



Privacy Advisory Commission
March 7, 2024 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 1st Floor
Meeting Agenda

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Chloe Brown, District 3 Representative: Brian Hofer, Chair, District 4 Representative: Lou Katz, District 5 Representative: Vacant, District 6 Representative: Gina Tomlinson, District 7 Representative: Sean Everhart, Council At-Large Representative: Henry Gage III, Vice Chair, Mayoral Representative: Jessica Leavitt*

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

1. Call to Order, determination of quorum
2. Review and approval of the draft January 4 meeting minutes
3. Open Forum/Public Comment for non-agenda items
4. Federal Task Force Ordinance – OPD – Annual Reports – review and take possible action
 - a. Alcohol, Tobacco & Firearms
 - b. Drug Enforcement Agency
 - c. US Marshalls Service
 - d. Secret Service
 - e. FBI Violent Crimes
 - f. FBI Child Exploitation
5. Surveillance Technology Ordinance – Robot and Pole Cameras (DGO I-26)
 - a. Review and take possible action

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

Members of the public can view the meeting live on KTOP or on the City's website at <https://www.oaklandca.gov/topics/ktop-tv-10>.

Comment in advance. To send your comment directly to the Privacy 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 Felicia Verdin at fverdin@oaklandca.gov. Please note that eComment submissions close one (1) hour before posted meeting time. All submitted public comment will be provided to the Privacy Commission prior to the meeting.

To observe the meeting via Zoom, go to: <https://us02web.zoom.us/j/85817209915>
Or One tap mobile: +1 669 900 9128



Privacy Advisory Commission
January 4, 2024 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 1st Floor
DRAFT Meeting Minutes

Commission Members: *District 1 Representative: Reem Suleiman, District 2 Representative: Chloe Brown, District 3 Representative: Brian Hofer, Chair, District 4 Representative: Lou Katz, District 5 Representative: Vacant, District 6 Representative: Gina Tomlinson, District 7 Representative: Robert Oliver, Council At-Large Representative: Henry Gage III, Vice Chair, Mayoral Representative: Jessica Leavitt*

Each person wishing to speak on items must fill out a speaker's card. Persons addressing the Privacy Advisory Commission shall state their names and the organization they are representing, if any.

1. Call to Order, determination of quorum

In attendance: Commissioners Everhart, Suleiman, Katz, Brown, Vice Chair Gage, Chair Hofer.

Absent: Gina Tomlinson, Jessica Leavitt

2. Review and approval of the draft December 7 meeting minutes

The minutes were approved unanimously.

3. Open Forum/Public Comment for non-agenda items

No open forum or public comment.

4. Federal Task Force Ordinance – OPD – Memorandum of Understanding (MOU) with the US Drug Enforcement Agency (DEA)

- a. Review draft MOU and take possible action

The PAC reviewed a DEA of MOU that expired in December 2023 and needs to be renewed. Lt. Steve Valle, OPD, Commander of the task forces provided an update. One of the modifications was to extend the deadline of the MOU to 2026. Chair Hofer confirmed that many of OPD's, MOUs are for three years.

Commissioner Suleiman raised a concern about the resolution. She wanted to understand if there was a conflict between federal and state law. Chair Hofer, explained that the legal standard exists in the ordinance.

Chair Hofer made a motion to approve the MOU, seconded by Commissioner Katz. The item passed unanimously.

Meeting adjourned at 5:35pm.

OAKLAND POLICE DEPARTMENT

Alcohol Tobacco and Firearms (ATF)

2023 Annual Report

OPD ATF Taskforce

The OPD ATF Taskforce supports firearm related investigations. The firearm investigations are often associated with Crime Guns identified through the National Integrated Ballistic Information Network (NIBIN), unserialized firearms (Ghost Guns), Convicted Felons in possession of firearms and the tracing or tracking of firearms through E-Trace. The Taskforce also provides OPD CID with access to forensic resources to support investigations involving gun violence in Oakland. The Taskforce also provides resources to the OPD Crime Gun Intelligence Center (CGIC). OPD CGIC utilizes the National Integrated Ballistic Information Network (NIBIN), which provides crucial intelligence about firearms related crimes committed in Oakland and the San Francisco Bay Area. ATF Special Agents and OPD Taskforce Officer/s frequently respond to assist several Bay Area Law Enforcement Agencies and the Oakland Police Department to conduct investigations of individuals or groups who victimize Oakland residents. The Taskforce also supports the Ceasefire program in the adoption of State firearm cases involving repeated violent Felons identified through Ceasefire.

Staffing

- 1. Number of full and part time OPD officers assigned to ATF Task Force:** One full-time Officer. One full-time NIBIN analyst is currently assigned to OPD to assist with analytical data related to NIBIN Investigations.
- 2. Number of hours worked as ATF Task Force Officer:** Regular 40 hours per week. However, the current task force officer remains flexible and can be assigned to other OPD operations based on OPD needs and priorities and whether or not there are active investigations.
- 3. Funding source for ATF Task Force Officer salary:** OPD Budget – funded by OPD General Purpose Fund. Overtime related to ATF OPD Taskforce investigations are funded by the ATF.

Other Resources Provided

- 1. Communication equipment:** ATF handheld radio, cellular phone & laptop computer.
- 2. Surveillance equipment:** ATF owns and installs utility pole cameras which are utilized in some cases. A court order w/ judicial approval is required prior to any installation.
- 3. Clerical/administrative staff hours:** NIBIN Analyst: Regular 40 hours per week.
- 4. Funding sources for all the above:** ATF Budget.

Cases

1. **Number of cases ATF Task Force Officer was assigned to:** Ten – a breakdown of these cases provided below:

- a) ATF was notified of a subject selling firearm. This subject utilizes social media as a means listing his firearms for sale. After a long thorough investigation, the subject was arrested.
- b) ATF investigated the trafficking of firearms. After several CI buy operations, it was determined that the firearms were being purchased and transported from Texas. The investigation led to several arrest.
- c) ATF became aware of a subject selling several firearms on social media. An operation was conducted to purchase firearms from said subjects. After the operation, several search warrants were conducted and executed throughout the bay area with several firearms being recovered.
- d) ATF Oakland assisted CHP with the execution of a search and arrest warrant of a subject selling firearms.
- e) ATF Oakland assisted CHP with a search warrant execution for a subject wanted for a firearm possession. This subject was located and arrested for her outstanding warrant.
- f) ATF Oakland and US Marshalls conducted surveillance and executed a search warrant for a murder suspect in Oakland.
- g) ATF Oakland assisted DEA with a CI buy operation for narcotics in west Oakland. The operation has not yielded to any arrest at the time but is continuing.
- h) ATF Oakland assisted OHAPD with a shooting investigation. ATF Oakland alongside with OHAPD executed a search warrant in east Oakland regarding the shooting investigation. No arrest or firearms located.
- i) A takeover robbery occurred at Heller Jewelers in the City of San Ramon. The sophisticated armed-robbery crew encompassed approximately 13 suspects, some of whom were masked, and armed with handguns. The Crew was very organized, with on-site hostage takers/kidnappers, window smashers, merchandise grabbers, and designated getaway vehicles. During the robbery, approximately 1.1 million dollars in high-end jewelry was stolen. ATF Oakland took lead and executed several arrest warrants throughout the bay area, many in the city of Oakland, with the assistance of several state, local, and federal agencies. The execution of the warrants led to recovery of several firearms, ammunition, and items taken from the robbery.
- j) Oakland ATF along with Ceasefire conducted an operation to locate and arrest two federal fugitives. The operation that day was unsuccessful, but the subjects were located and arrested on a separate date and time.
- k) CGIC notified the Oakland ATF office about a subject who was the primary aggressor in a shooting. A federal warrant was authored and executed. The subject was arrest under federal charges and is currently being held in federal custody.
- l) ATF along with Fremont Task force executed a federal search warrant for a subject involved in several robberies. The warrant led to the recovery of firearms at the residence in Oakland.
- m) Oakland ATF assisted with a non-fatal shooting investigation in a known gang area. OHAPD took lead and identified a shooter. With the collaboration between both agency the suspect was taken into custody.
- n) Oakland ATF assisted Ceasefire in the execution of a warrant in a known gang location. The operation itself was a success.
- o) Oakland ATF assisted the US Marshalls with the execution of a warrant. The well planned out operation led to the arrest of several subjects who were found hiding in a warehouse.
- p) CGIC, OHAPD and Oakland ATF collaborated in locating and arresting a subject who had been arrested several times this year in possession of a firearm. This same subject was now a person of interest in a recent shooting. Through the partnership, the suspect was located and arrested for his outstanding state warrant. While attempting to arrest the subject, a firearm was located, and federal charges were brought forward. The subject in this investigation is currently in federal custody.
- q) Oakland ATF is currently conducting operations in known narcotic areas. These areas have recently been victims of shootings and homicides. Oakland ATF goal is to locate these subjects armed with firearms and to find intelligence to assist OPD in solving their murder cases.

2. Number of “duty to warn” cases: None

3. General types of cases: Firearms investigations, NIBIN/CGIC investigations and Federally adopted State firearm cases.

4. Number of times the ATF asked OPD to perform/OPD declined to perform: None.

a. Reason for OPD declination (e.g. insufficient resources, local/state law): N/A

Note: When criteria is met for federal charging, consideration is provided to ATF through task force or officer.

Operations

1. Number of times use of undercover officers were approved: 0
2. **Number of instances where OPD Task Force officer managed informants: 0**
3. **Number of cases involving informants that ATF Task Force Officer worked on:** All cases except adopted cases.
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
 - a. **Number of such requests that were denied:** N/A
 - b. **Reason for denial:** N/A
5. **Whether ATF Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

Training and Compliance

1. **Description of training given to ATF Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the ATF Task Force follows all OPD policies and has received several trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the ATF Task Force MOU.
2. **Date of last training update:** Continuous Professional Training, 2023. Monthly training and quarterly training.
3. **Frequency with which ATF Task Force Officer briefs OPD supervisor on cases:** Weekly

Actual and Potential Violations of Local/State Law

1. **Number of actual violations:** OPD will provide information on law and/or policy violations that are in connection with an officer's task force work, and subject to release under California's Public Records Act, Government Code section 6254 (the "PRA") and/or Cal. Penal Code 832.7. Disclosure of violations not connected to task force work is outside the scope of OMC 9.72. Disclosure of violations beyond those mandated or permitted by statute to be disclosed would violate the prohibition on disclosing personnel or other confidential records set forth in Cal. PC 832.7 & 832.8. OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
2. **Number of potential violations:** Same answer as above.
3. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No
2. **Whether OPD officer receives SAR information:** No

Command Structure for OPD Task Force Officer

- 1. Reports to whom at ATF?** Resident Agent in Charge (RAC) Chris Bailey.
- 2. Reports to whom at OPD?** Sergeant Dave Ernst and Lieutenant Steve Valle



OAKLAND POLICE DEPARTMENT

Drug Enforcement Agency (DEA) Task Force

2023 Annual Report

OPD DEA Task Force

The DEA State and Local Task Force combines federal leverage and the specialists available to the DEA with state and local officers' investigative talents and detailed knowledge of their jurisdiction to lead drug law enforcement investigations. The DEA shares resources with state and local officers, thereby increasing the investigative possibilities available to all. Participation in DEA Task Forces also allows the DEA to pay for the overtime and investigative expenses of participating police agencies.

Staffing

1. **Number of full and part time Oakland Police Department (OPD officers assigned to DEA Task Force:** One full-time officer
2. **Number of hours worked as DEA Task Force Officer:** Regular 40 hours per week.
3. **Funding source for DEA Task Force Officer salary:** OPD Budget

Other Resources Provided

1. **Communication equipment:** OPD handheld radio, cellular phone
2. **Surveillance equipment:** None.
3. **Clerical/administrative staff hours:** None
4. **Funding sources for all the above:** OPD Budget

Cases

1. **Number of cases DEA Task Force Officer was assigned to:** – case detail breakdown:

The goal of the Taskforce is to conduct targeted investigations into specific drug trafficking organizations (DTO) and the individuals within the DTOs who are engaged in high level narcotics distribution and trafficking. By conducting these longer federal investigations, the Taskforce is able to ensure entire DTO's are dismantled. Confronting and weakening DTOs closes off specific avenues in which drugs flow into the community. The Taskforce focuses primarily on heroin, methamphetamine, fentanyl, and cocaine trafficking; the Taskforce does not conduct any marijuana investigations.

Below is a summary of the cases worked on in 2023:

Investigation of the Maxfer PALMA DTO:

The DEA Oakland Resident Task Force Group, working in conjunction with the Oakland Police Department (OPD), arrested Maxfer PALMA in 2023, a fentanyl and methamphetamine dealer operating the San Francisco Tenderloin District of California. To this date, this investigation has seized approximately 963.6 gross grams of fentanyl, 1.5 pounds of methamphetamine, and one privately manufactured firearm.

OCDETF Operation: YAHUALICA

This investigation was initiated by the Drug Enforcement Administration (DEA) Oakland Resident Office Task Force Group (OTFG) into the drug trafficking activities of Julio Cesar PALAFOX, a Mexican-based drug trafficker that supplies several high-level poly-drug traffickers in Contra Costa County. PALAFOX is believed to coordinate distribution of pound quantities of narcotics from Yahuallica, Mexico to the Bay Area. The members within this organization are referred to as the YAHUALICA DTO, due to their connection to CJNG (Cartel Jalisco New Generation) and Yahuallica, Mexico. This investigation has resulted in the seizures of approximately 124 pounds of methamphetamine, 25 pounds of fentanyl, two (2) kilograms of cocaine, three (3) firearms, and \$37,540 USC. This investigation also has resulted in six (6) federal indictments and 10 pending federal indictments.

OCDETF Operation: COLOR WALK

This investigation was initiated by the Drug Enforcement Administration (DEA) Oakland Resident Office Task Force Group (OTFG) into the drug trafficking activities of the GALLARDO-CASTRO Drug Trafficking Organization (DTO), led by Yobani GALLARDO-CASTRO, a Mexican-based drug trafficker. Based on this investigation, the Sinaloa Cartel supplies the GALLARDO-CASTRO DTO with fentanyl from Tijuana, Mexico and Los Angeles, CA. The GALLARDO-CASTRO DTO receives high purity uncut fentanyl from the Sinaloa Cartel who then re-distributes to multiple distribution cells operated by Honduran nationals throughout the San Francisco and Seattle metropolitan areas. Due to poor weather climate, violence, and economic instability in Honduras, a large exodus of Honduran Nationals began to flee to Mexico. The Sinaloa Cartel saw an opportunity to exploit the fleeing Honduran Nationals by offering to smuggle them into the San Francisco and Seattle metropolitan areas to operate fentanyl distribution cells. In return, the Honduran national will repay the Sinaloa Cartel by selling fentanyl in these areas. These distribution cells utilize cutting agents such as mannitol to dilute the fentanyl for greater profit margin and easier consumption for their fentanyl users. The GALLARDO-CASTRO DTO utilizes corrupt employees from money service businesses to repatriate fentanyl proceeds to the Sinaloa Cartel in Mexico and family members in Honduras to build large luxury homes. Through the investigative collaborated efforts of 18 U.S. and foreign law enforcement agencies, that resulted in the dismantlement of the GALLARDO-CASTRO DTO. This investigation has resulted in the arrest of 17 fentanyl traffickers/money launderers, the seizure of approximately 21 pounds of fentanyl, one pound of cocaine, one pound of crystal methamphetamine, fourteen ounces of heroin, Marijuana, two (2) vehicles, \$7,000 of U.S. currency, and the dismantlement of the GALLARDO-CASTRO DTO.

2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Narcotics investigations and money laundering investigations
4. **Number of times the DEA asked OPD to perform/OPD declined to perform:** None
 - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

Operations

1. **Number of times OPD officers were involved in undercover investigations:** OPD personnel were assigned in plain clothes or undercover capacity to approximately six investigations.
2. **Number of instances where OPD Task Force officer managed informants:** 0
3. **Number of informant-involved cases in which the OPD DEA Task Force Officer actively participated:** All
4. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None
 - a. **Number of such requests that were denied:** N/A
 - b. **Reason for denial:** N/A

5. **Whether DEA Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No

Training and Compliance

1. **Description of training given to DEA Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the DEA Task Force follows all OPD policies and has received several police trainings, including but not limited to: continual professional training, Procedural Justice Training and annual firearms training. The officer has also reviewed all provisions of the DEA Task Force MOU.
2. **Date of last training update:** Continuous professional training (CPT) (yearly).
3. **Frequency with which DEA Task Force Officer briefs OPD supervisor on cases:** Weekly

Actual and Potential Violations of Local/State Law

1. **Number of actual violations:** OPD will provide information on law and/or policy violations that are in connection with an officer's task force work, and subject to release under California's Public Records Act, Government Code section 6254 (the "PRA") and/or Cal. Penal Code 832.7. Disclosure of violations not connected to task force work is outside the scope of OMC 9.72. Disclosure of violations beyond those mandated or permitted by statute to be disclosed would violate the prohibition on disclosing personnel or other confidential records set forth in Cal. PC 832.7 & 832.8. OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
2. **Actions taken to address actual or potential violations:** The officer follows OPD policies, except where DEA policies are more restrictive. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with State and Federal laws. Going forward, OPD will consult with Office of the City Attorney on a biannual basis.
3. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

1. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
2. **Whether OPD officer receives SAR information:** No.

Command Structure for OPD Task Force Officer

1. **Reports to whom at DEA?** HIDTA Task Force Group Supervisor Sammy Pang
2. **Reports to whom at OPD?** Lieutenant Steve Valle.



OAKLAND POLICE DEPARTMENT

FBI Child Exploitation Taskforce

2023 Annual Report

OPD FBI Child Exploitation Taskforce Mission:

The mission of the Child Exploitation and Human Trafficking Task Force (CEHTTF) is to provide a rapid, proactive, and intelligence-driven investigative response to the sexual victimization of children, other crimes against children, and human trafficking within the FBI's jurisdiction; to identify and rescue victims of child exploitation and human trafficking; to reduce the vulnerability of children and adults to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence-sharing, technical support, and investigative assistance.

The taskforce follows the following goals and priorities:

1. To rescue victims of sex trafficking that are being exploited on both city streets and through internet crimes.
2. To arrest those individuals who are in violation of prostituted related offenses including 647(a), 647(b), 653.23 P.C, 266 PC, 236.1 PC.
3. To gather intelligence and possibly initiate/pursue investigations on cases involving Human Trafficking or other criminal acts.
4. To assist OPD/FBI investigators on any open/active criminal case. Utilize Federal, state, and local resources to locate victims of Human Trafficking and Child Exploitation and look for opportunities to prosecute the subjects Federally.

The defined priority threats that are aligned with the mission of the CEHTTFs are:

1. Child Abductions (Non-Ransom and Ransom)
2. Production/Manufacturing of Child Pornography
3. Sextortion
4. Electronic Groups/Organizations/Enterprises for Profit
5. Travelers/Enticement
6. Traders/Distributors of Child Pornography
7. Interstate Transportation of a Minor with Intent that Minor Engage in Any Illegal Sexual Activity
8. Human Trafficking
9. Child Sex Trafficking
10. Adult Sex Trafficking
11. Forced Labor
12. Domestic Servitude
13. International Parental Kidnapping
14. Possessors of Child Pornography
15. Child Sex Tourism
16. Unlawful Flight to Avoid Prosecution – Parental Kidnapping
17. All other Crimes Against Children and Human Trafficking matters within the FBI's jurisdiction

Staffing

4. **Number of full and part time Oakland Police Department (OPD officers assigned to FBI Task Force:** All Part-Time: (1 Lieutenant, 1 Sergeant and 2 Officers work Part-time Overtime Juvenile Rescue and Internet Crimes Against Children Operations)
5. **Number of hours worked as FBI Task Force Officer:** Each part-time TFO works on average 8 hours a week.
6. **Funding source for FBI Task Force Officer salary:** FBI

Other Resources Provided

5. **Communication equipment:** OPD handheld radio, cellular phone
6. **Surveillance equipment:** Cellebrite machine, GoPro camera
7. **Clerical/administrative staff hours:** None
8. **Clerical/administrative equipment:** laptop computers, hard drives, vehicle usage
9. **Funding sources for all the above:** OPD Budget funds all OPD personnel standard salary and benefits; the FBI in 2023 reimbursed OPD for overtime expenses worked by the federally-deputized OPD members.

Cases

1. **Number of cases FBI Task Force Officer was assigned to:** 7 separate cases; the taskforce conducted over 41 operations in the city of Oakland related to these cases. The results were the following:
 - a. Eighty-six (86) female adults were arrested for solicitation of prostitution (647(a) and (b) PC). They were all offered resources by a combination of several non-profit sexual assault advocate agencies.
 - b. Sixty (60) male adults were arrested for solicitation of prostitution (647(a) and (b) PC). The Special Victim Section followed up with "Dear John" letters to applicable residences.
 - c. Sixteen (16) female juveniles were rescued from Human trafficking. They were all provided resources by a combination of several non-profit sexual assault advocate agencies.
 - d. Thirteen (13) sex traffickers were arrested and charged with human trafficking (236.1, 266 PC) as a direct result of operations.
 - e. The OPD/FBI VICE/Child Exploitation Unit Task Force vetted hundreds of child pornography cyber tips in 2023. This resulted in over 200 search warrants. Six (6) subjects were arrested and prosecuted for Child Pornography (311.11 PC).
 - f. The OPD/FBI VICE/Child Exploitation Unit Task Force has provided unmarked vehicles for the use of human trafficking investigations and operations.
5. **Number of "duty to warn" cases:** None
6. **General types of cases:** Human Trafficking and Internet Crimes
7. **Number of times the FBI asked OPD to perform/OPD declined to perform:** None
 - b. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

Operations

6. **Number of times OPD officers were involved in undercover investigations:** 41 Operations that included undercover officers
7. **Number of instances where OPD Task Force officer managed informants:** None
8. **Number of informant-involved cases in which the OPD FBI Task Force Officer actively participated:** None
9. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None
 - c. **Number of such requests that were denied:** N/A
 - d. **Reason for denial:** N/A

10. **Whether FBI Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No

Training and Compliance

4. **Description of training given to FBI Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the FBI Task Force follows all OPD policies and has received several police trainings, including but not limited to: Continual Professional Training (CPT), Procedural Justice Training and annual firearms training. OPD VICE/CEU Officers have attended collaborative FBI surveillance training and monthly Innocence Lost meetings. The officer has also reviewed all provisions of the FBI Task Force MOU.
5. **Date of last training update:** FBI taskforce training in
6. **Frequency with which FBI Task Force Officer briefs OPD supervisor on cases:** Weekly

Actual and Potential Violations of Local/State Law

4. **Number of actual violations:** There were zero reportable potential or actual violations of law or policy during the reporting period.
5. **Number of potential violations:** Same answer as above.
6. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
7. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

3. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
4. **Whether OPD officer receives SAR information:** No.

Command Structure for OPD Task Force Officer

3. **Reports to whom at FBI?** Resident Agent in Charge (RAC) Martha Parker
4. **Reports to whom at OPD?** Task Officer reports to Sergeant of the SVS/VICE unit, who is currently Sgt. Marcos Campos. The Sergeant reports to the Lieutenant of Special Victims Section is Lt. James Pulsipher.



OAKLAND POLICE DEPARTMENT

Federal Bureau of Investigations (FBI)

Violent Crimes / Safe Streets Taskforce

2023 Annual Report

OPD FBI Violent Crimes Taskforce

The OPD FBI Violent Crimes Taskforce which falls under The FBI's Safe Streets initiative, is a collaborative effort to address violence crimes within our community. The task force pursues violent gangs through sustained, proactive, coordinated and intelligence led investigations to obtain prosecutions that will further public safety while reducing harm and law enforcement's footprint.

Staffing

7. **Number of full and part time OPD officers assigned to FBI Task Force:** Two full-time officers and one full-time sergeant.
8. **Number of hours worked as FBI Task Force Officer:** Regular 40 hours per week. However, the task force officers would assist other OPD operations based on OPD needs and priorities and whether there are active investigations.
9. **Funding source for FBI Task Force Officer salary:** OPD Budget.

Other Resources Provided

10. **Communication equipment:** None.
11. **Surveillance equipment:** None.
12. **Clerical/administrative staff hours:** None.
13. **Funding sources for all the above:** OPD Budget.

Cases

8. **Number of cases FBI Task Force Officer was assigned to:** Fifty-six homicide cases were re-examined by the FBI Task Force
 - a. Seventeen of these cases were at the request of the family, nineteen of these cases were due to improvement in evidence processing / testing, and twenty cases were initiated by the Task Force officers. Of all these cases, twelve of them were solved by the Task Force.
 - b. There are also twelve additional ongoing homicide cases in which the FBI Evidence Response Team (ERT) has processed evidence in these cases. The ERT consist of FBI agents and analysts that are specialists in processing and collection of evidence from locations such as residences and vehicles.
9. **Number of "duty to warn" cases:** N/A
10. **General types of cases:** Homicides cases involving suspects identified in violent gangs / groups, and cold case homicides
11. **Number of times the FBI asked OPD to perform/OPD declined to perform:** None.
 - a. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

Operations

11. **Number of times OPD officers were involved in undercover investigations:** Five
12. **Number of instances where OPD Task Force officer managed informants:** None.
13. **Number of informant-involved cases in which the OPD FBI Task Force Officer actively participated:** Two.
14. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
 - e. **Number of such requests that were denied:** N/A
 - f. **Reason for denial:** N/A
15. **Whether FBI Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

Training and Compliance

7. **Description of training given to FBI Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officers assigned to the FBI Task Force follow all OPD policies and are required to attend and comply with all trainings requirements for OPD officers. They are all currently up to date with their required annual / policy trainings. The officers have also reviewed all provisions of the FBI Task Force MOU.
8. **Date of last training update:** November 2023
9. **Frequency with which FBI Task Force Officer briefs OPD supervisor on cases:** Weekly

Actual and Potential Violations of Local/State Law

8. **Number of actual violations:** There were zero reportable potential or actual violations of law or policy during the reporting period.
9. **Number of potential violations:** Same answer as above.
10. **Actions taken to address actual or potential violations:** The officers follow OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
11. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

5. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
6. **Whether OPD officer receives SAR information:** No.

Command Structure for OPD Task Force Officer

5. **Reports to whom at FBI?** Supervisory Special Agent Darin Heideman
6. **Reports to whom at OPD?** Lieutenant Bradley Baker



OAKLAND POLICE DEPARTMENT

Secret Service

2023 Annual Report

OPD United States Secret Service (USSS) Agreement

OPD and the USSS formalized an agreement related to the USSS Bay Area Identify Theft Strike Force / Electronic Crimes Task Force ("Task Force"). The Memorandum of Understanding (MOU) was signed by both parties in 2009 and articulates rules for reimbursement of participating OPD officers when working on overtime on official Task Force investigations.

Staffing

- 10. Number of full and part time OPD officers assigned to USSS Task Force:** One part time officer, who also assists in Criminal Investigations Division (CID) General Crimes Unit (GCU).
- 11. Number of hours worked as USSS Task Force Officer:** Currently the task force officer spends most of their time in the GCU and works with the USSS to assist with active investigations as needed. The assigned officer also uses the USSS task force to assist with digital forensic searches including computers and cell phones.
- 12. Funding source for USSS Task Force Officer salary:** OPD Budget – funded by OPD General Purpose Fund.

Other Resources Provided

- 14. Communication equipment:** OPD handheld radio and OPD cellular telephone.
- 15. Surveillance equipment:** None.
- 16. Clerical/administrative staff hours:** None.
- 17. Funding sources for all the above:** OPD Budget.

Cases

- 12. Number of cases USSS Task Force Officer was assigned to:** This past year the USSS assisted OPD with thirteen cases involving felony assault, robbery and homicide. The thirteen cases involved extractions from Digital Video Recorder(s) (DVR), Computer Monitor(s) and Cellular Telephone(s). The USSS has provided OPD with equipment and training to download video surveillance from DVR's, Computer Monitors and Cellular Telephones. The USSS also provided OPD with equipment and training to conduct investigations on digital currency investigations.
- 13. General types of cases:** Fraud and Identity Theft Investigations
- 14. Number of times the USSS asked OPD to perform/OPD declined to perform:** None.
 - b. Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

Operations

- 16. Number of times OPD officers were involved in undercover investigations:** None
- 17. Number of instances where OPD Task Force officer managed informants:** None.

18. **Number of informant-involved cases in which the OPD USSS Task Force Officer actively participated:** None
19. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
 - g. **Number of such requests that were denied:** N/A
 - h. **Reason for denial:** N/A
20. **Whether USSS Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

Training and Compliance

10. **Description of training given to USSS Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the USSS Task Force follows all OPD policies and has received several trainings, including but not limited to: Continual Professional Training (CPT), Procedural Justice Training, Project Reset and Annual Firearms Training. The officer has also reviewed all provisions of the USSS Task Force MOU.
11. **Date of last training:** January 2022 Video Surveillance Recovery; October 2022 Crisis Recognition and Response; September 2023 Digital Currency Investigations; December 2023 CPT
12. **Frequency with which USSS Task Force Officer briefs OPD supervisor on cases:** Daily

Actual and Potential Violations of Local/State Law

1. **Number of actual violations** OPD will provide information on violations that are subject to release under California Public Records Act (the "PRA"), Government Code section 6254. Release of any of the violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
2. **Number of potential violations:** Same answer as above.
3. **Actions taken to address actual or potential violations:** The officer follows OPD policies. OPD leadership consults with the Office of the City Attorney to ensure that all policies conform to State and Federal laws.
4. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. Going forward, they will consult on a biannual basis. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

7. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
8. **Whether OPD officer receives SAR information:** No.

Command Structure for OPD Task Force Officer

7. **Reports to whom at USSS?** Special Agent in Charge (SAIC) Sean Bradstreet
8. **Reports to whom at OPD?** Acting Sergeant Dustin Filice and Acting Lieutenant Alexis Nash



OAKLAND POLICE DEPARTMENT United States Marshals Service (USMS) 2023 Annual Report

OPD USMS Taskforce

The USMS is responsible for enforcing federal court orders and serves as the administrative custodian of all federal warrants until they are executed or dismissed. The USMS also manages warrant information, investigates fugitive matters and executes arrest warrants.

The U.S. Marshals have a long history of providing assistance and expertise to other law enforcement agencies in support of fugitive investigations. The USMS Task Forces does not conduct an independent investigation of possible criminal activity. The USMS only seeks to apprehend individuals with active arrest warrants issued for them related to crimes which have targeted local residents. These crimes include; murder, rape, child molestation, robberies, felony assaults and large scale fraud operations. USMS TFs work by leveraging local police intel as well as well as other data sources (e.g. database searches, open source social media inquiries, and interviews of associates/ and family members).

Staffing

- 13. Number of full and part time OPD officers assigned to USMS Task Force:** One full-time officer.
- 14. Number of hours worked as USMS Task Force Officer:** Regular 40 hours per week. However, the OPD officer sometimes is asked to assist with OPD operations. The work assignment of this officer is based on OPD needs and priorities and whether there are active investigations.
- 15. Funding source for USMS Task Force Officer salary:** OPD VCOC SUPPRESSION FUNDING.

Other Resources Provided

Communication equipment: OPD/USMS radio, cellular phone, laptop.

- 18. Surveillance equipment:** None.
- 19. Clerical/administrative staff hours:** None.
- 20. Funding sources for all the above:** USMS Funds

Cases

- 1. Number of cases USMS Task Force Officer was assigned to:** 394; a breakdown of fugitive apprehensions by originating crime type is provided below.

Originating Crime Type Leading To Warrant	Amount
Homicide	110
Robbery	74
Assault	60

Weapons Charges	50
Burglary	22
Rape	23
Aiding Escapee	0
Molesting a Minor	0
Kidnapping	8
Other (e.g. Hit and Run, PAL*, Probation)	47
Total	394

*PAL=parolee at large

2. **Number of “duty to warn” cases:** None
3. **General types of cases:** Local, state, and federal criminal arrest warrants.
4. **Number of times USMS asked OPD to perform/OPD declined to perform:** None
 - c. **Reason for OPD declination (e.g. insufficient resources, local/state law):** N/A

Operations

21. **Number of times OPD officers were involved in undercover investigations:** None.
22. **Number of instances where OPD Task Force officer managed informants:** None.
23. **Number of informant-involved cases in which the OPD USMS Task Force Officer actively participated:** None.
24. **Number of requests from outside agencies (e.g. ICE) for records or data of OPD:** None.
 - i. **Number of such requests that were denied:** N/A
 - j. **Reason for denial:** N/A
25. **Whether USMS Task Force Officer was involved in any cases where USPER (U.S. person status) information was collected:** No.

Training and Compliance

13. **Description of training given to USMS Task Force Officer by OPD to ensure compliance with Oakland and California law:** The OPD officer assigned to the USMS Fugitive Task Force follows all OPD policies and procedures, and has received several police trainings, including, but not limited to continued professional training, procedural justice training, and annual firearms training.
14. **Date of last training update:** PLX Penlink Cell phone and Social media investigations May 11th – 13th May 17th – 18th and June 12th, 2023. CATO Diversionary Device Instructor Course August 24th – 25th, 2023. Patrol Rifle Officer Training November 2nd, 2023. (Ofc. K. Mangal received all this training)
15. **Frequency with which USMS Task Force Officer briefs OPD supervisor on cases:** Daily.

Actual and Potential Violations of Local/State Law

12. **Number of actual violations:** OPD will provide information on violations that are subject to release under California's Public Records Act (the "PRA"), Government Code section 6254. Release of any of violations not covered by the PRA, however, would violate California law (832.7), as there is only one officer assigned to this task force.
13. **Number of potential violations:** Same answer as above.
14. **Actions taken to address actual or potential violations:** The Task Force Officer follows OPD policies. **USMS Task Force Supervisor meets with OPD VCOC supervisor and commander weekly.** OPD leadership consults with the Office of the City Attorney to ensure that all policies conform with State and Federal laws. **Going forward OPD will consult with City Attorney on a biannual basis.**
15. **Recommendations by OPD to address prevention of future violations:** OPD will continue to consult with the Office of the City Attorney to ensure that personnel continue to follow federal, state, and local laws and policies. OPD will also consult with the Privacy Advisory Commission about any proposed changes.

Suspicious Activity Reports (SARs) and Northern California Regional Intelligence Center (NCRIC)

9. **Whether OPD Task Force Officer submits SARs to NCRIC:** No.
10. **Whether OPD officer receives SAR information:** No.

Command Structure for OPD Task Force Officer

9. **Reports to whom at USMS?** U.S. Marshal Assistant Chief Inspector Gerry Gutierrez.
10. **Reports to whom at OPD?** Sergeant David Ernst and Lieutenant Steve Valle.



DEPARTMENTAL GENERAL ORDER

I-26: REMOTE CONTROLLED GROUND SYSTEM (ROBOTS) and POLE CAMERAS

Effective Date: 29 Sep 23

Coordinator: Electronic Services Unit, Special Operations Division

I. VALUE STATEMENT

The Oakland Police Department promotes approved and safe technology into its everyday policing. OPD strives in protecting and serving its diverse community and city through fair, equitable and constitutional policing. Robots and pole cameras are implemented into OPD's strategy for success. These fleets will never replace the police officers who have sworn to protect the community, but will assist in mitigating use of force, bring safe resolutions to critical incidents and help save lives. OPD is committed in safeguarding and respecting the privacy of the community and has brought measures and policies in place to ensure none are violated. Regardless of deployment, robots and pole cameras will be utilized in accordance with OPD Core Values and our Mission.

II. DESCRIPTION OF THE TECHNOLOGY

A. Robot and Pole Cameras Components

A Remote-Controlled Ground System (Robot): is an unmanned machine guided and remotely controlled by a human individual as well as all the supporting or attached systems designed for gathering information through imaging, recording or by any other means.¹ Generally, a Robot consists of:

A Robot, composed of:

- Platform/Body/Frame that is capable of remote movement,
- Radio frequency and antenna equipment to communicate with a remote-control unit;
- A computer chip for technology control;
- A camera;

¹ This policy does not cover autonomous or partially autonomous robots, only those robots that are directly controlled by humans.

- Battery charging equipment for the remote ground / aquatic vehicle and remote control.
- Two-way communication (talk/listen) with transmitter and receivers and Push to Talk functionality
- Robotic claw; and
- Single or Double (Twin) pan disrupter on telescoping arm with camera system
- Remote controlled unit (LCD display) with brightness control

A Pole Camera, composed of:

- Extendable pole with mounted camera, with thermal imaging capabilities;
- Battery charging equipment for pole and LCD display with brightness control
- Pole cameras do not require remote controlled devices. They are solely and human-operated by an ESU team member.

B. Purpose

Robots and Pole Cameras have been used to save lives and protect property and can detect possible dangers that cannot otherwise be seen. Robots and Pole Cameras can support first responders in hazardous incidents that would benefit from a ground, and or aquatic level perspective. In addition to hazardous situations, Robots and Pole Cameras have applications in locating and apprehending subjects, missing persons, and search and rescue operations as well as task(s) that can best be used in crawl spaces or confined isolated areas, or bodies of water. This immensely assists in searches for suspects, victims or evidence in an efficient and effective manner. Any use of a Robot or Pole Camera will be in strict accordance with constitutional and privacy rights and OPD Policy.

The robot or pole camera may not always be ideal for deployment and alternatives should always be considered prior to deployment.

C. How the System Works

1. Robots are remotely controlled by humans from a wireless remote-control unit. The wireless remote-control unit allows operators to remotely navigate the Robot and manipulate the robotic claw and

any accessories and detachable tools.

ESU operators require time to make ready robots and install any detachable tools. Furthermore, not all attachments are ideal for each deployment.

2. Pole Cameras are human-operated and require kinetic energy to be operated.

III. GENERAL GUIDELINES

A. Authorized Use

1. Only authorized operators who have completed the required training shall be permitted to operate the Robots and Pole Cameras.
2. Robots and Pole Cameras may only be used for the following specified situations:
 - a) Mass casualty incidents (e.g. large structure fires with numerous casualties, mass shootings involving multiple deaths or injuries);
 - b) Disaster management;
 - c) Missing or lost persons;
 - d) Hazardous material releases;
 - e) Sideshow events where many vehicles and reckless driving is present;
 - f) Rescue operations;
 - g) Training;
 - h) Hazardous situations which present a high risk to officer and/or public safety, to include:
 - i. Barricaded suspects;
 - ii. Hostage situations;
 - iii. Armed suicidal persons;
 - iv. Arrest of armed and/or dangerous persons (as defined in OPD DGO J-04 "Pursuit Driving" Appendix A, H "Violent Forcible Crime");
 - v. Service of high-risk search and arrest warrants involving armed and/or dangerous persons (as defined in OPD DGO J-04 "Pursuit Driving" Appendix A, H "Violent Forcible Crime"; and
 - vi. Exigent circumstances - A monitoring commander

(Lieutenant or above) may authorize a Robot or Pole Camera deployment under exigent circumstances as defined in OPD DGO K-03 “Exigent Circumstances².” A report shall be completed and forwarded to the Chief of Police and the OPD Robot and Pole Camera Coordinator for all deployments authorized under exigent circumstances, for a full review to determine policy compliance.

3. Deployment Authorization

- a) Except as provided otherwise in this policy, deployment of an OPD Robot or Pole Camera shall only be for the authorized uses above and require the authorization of the incident commander, who shall be of the rank of Lieutenant of Police or above.
- b) Incident commanders of a lower rank may authorize the use of a Robot or Pole Camera during exigent circumstances. In these cases, authorization from a command-level officer shall be sought as soon as is reasonably practical.
- c) ESU Operators are encouraged to advise a supervisor or incident commanders when they believe they are incapable of operating a robot in a safe manner.

4. Deployment Logs

- a) A commander authorizing deployment of a Robot or Pole Camera shall send notification of the deployment via the military equipment deployment notification process.
- b) Deployment logs will provide all mission deployment details for each land, and or water deployment.

5. Detachable Tools

- a) Several ground robots have detachable tools. These detachable tools offer additional options to safely resolve a conflict consistent with OPD’s Mission and Values. These detachable tools can be deployed when command believes the usage is in accordance with OPD policy, procedure and the law and such

² Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, or the escape of a suspect.

usages places officers in a tactical advantage. The detachable tools include the following:

- i. 360 degree rotating robotic claw with telescoping camera on a telescoping arm.
 - ii. A detachable OC canister;
 - iii. A detachable glass and/or tire puncture;
 - iv. A detachable pan disrupter.
- b) 360 degree rotating robotic claw with telescoping camera on a telescoping arm.
- i. The rotating robotic arm is controlled through the remote control.
 - ii. The rotating robotic arm can be utilized to deliver packages or items such as food, water, telephone, etc.
 - iii. The robotic arm can also be utilized to open vehicle or structural doors.
 - iv. The robotic arm can also be utilized to pick up, retrieve or reposition items such as food, water, telephone, etc.
 - v. The robotic arm can be utilized to pick up firearms or suspicious packages believed to be explosives. However, such operation may only be at the direction of command staff and extreme caution must be used. The authorizing commander shall evaluate each scenario and coordinate with ESU.
- c) Detachable OC canister
- i. The detachable OC is controlled through the remote controller.
 - ii. Use of the detachable OC canister is prohibited as described below in III.B. Prohibited Use.
- d) Detachable Glass/Tire Puncture
- i. The detachable glass/tire puncture can deflate or immobilize tires and or shatter vehicle or structural glass. However, such operation may only be at the direction of command staff and extreme caution must be used. The authorizing commander shall evaluate each scenario and coordinate with ESU.
- e) Detachable Pan Disrupter
- i. This attachment utilizes a 12-gauge blank shotgun round and water to breach secured locks/doors or disrupt suspicious packages. However, such operation may only be at the direction of command staff and extreme caution must be used. The authorizing commander shall evaluate each scenario and coordinate with ESU. The ESU

- ii. ESU Officers shall adhere to the Safety Checks of TB III-H Specialty Impact Munitions when loading the pan disruptor³.
- iii. The detachable pan disruptor can be loaded with a live ammunition round. This practice is prohibited as described below in III.B. Prohibited Use.

6. Privacy Considerations

Operators and observers shall not intentionally transmit images of any location where a person would have a reasonable expectation of privacy (e.g. residence, yard, enclosure). When the Robot or Pole Camera is being deployed, operators will take steps to ensure the camera is focused on the areas necessary to the mission and to minimize the inadvertent collection of data about uninvolved persons or places. Operators shall take reasonable precautions, such as turning imaging devices away, to avoid inadvertently transmitting images of areas where there is a reasonable expectation of privacy.

B. Prohibited Use

1. Robots and Pole Cameras shall not be equipped with any weapon systems or attachments not described in Section III.A. above; nor shall it be equipped with any analytic systems capable of identifying groups or individuals, including but not limited to facial recognition or gait analysis.
2. Robots and Pole Cameras shall not transmit any data except to their respective remote-controlled units (LCD Display).
3. Robots shall not be used for the following activities:
 - a. For any activity not defined by “Authorized Use” Section III.A. above.
 - b. Conducting surveillance.
 - c. Targeting a person or group of people based on their characteristics, such as but not limited to race, ethnicity, national origin, religion, disability, gender, clothing, tattoos, sexual orientation and/or perceived affiliation when not connected to actual information about specific

³ The similar Safety Checks of clearing the barrel, having a second officer clear the barrel and inspecting the rounds to ensure the rounds are blank rounds and having a second officer inspect the rounds to ensure the rounds are blank rounds shall be followed.

individuals related to criminal investigations.

- d. For harassing, intimidating, or discriminating against any individual or group.
 - e. To conduct personal business of any type.
4. Robots and their attachments shall not be deployed as a use of force⁴ on a person.
 - a. It is not a violation of this policy to use the robotic arm to push, poke, or pull a person to gain their attention, nor is it a violation to grab or pull them with the robotic arm in an attempt to rescue them from a dangerous situation.
 5. The detachable pan disruptor shall not be loaded with a live ammunition round.

C. Communications

Notifications will be made to the Communications Section for notifying patrol personnel, when OPD Robot operations are authorized by a Commander.

IV. ROBOT DATA

A. Data Collection

There is no video recording function of the Robot and Pole Cameras as Robots, and pole cameras only send data to the ground operator's controller via encrypted radio signals. There is no Secure Digital (SD) Cards to collect any data on Robot and Pole Cameras.

B. Data Retention

Robot and Pole Cameras do not video record or collect any data, thus there is no data retention.

C. Data Access

OPD's Electronic Services Unit (ESU) shall be responsible for the maintenance and storage of Robots and Pole Camera equipment. There will be no members or outside agency requests for OPD Data as Robots and Pole Cameras do not store any data.

D. Data storage, access, and security

This does not apply to Robots and Pole Cameras as there is no data storage, access or security concerns.

E. Data Sharing

Robots and Pole Cameras do not have the capability to share any data with any external organizations via integrated technology. Robots and Pole Cameras only sends data to the operator controller via encrypted radio signals – there is no internet connection for external data sharing.

E. Public Access

Since Robots and Pole cameras do not have data storage or other means of collecting data there are no recordings to disclose pursuant to a Public Records Act request or other.

G. Data Protection and Security

There is no data, thus no SD cards, or such, will be submitted to the OPD Evidence Unit for safe storage.

V. ROBOT ADMINISTRATION

A. System Coordinator / Administrator

1. The ESU will appoint a program coordinator who will be responsible for the management of the Robot and Pole Camera program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best

⁴ “Force” is defined in DGO K-3 USE OF FORCE and includes all levels of force up to and including lethal force.

practices.

2. The ESU Unit Supervisor, or other designated OPD personnel shall provide the Chief of Police, Privacy Advisory Commission, and City Council with an annual report that covers all use of Robot and Pole Camera technology during the previous year. The report shall include all report components compliant with Ordinance No. 13489 C.M.S. The annual report will include a breakdown of incident type for each year.

3. **Submission and evaluation of requests for Robot use**

The ESU Unit Supervisor, or other designated OPD personnel, shall develop a uniform protocol for submission and evaluation of requests to deploy a Robot and or Pole Camera, including urgent requests made during ongoing or emerging incidents.

B. Program improvements

The ESU Unit Supervisor, or other designated OPD personnel, shall recommend and accept program improvement suggestions, particularly those involving safety and information security.

C. Maintenance

The ESU Unit Supervisor, or other designated OPD personnel, shall develop a Robot and Pole Camera inspection, maintenance and record-keeping protocol to ensure continuing deployment of the tracking purposes, and include this protocol in the Robot and Pole Camera procedure manual. Maintenance and record-keeping should also include expenditures such as purchase of new equipment and mechanical repairs.

D. Cost Analysis

The ESU Unit Supervisor, or designated OPD personnel, shall develop a protocol for developing and documenting data for a cost-benefit analysis. This cost benefit analysis will include amount of ESU personal involved, ESU equipment utilized, suspect(s) located (e.g. gender, race and age) and the recovery of evidentiary items (e.g. firearms, clothing, vehicles, etc).

E. Training

The ESU Unit Supervisor, or other designated OPD personnel, shall ensure that all authorized operators have completed all required

department-approved training in the operation, applicable laws, policies and procedures regarding use of the Robot and Pole Camera.

F. Auditing and Oversight

The ESU Unit Supervisor, or other designated OPD personnel, shall develop a protocol for documenting all Robot and Pole Camera uses in accordance to this policy with specific regards to safeguarding the privacy rights of the community and include this in the Robot and Pole Camera procedure manual and the annual Robot and Pole Camera report. The Robot and Pole Camera supervisor will develop an electronic record of time, location, equipment, purpose of deployment, and number of Robot and Pole Camera personal involved. Whenever a deployment occurs, the authorizing commander, or operator, will send an electronic notification/submission to the SOS Commander to include the topics listed above. This protocol will allow the SOS Commander to have a running log of all deployments and assist in the annual report.

G. Reporting

The ESU Unit Supervisor, or other designated OPD personnel, shall monitor the adherence of personnel to the established procedures and shall provide periodic reports on the program to the Chief of Police.

The ESU Unit Supervisor, or other designated OPD personnel, shall provide the Chief of Police, Privacy Advisory Commission, and City Council with an annual report that contains a summary of authorized access and use.

H. Inquiry and Complaint Process

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

The Oakland Police Department DGO M-3: **Complaints Against Departmental Personnel or Procedures** will inform all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct.^[1] Refer to DGO K-7 for additional information.

^[1] DGO M-3 states, "IAD investigations shall be completed, reviewed, and approved within 180 days unless approved by the IAD commander."

DEPARTMENTAL GENERAL ORDER
OAKLAND POLICE DEPARTMENT

Effective Date: 29 Sep 23

By Order of

Darren Allison
Interim Chief of Police

Date Signed:



Item(s): Robots and Pole Cameras
 Applicable Use Policy: DGO I-26, Remoted Controlled Ground Systems (Robots) and Pole Cameras

Description and Purpose

ICOR Mini Caliber	
Description	An unmanned machine guided and remotely controlled by an officer. The ICOR Mini Caliber is ground operated and has several attachments which can assist in opening doors, delivery of items and or the ability to demobilize vehicle's tires, break glass or bypass locks or destroy packages.
Manufacturer's Product Description	Designed for rapid tactical missions, the robot is simple to operate and quick to deploy for searching rooms, hallways, stairwells and confined spaces. With rubber tracks and articulating front and rear flippers, the Mini-CALIBER effortlessly climbs stairs. It also includes an extendible rotating claw arm that simplifies opening door handles.
How the item works	The robot is controlled by remote controllers. Operators will utilize the remote controller to direct the robot to climb stairs, move in all angles and control the robotic arm.
Expected lifespan	Not listed with manufacturer or website; with care can last several years. Batteries have shorter life spans as they gradually deteriorate due to normal usage
Quantity	1 owned
Purpose and intended uses and/or effects	Understanding that real time intelligence can provide officers safety and tactical advantages, robots are beneficial in providing a ground level perspective of interior, or exterior, locations during barricaded incidents. The usage of robots is in line with the mission of de-escalation and places officers at a safe distance. This allows for the safe resolution of critical incidents and mitigates use of force incidents.

Avatar Tactical Robot	
Description	An unmanned machine guided and remotely controlled by an officer. The Avatar Tactical Robot is ground operated and has a robotic arm attachment which can assist in opening doors, delivery of items.

Manufacturer's Product Description	The AVATAR enhances the capabilities of SWAT and tactical response teams by allowing them to quickly and safely inspect dangerous situations, there is no longer a need to send personnel in before you've had a chance to assess the situation.
How the item works	The robot is controlled by remote controllers. Operators will utilize the remote controller to direct the robot to climb stairs, move in all angles and control the robotic arm.
Expected lifespan	Not listed with manufacturer or website; with care can last several years. Batteries have shorter life spans as they gradually deteriorate due to normal usage
Quantity	2 owned
Purpose and intended uses and/or effects	Understanding that real time intelligence can provide officers safety and tactical advantages, robots are beneficial in providing a ground level perspective of interior, or exterior, locations during barricaded incidents. The usage of robots is in line with the mission of de-escalation and places officers at a safe distance. This allows for the safe resolution of critical incidents and mitigates use of force incidents.

Andros Mark 5A-1	
Description	An unmanned machine guided and remotely controlled by an officer. The Andros Mark 5A-1 is ground operated and has several attachments which can assist in opening doors, delivery of items and or the ability to demobilize vehicle's tires, break glass or bypass locks or destroy packages.
Manufacturer's Product Description	Is a bomb disposal robot for the purpose of handling potential explosives without risking any lives. First responders around the world depend on the MarkV to handle potential hazards and explosives from outside the danger zone.
How the item works	The robot is controlled by remote controllers. Operators will utilize the remote controller to direct the robot to climb stairs, move in all angles and control the robotic arm.
Expected lifespan	Not listed with manufacturer or website; with care can last several years. Batteries have shorter life spans as they gradually deteriorate due to normal usage
Quantity	1 owned
Purpose and intended uses and/or effects	Understanding that real time intelligence can provide officers safety and tactical advantages, robots are beneficial in providing a ground level perspective of interior, or exterior, locations during barricaded incidents. The usage of robots is in line with the

	mission of de-escalation and places officers at a safe distance. This allows for the safe resolution of critical incidents and mitigates use of force incidents.
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Recon Scout Reconnaissance Robot	
Description	An unmanned machine guided and remotely controlled by an officer. The Recon Scout Reconnaissance Robot is ground operated, light weight at 1.2lbs.
Manufacturer's Product Description	Recon Scout XT, a small throwable reconnaissance robot is for use in law enforcement and military applications. The robot can be used by warfighters, dismounted patrols, special weapons and tactics (SWAT) and other special operations teams. The robot offers real-time situational awareness and greater stand-off distance.
How the item works	The robot is controlled by remote controllers. Operators will utilize the remote controller to direct the robot to climb stairs, move in all angles and control the robotic arm.
Expected lifespan	Not listed with manufacturer or website; with care can last several years. Batteries have shorter life spans as they gradually deteriorate due to normal usage
Quantity	1 owned
Purpose and intended uses and/or effects	Understanding that real time intelligence can provide officers safety and tactical advantages, robots are beneficial in providing a ground level perspective of interior, or exterior, locations during barricaded incidents. The usage of robots is in line with the mission of de-escalation and places officers at a safe distance. This allows for the safe resolution of critical incidents and mitigates use of force incidents.

Tactical Electronics LPSS3 Long Police Wireless Video Camera	
Description	An extendable pole up to 20ft with a camera mounted.
Manufacturer's Product Description	The LPSS3 Long Pole Search System provides wireless video surveillance of subjects at significant heights and distances. The system features a 20ft telescoping pole, a flexible neck camera head, eight IR LEDs, and an internal DVR for video recording. The main housing is conveniently stored inside the collapsed pole for timely stowaway. The upgraded features and streamlined design of the LPSS3 combine compact portability and rapid deployment with covert wireless vision.

How the item works	The pole is controlled by a police officer through kinetic energy. Operators will utilize the pole and extend or retract the pole to the desired length and the camera will transmit live feed images or video on a remote LCD device.
Expected lifespan	Not listed with manufacturer or website; with care can last several years.
Quantity	1 owned
Purpose and intended uses and/or effects	Understanding that real time intelligence can provide officers safety and tactical advantages, pole cameras are beneficial in providing a wireless video live feed to officers at a safe location. The usage of cameras is in line with the mission of de-escalation and places officers at a safe distance. This allows for the safe resolution of critical incidents and mitigates use of force incidents.

Zistos Tactical System	
Description	An extendable pole up to 14ft with a camera mounted.
Manufacturer's Product Description	When it is too dangerous to physically look into a room or space, let Zistos be your eyes. Our wide range of HD Tactical Pole Cameras help law enforcement and government agency personnel more safely and effectively perform surveillance functions during tactical missions.
How the item works	The pole is controlled by a police officer through kinetic energy. Operators will utilize the pole and extend or retract the pole to the desired length and the camera will transmit live feed images or video on a remote LCD device.
Expected lifespan	Not listed with manufacturer or website; with care can last several years.
Quantity	1 owned
Purpose and intended uses and/or effects	Understanding that real time intelligence can provide officers safety and tactical advantages, pole cameras are beneficial in providing a wireless video live feed to officers at a safe location. The usage of cameras is in line with the mission of de-escalation and places officers at a safe distance. This allows for the safe resolution of critical incidents and mitigates use of force incidents.

Fiscal Costs

Initial Costs

The Oakland Police Department (OPD) currently owns/possesses/uses the equipment. Initial costs (if known) to obtain the equipment were:

Initial costs of the items were approximately:

Equipment	Per-unit cost	Total cost
ICORE Mini Caliber	~\$119,000	~\$119,000
Avatar Tactical Robot	~\$40,000	~\$80,000
Andros Mark 5A-1	~\$280,000	~\$280,000
Recon Scout Reconnaissance Robot	~\$7,500	~\$7,500
Tactical Electronics LPSS3 Long Police Wireless Video Camera	~\$11,000	~\$11,000
Zistos Tactical System Video Camera	~\$11,000	~\$11,000

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

Estimated or anticipated costs for each proposed use

Robots and pole cameras are stored in locked and secured facility, and or vehicle, at the Oakland Police Department. The Electronic Services Unit (ESU) members have access to robots and pole cameras and will respond to an incident with the equipment when requested by an Incident Commander. ESU members may be on duty during incidents requiring the Robot(s) or pole camera(s). If they are, they may deploy as patrol officers, or as their regular duty assignment, and utilize any one of the devices. For a tactical team call-out, other ESU members will respond even if they are off-duty, resulting in overtime expenditures. The amount of the expenditure is based on the time the incident takes to resolve. Over time deployments can be tracked utilizing an i-code through fiscal. Currently, OPD ESU has a staffing of 1 Lieutenant, 1 Sergeant and 14 Officers. OPD ESU has deployed robots and or pole cameras a total of fifty-seven (57) times in 2022, and eighteen (18) of these deployments were during bi-monthly training. OPD ESU members are not selected to the team based on their assignment, but rather by their ranking during the Order of Merit List (OML) selection process. However, applicants need to be assigned to a field assignment at the time of

application as opposed to office assignment. Based on the staffing levels and assignments in 2022 of ESU, OPD had full coverage throughout the week except for several nights between 2am-7am. Every January exists watch change and officers select their patrol assignments based on seniority. This minor shortfall on coverage may change next year due to the watch change.

It is also the goal of OPD ESU to expand our team to twenty (20) Officers in 2023. This will assist in coverage and in workload.

Unlike the OPD's UAS Program where it is required to have a Visual Observer (VO) and recommended to have a third officer as cover, operating a robot or pole camera does not require a VO. However, it is highly recommended to have an additional officer to assist the robot operator and to act as cover when feasible.

Estimated or anticipated costs of potential adverse impacts

Potential adverse effects are myriad, and there is no way of anticipating every possible adverse impact. Additionally, even some known possible adverse effects may be so remote that they were not assessed for the purposes of this report. Finally, costs of even likely adverse effects may vary wildly based on other circumstances which are difficult to predict and can vary from incident to incident. Keeping this in mind, some potential adverse effects and their possible costs are:

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

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

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

Estimated or anticipated ongoing costs

Costs for operation include training, personnel, maintenance and upgrade costs.

Training and personnel costs – Currently, ESU has mandatory training twice a month. This training consists of two 10-hour days and typically occurs at the OPD or any other nearby facility or location. There has not been any rental fees or associated costs to locations of training currently. Some training may either require the ESU member attending to be on

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overtime, or for overtime to backfill that respective ESU members position while they are at training. If an ESU member elects to attend a POST certified training or outside training course there could be associated costs. Unknown yearly costs.

Storage costs – Robots and pole cameras are housed at secured OPD facilities and vehicles and there are no associated costs.

Maintenance and upgrade costs – Currently, there is no known life span for a robot or pole camera. With proper care the life expectancy will be longer. However, normal wear and tear can take place and will require replacement of parts. Depending on the part, the cost per item can range from fractions of a dollar to several hundred dollars.

Several recent costs for replacement, maintenance and repairs are listed below for 2021-2022 year:

Date	Equipment	Summary of repair / maintenance and or replacement	Total Cost
July 2022	ICORE	MINI Gearbox Assembly 1,382.81 US\$1,382.81 EA 2 MINI Flipper Arm 700MM 99.93 US\$199.86 EA 2 MINI Flipper Arm 730MM 117.15 US\$234.30 EA 2 24V DC Battery Pack - Mini Spare/Replacement 24V DC Battery Pack for Mini-CALIBER™ Robot Includes: 2x 12.8V / 9.6 AH LiFeP04 Replacement battery for use with the Mini- CALIBER™ Robot (note: The Mini-CALIBER™ uses 2	~\$4,427

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		LiFeP04 batteries for 24V operation 655.00 US\$1,310.00 EA 2 CCU Battery - Mini Spare/Replacement 11.1V / 7.8Ah Li-Ion for use with the Mini-CALIBER™ CCU 165.00 US\$330.00	
February 2022	AVATAR	3 Batteries. Batteries outdated/Not charging. Replacement.	~\$1,433
August 2021	AVATAR	Battery Handle Broken, Touch Screen Controller not functioning, Camera Fan replacement, Robot Antenna broken	~\$1,272
August 2021	AVATAR	Battery Handle Broken, Touch Screen not functioning, PTZ Molded Camera Housing, Radio Card, Robot Antenna, Cables,	~\$4,328

The ICORE Mini Caliber was purchased in 2019. The AVATAR was purchased prior to 2012, thus the outdated technology and the frequent repairs. The ICORE Mini Caliber is the newest robot in our Fleet and the one which is more frequently used.

Impacts

Reasonably anticipated impacts

Deliberate misuse.

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

Unintentional misuse.

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

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

While it is not the intent of the Department that this occur, the Department does recognize the possibility that its use of Robots and Pole Cameras may lead to a perception of militarization of the Department, or an exacerbation of any existing divides between the Department and the community it serves and is a part of. The Department attempts to overcome challenges such as this by taking full advantage of community forums required by policy and law (see for instance the mandated community engagement meeting in DGO K-07 and CA Government Code § 7072(b)), by completing full and robust reports such as this one, and by collaborating with the Police Commission in the creation of use policies and procedural safeguards surrounding this equipment.

Impact on persons and property.

The attachments on the robots, such as the tire puncture, window punch and pan disruptor are available for demobilizing vehicles, shattering a window and bypassing a bolt/locked door or destroying a package. Anytime these attachments are deployed in the field, there exists the possibility that the attachment may cause minor to serious injury to a person.

There is also the possibility of property damage and unintended property damage when the tire puncture, window punch and pan disruptor are deployed. When the tire puncture, window puncture and pan disruptor are deployed on property this does not constitute a use of force. However, there is an inherent possibility an injury can be caused when deploying such items when a person is nearby. This possibility exists and is remedied by training; ESU operators train bi-monthly and only ESU operators are allowed to prepare and deploy robots in the field.

The usage of the tire puncture will demobilize a vehicle and the usage of the window punch will shatter glass. There are also other external costs associated. The owner of said vehicle or property can request reimbursement for costs through the City Attorney's Office for property damages. Depending on the circumstances the City may reimburse an individual for damage to the property caused by the City. The process for obtaining reimbursement for property damage can be found on the Oakland City Attorney's website. Officers should also be mindful not to leave a demobilized vehicle in the field if it violates a parking zone or leave a vehicle or residence unsecured when utilizing the glass punch.

Several of our unhoused community also sleep in their vehicles due to multiple reasons. The usage of such items can also cause a hardship on these individuals.

The usage and deployment of the detachable OC also can cause minor to serious injury. OPD shall be aware of TB V-F.02 Chemical Agents as it relates effects, applications, exposure, reactions and injury.

Mitigations

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

Controlled and military equipment frequently takes the form of a force option, or else is often used during high risk situations where force may be used. OPD, in concert with the Police Commission, created a state-of-the-art use of force policy that centers the Department's mission, purpose, and core principles, provides clear guidance that force is only allowed when reasonable, necessary, and proportional, and makes clear the consequences of unreasonable force. Additionally, OPD's use of force policy incorporates a robust de-escalation policy (Section C), which mandates that officers use de-escalation tactics and techniques in order to reduce the need for force when safe and feasible.

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

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

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

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

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

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

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

Community outreach and specific inquiry pathways – [DGO K-07](#)

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

and a specific, annual community forum as required by DGO K-07. Additionally, OPD's overarching controlled equipment policy sets forth processes for inquiries about the equipment.

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

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

Technical safeguards

The Andros MarkV-A1 has an approximate top speed of 3.5mph while the Andros and ICOR have top speeds of approximately 2mph. All robots are controlled by remote and there is no GPS and no pre-designated or mapped routes. These robots are equipped with lights and camera. These safeguards are in place which decrease the possibility of injury to persons from being inadvertently having a portion of their body run over by the robot. It also decreases the possibility of property damage. Although likely and still possible, the low speeds prevent these injuries and property damages from occurring.

Procedural safeguards

OPD only allows ESU members, who have attended ESU training to operate robots and pole cameras. Officers must submit a letter of intent and go through a selection process prior to being selected to join the OPD ESU. Once selected, Officers must attend bi-monthly training and attend an OPD Basic Robot and Pole Camera Operators course, which is 40 hours. OPD ESU created this program in 2022 to educate new ESU operators with all the robots and pole cameras.

The utilization of the OC and pan disruptor have safety level/switches on the remote controller as an added safety function and prevent accidentally deployments. In addition, ESU Operators are familiar with TB III H Specialty Impact Munitions and apply the similar Safety Checks of clearing the barrel, having a second officer clear the barrel and inspecting the rounds to ensure the rounds are blank rounds and having a second officer inspect the rounds to ensure the rounds are blank rounds.

Alternatives

De-escalation and alternative strategies

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

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

Robots and pole cameras have been utilized by OPD tactical team since approximately 2011. In late 2018, the ESU Team Leader incorporated the robots and pole cameras with every day patrol calls. OPD officers in patrol or working field assignments, and having ESU training, would respond to calls to service and deploy robots and pole cameras to assist in critical incidents.

There are many different types of robot and pole camera products. Although several agencies now deploy UAVs, robots and pole cameras have not become obsolete. UAVs cannot open doors as a robot can. UAVs also may not fit in attic or basement entry ways where a pole camera can. Without such technology, the only alternative in most cases would be the need for an officer to place themselves in a location to physically see or hear. Without the real-time intelligence of a robot or pole camera some of the other options officers have are the following;

- air support (Argus, or outside agency), but depending on time, weather and personnel air support may not be available or delayed.
- OPD K-9's can be utilized, but without first clearing the area the risk of a bite (use of force) is escalated

- Officers can also use community support and contact a resident to have them look out a window which provides an additional vantage point. This has proven successful in the past but depending on circumstances this can place the resident in danger.

Location

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

Third Party Dependence

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

Track Record

Other agencies utilize robots and pole cameras similar to OPD. As mentioned, even though several agencies have adopted UAV Programs, their robot and pole camera usages have not gone obsolete. Other agencies do not have any robots or pole cameras, while others have severely outdated technology.

Santa Rosa Police Department have Avatar robots and deployed approximately ten (10) times in 2021. The San Francisco Police Department (SFPD) also has Avatar robots and the Andros Mark 5A-1. SFPD hosts a yearly maintenance course on the Andros, where a representative attend and assists in repairs, maintenance, mechanical and troubleshoot issues.

Robots and pole cameras places officers at a place of advantage for safety. The usage of use technology is paramount in the de-escalation of incidents and the mitigation in use of force. Without such technology, the only alternative in most cases would be the need for an officer to place themselves in areas where there is an unknown.

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Below is a list of deployments in 2022.

Table 1 below details the deployments of OPD Robots and Pole Cameras in 2022.

Table 1: 2022 OPD Robot and Pole Cameras Deployments

Incident Type	Number
Mass casualty incidents	0
Disaster management	0
Missing or lost persons	0
Hazardous material releases	0
Sideshow events	0
Rescue operations	0
Training	18
Barricaded suspects	7
Hostage situations	1
Armed suicidal persons	1
Arrest of armed and/or dangerous persons	17
Service of high-risk search and arrest warrants	13
Exigent circumstances	0
Total	57
Total Deployed Outside of Training	39

The deployment of robots and pole cameras has assisted OPD in de-escalation and places the emphasis on “time”, “de-escalation” and “real-time intelligence” to bring incidents to a safe resolution. Several success stories on the deployment of robots and pole cameras have been:

- Locating suspects hiding in yards
- Locating suspects hiding in residences.
- Robots have been beneficial in climbing stairs, opening gates/doors and entering residences.
- The speaker and microphone have been successful in directing suspects to exit and surrender.

On March 28, 2022, OPD Ceasefire Officers followed armed suspects from San Francisco to 901 Filbert St (22-014673 LOP220328000794). The suspects committed an armed robbery in SF and then barricaded themselves inside their apartment complex. After manually breaching the front door, OPD ESU drove the robot into the apartment complex, opened the bedroom door and provided orders/directions to the suspects to exit the residence with their hands in the air. The suspects safely complied.

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On September 14, 2022, Patrol units were flagged down regarding an armed unresponsive male inside a vehicle. Patrol units deployed the armored vehicles and formed a Designated Arrest Team (DAT). Numerous announcements were made but the subject was unresponsive. OPD UAV's were deployed and conducted a low-level flight to maintain visual of the subject and the firearm that was on his lap. OPD ESU ICOR was deployed and the robotic arm was used to open the vehicle door and later picked up the firearm from the subject's lap. The DAT moved up and later placed the subject into custody. The firearm was loaded with one round in the chamber RD#22-042263).