Requested by Comm. Peterson (1.26.23)		Continuous	
<b>OTHER ITEMS: for OPD</b>					
Notify Chief of required contents of Chief annual report	See enumerated list of topics		Possibly part of Chief's evaluation in February		Ord. Section 2.45.070(F)
Review And Comment On Department's Practices/Policies Re: Reporting And Publishing Data On Its Activities					Ord. § 2.45.070(P)
Revisit OPD's Grooming & Presentation policy		Requested by Comm. Gage (1.13.22)			
For the Chief: - Report on intentions regarding Militarized Equipment - Report on claims regarding bail and increase in crime		Requested by Comm. Hsieh & Harbin-Forte respectively (4.14.22)			
Update on OPD's Parole & Probation policy plus impact.		Requested by Comm. Jackson (2.10.22; 1.12.23)			
Approve/Modify/Revoke OPD Use of "Military Equipment" via Annual Report Process			August 2023		Ord. Section 9.65.030
Report from Chief Armstrong regarding OPD's homelessness policy		Requested by Comm. Harbin-Forte (2.10.22)			
OPD annual update on impact of the missing person's policy		Requested by Comm. Jackson (8.25.22)			
Receive reports from Department via City Administrator on issues identified by the Commission				Continuous / Incident-Based	Ord. Section 2.45.070(R)



Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022-23	Annual vs. Incident-Based vs. Continuous Functions	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
<b>OTHER ITEMS: for OIG</b>					
Advise OIG of priorities and the functions and duties, including: <ul style="list-style-type: none"> <li>•Prepare annual report</li> <li>•Monitor/eval # of officers receiving training on profiling, implicit bias, de-escalation, and other key topics</li> <li>•Develop and present a plan to the Commission to measure the performance of each element of the Department's discipline process for sworn officers</li> <li>•Complete all audits/reviews requested by the Mayor, City Administrator, City Council</li> <li>•Monitor/eval/make recommendations re:</li> <li>•Recruiting and hiring sworn personnel</li> <li>•OPD Policies the Commission seeks to create or modify</li> <li>•OPD's risk mgmt. practices</li> </ul>					Ord. Section 2.45.120
OIG Policies for review and vote		Requested by Comm. Jackson (11.10.22)— in discussion with OIG Policies ad hoc			
Advise OIG of priorities for the 52 NSA Tasks		Part of Post-NSA Standing Committee	Jan/Feb/March 2023		Ord. Section 2.45.120; Charter 604(f)(5)
<b>OTHER ITEMS: for Commission</b>					
Presentation from the Department of Violence Prevention		Requested by Comm. Jackson (2.24.22; 8.25.22; 2.9.23)			
Community Policing presentation/training		Requested by Comm. Hsieh/Commission Ad Hoc (5.26.22)			Ord. Section 2.45.070(O)
SB 16 & SB 1421 Training		Requested by Chair Milele & Vice Chair Peterson (5.26.22)			
Maintain/update bylaws		Rules of Procedure Ad Hoc	Summer 2023	Continuous	Ord. Section 2.45.040
Request that the City Attorney submit semi-annual reports to the Commission and to City Council which shall include a listing and summary of litigation			Previous: 10/27/22 Next: April 2023	Continuous	Ord. Section 2.45.070(I)
Mayor's Youth Commission		Requested by Comm. Jackson (8.25.22)			
Bay Area Youth EMT		Requested by Comm Harbin-Forte (8.25.22)			
Presenation by Ian Appleyard on new HR process		Requested by Comm. Jackson (11.10.22)			
Chief of Staff Search		Requested by Comm. Jackson (11.10.22; 12.8.22; 2.9.23) — recurring with ad hoc		Incident-Based	
Presentation on Ceasefire		Requested by Comm. Jackson (1.12.23)			
Half-day strategic planning session		Requested by Comm. Jackson-Castain (1.12.23)			
Discussion on content of future OPD reports		Requested by Comm. Jackson-Castain (1.26.23)		Continuous	
Monthly report on calls diverted to MACRO and OPD training on utilizing MACRO		Requested by Comm. Peterson (2.9.23)		Continuous	
Letter of support or resolution for Commission advisory oversight at county level		Requested by Comm. Jordan (2.9.23)			
Audit compliance update		Requested by Comm. Jackson (2.9.23)			
Juvenile Miranda Policy and juvenile detention program update		Requested by Comm. Hsieh (2.9.23)			