



MEMORANDUM

TO: Privacy Advisory Commission
FROM: Roland Holmgren,
Deputy Chief, OPD
SUBJECT: Use of Unapproved Surveillance
Technology Under Exigent Circumstances:
March 16 and 27, 2020
DATE: April 4, 2020

RECOMMENDATION

Receive information use of unapproved surveillance technology under exigent circumstances in accordance with Oakland Municipal Code (OMC) 9.64.035 and forward to the City Council.

EXECUTIVE SUMMARY

In accordance with OMC 9.64.035, the Oakland Police Department (OPD) used surveillance technology under exigent circumstances /Carjacking and Barricaded Shooting Suspects). The technology is Unmanned Aerial System (UAS), commonly known as a drone.

BASIS FOR EXIGENCY

RD #20-014304
Incident: # LOP200311000316
Location: 1700 90th Avenue

On Mar 16, 2020, at about 10:07 PM, OPD Officers observed a vehicle involved in a series of armed carjackings. OPD Officers attempted to conduct an enforcement stop on the vehicle, but the vehicle fled from officers. A pursuit ensued and ended when the suspect vehicle collided into private property. The suspect passenger of the vehicle was taken into custody and the suspect driver fled on foot and entered a residential yard.

The OPD helicopter was not available due to flight time; the California Highway Patrol (CHP) responded to the scene. OPD Command authorized the deployment of the Bearcat (armored vehicle) and the use of UAS to apprehend the suspect (suspected to be armed). The OPD K-9 unit was also utilized. Due to the residence's visual restrictions (trees, brush, fences, etc), OPD Command elected to utilize the Alameda County Sheriff's Office (ACSO) UAS to assist the CHP helicopter.

Both the CHP Helicopter and ALCO UAS were able to pinpoint and locate the suspect; OPD personnel were able to locate the suspect and take him safely into custody. There were no reported injuries or complaints.

RD #20-016458

Incident: #LOP200327000634

Location: 8477 Enterprise Way Rm#127 (Quality Inn)

On Mar 27, 2020 at about 4:51 PM OPD officers were dispatched to a report of shooting. Upon their arrival, officers were advised that the shooters (suspects) had entered a hotel room. There were no victims located at the scene. OPD Command authorized deployment of the BearCat and armored SUV vehicle.

Traditional air support was available, but not needed because the suspects had isolated themselves and barricaded themselves in one hotel room. The OPD K-9 unit were not on-duty. ACSO overheard OPD radio transmissions and responded to the scene with their UAS and their K-9 unit. However, the UAS was not utilized. Successful communication was established with the suspects, who later exited and were detained. One loaded handgun was recovered within the room. The shooting suspect was positively identified and arrested. There were no reported injuries or complaints.

DEVICE USE INFORMATION

The UAS detection equipment was provided by, and operated by ACSO – on March 16, 2020 incident.

Video Recorded

The UAS recorded video of the area where it was deployed.

Retention of Recordings

Per ACSO policy, the video recording will be maintained by ACSO for three years.

Usefulness in Arresting Suspect/s

The UAS was utilized in connection with the March 16, 2020 residential yard search. The armed suspect had fled from officers in a carjacked vehicle. The suspect crashed the vehicle then hid in a nearby residential yard. The UAS (and CHP Helicopter) provided much-needed real-time intelligence. Due to limited lighting the FLIR infrared camera was utilized and ultimately located the suspect.

The UAS was not used in connection with the one arrest on March 27, 2020. The area encompassed a hotel and the suspects had barricaded themselves inside one hotel room. The UAS was not utilized because suspects surrendered.

COMPLIANT USE

The following information relating to helicopter and UAS is required by OMC 9.64.035, and shows that each technology was used in accordance with the OMC.

- A. The UAS detection equipment was used solely to respond to the exigency.
- B. Use of the UAS detection equipment ceased when the exigency ended.
- C. Only data related to the exigency was kept.

- D. This report is being provided to the Privacy Advisory Commission with a recommendation that it be forwarded to City Council.

OPD never had possession of the UAS detection equipment. ACSO maintained possession of the equipment during the entire equipment usage period.

Reviewed by:
Roland Holmgren, Deputy Chief
Bureau of Field Operations

Philip Best, Police Services Manager
OPD, Training Division, Research and Planning Section

Prepared by:
Omar Daza-Quiroz, Acting Lieutenant
OPD, Bureau of Field Operations

Bruce Stoffmacher, Management Assistant
OPD, Training Division, Research and Planning Section



MEMORANDUM

TO: Privacy Advisory Commission
FROM: Roland Holmgren,
Deputy Chief
SUBJECT: Use of Unapproved Surveillance
Technology Under Exigent Circumstances –
April 7 and 16, 2020
DATE: May 4, 2020

RECOMMENDATION

Receive information use of unapproved surveillance technology under exigent circumstances in accordance with Oakland Municipal Code (OMC) 9.64.035 and forward to the City Council.

EXECUTIVE SUMMARY

In accordance with OMC 9.64.035, the Oakland Police Department (OPD) used surveillance technology under exigent circumstances /Carjacking and Barricaded Shooting Suspects). The technology is Unmanned Aerial System (UAS), commonly known as a drone.

BASIS FOR EXIGENCY

RD# 20-017997
Incident: LOP200407000889
Location: Fairmount and Pearl St

On Apr 6, 2020, at about 2:00 PM, an armed takeover robbery occurred at the Verizon Store, located at 2054 Mountain Blvd. The suspects entered the store armed with pistols and held the store at gunpoint. The suspects stole thousands of dollars' worth in loss and then fled the scene.

On Apr 7, 2020 OPD officers located the vehicle, which was used in the robbery, driving in Oakland. One subject from the vehicle was detained when he exited from the vehicle at a liquor store. The vehicle then fled from the officers. The OPD helicopter was available and followed the vehicle to Fairmount and Pearl St. The (2) two remaining suspects exited the vehicle and hid in residential yards. Officers set a perimeter. The robbery had occurred the day prior and was a "takeover" of a business. It was unknown if the suspects were armed on this date, but caution was taken.

Several areas were obstructed from the helicopter's view. OPD Command requested the use of UAS from the Alameda County Sheriff's Office (ACSO). One suspect surrendered prior to ACSO UAS deployment. ACSO deployed their UAS, but could not locate any additional suspects. It was discovered the third, and remaining suspect had broken the perimeter.

RD #20-019452

Incident: # LOP200416000027

Location: 1402 92nd Ave.

On Apr 16, 2020, at about 12:54 AM, OPD was advised of a person, who was armed with a gun in the 1400 blk of 92nd Ave. The armed gunman pointed a firearm at a person and threatened to kill him. As OPD arrived on scene, several subjects fled into nearby yards. OPD immediately established a perimeter. Through preliminary investigations it was determined there was more than one suspect involved and an armed robbery attempt had occurred.

The OPD command authorized the deployment of the BearCat. It was determined that neither OPD nor CHP air support was available. OPD command authorized ACSO UAS to locate the individuals, believing that the suspects were armed with firearms and having no air support available. The UAS was utilized and did not locate any suspects hiding in the yards.

As the investigation continued, it was discovered that the suspects had already fled from the perimeter prior to it being set up. No suspects were located or arrested.

DEVICE USE INFORMATION

The UAS detection equipment was provided by, and operated by the Alameda County Sheriff's Office (ACSO) – on both April 7 and April 16, 2020 incidents.

Video Recorded

The UAS recorded video of the area where it was deployed.

Retention of Recordings

Per ACSO policy, the video recording will be maintained by ACSO for three years.

Usefulness in Arresting Suspect/s

The UAS was utilized in connection with the April 7, 2020 residential yard search. The potentially armed robbery suspects had fled from officers. The suspects hid in a nearby residential yard. The UAS provided much-needed real-time intelligence by assisting in surveying the immediate area.

The UAS was utilized in connection with the April 16, 2020 residential yard search. Officers observed several subjects, who were possibly armed, flee into residential yards. The UAS assisted in surveying the yards. The area in question was residential yards. The UAS discovered no subjects were hiding in the yards and it was discovered the suspects had broken the perimeter.

COMPLIANT USE

The following information relating to helicopter and UAS is required by OMC 9.64.035, and shows that each technology was used in accordance with the OMC.

- A. The UAS detection equipment was used solely to respond to the exigency.
- B. Use of the UAS detection equipment ceased when the exigency ended.
- C. Only data related to the exigency was kept.

- D. This report is being provided to the Privacy Advisory Commission with a recommendation that it be forwarded to City Council.

OPD never had possession of the UAS detection equipment. ACSO maintained possession of the equipment during the entire equipment usage period.

Reviewed by:
Roland Holmgren, Deputy Chief
Bureau of Field Operations

Philip Best, Police Services Manager
OPD, Training Division, Research and Planning Section

Prepared by:
Omar Daza-Quiroz, Acting Lieutenant
OPD, Bureau of Field Operations

Bruce Stoffmacher, Management Assistant
OPD, Training Division, Research and Planning Section



MEMORANDUM

TO: Privacy Advisory Commission
FROM: Roland Holmgren,
Deputy Chief of Police
SUBJECT: Use of Unapproved Surveillance
Technology Under Exigent Circumstances:
June 3 and June 24, 2020
DATE: June 26, 2020

RECOMMENDATION

Receive information use of unapproved surveillance technology under exigent circumstances in accordance with Oakland Municipal Code (OMC) 9.64.035 and forward to the City Council.

EXECUTIVE SUMMARY

In accordance with OMC 9.64.035, the Oakland Police Department (OPD) used surveillance technology under exigent circumstances /Carjacking and Barricaded Shooting Suspects). The technology is Unmanned Aerial System (UAS), commonly known as a drone.

BASIS FOR EXIGENCY

RD #20-027338
Incident: # LOP200603000135
Location: 5714 Harmon Av, Oakland (Beat 27)

On June 3, 2020, at approximately 5:33 am, OPD officers responded to the 5700 block of Harmon Avenue on a ShotSpotter gunshot activation. Upon arrival, officers began to check the neighborhood and observed someone (through a residence window) inside of the residence shooting a pistol. Officers requested the Armored SUV and Rescue Vehicle (BearCat). While on scene the suspect leaned out the window, with a rifle, and began shooting at officers. A resident from the same address ran outside and officers rescued her from the immediate danger.

The rescued resident told OPD Officers her husband (the suspect) was inside of the residence armed with a rifle and pistol. Additionally, there were two juveniles (his children) held hostage in the residence.

OPD Command requested OPD helicopter support as well as outside agency air support. The OPD helicopter was not available and there were no outside agencies with air support; OPD therefore requested support from the Alameda County Sheriff's Office (ACSO) UAS Unit. ACSO deployed two drones in the area in order to obtain visual information regarding the residence, yard and rooftop.

OPD also requested assistance from the OPD Tactical Operations Team. At Approximately 6:16pm, the suspect surrendered his children and himself safely to OPD. The residence was searched, and a handgun and rifle were recovered.

RD# 20-030695

Inc# LOP200623001004

Location 1733 8th St (Report location)

On June 24, 2020 around 12:50pm, the Special Victims Unit (SVU) / Missing Persons was investigating the disappearance of a missing 12-year-old female juvenile. During the preliminary investigation, it was discovered the juvenile was texting male adults and possibly involved in sexual trafficking. SVU requested the assistance of local Federal Bureau of Investigation (FBI) personnel as well as the ACSO UAS Unit.

SVU identified several key locations where the juvenile may be located based on prior investigation data. OPD and FBI conducted several vehicle and foot checks. ACSO UAS flew overhead and conducted aerial checks to locate any similar juvenile matching the description wearing the same clothing provided by the mother. Nobody matching the description was located.

The juvenile would later be located safely on 25Jun20.

RD# 20-030726

Incident: LOP200624000051 and LOP200623001130

Location: 1000 Blk Calcot Pl, Oakland (20X)

On June 24, 2020, at approximately 11:52pm, OPD Officers responded to 1000 Block of Calcot Place on a report of a shooting. Upon their arrival they located a victim of a shooting, who would later succumb to their injuries. The area was adjacent to train tracks and just below the 23rd Avenue 880 Freeway Overpass.

At approximately 1:19am, OPD Officers continued their preliminary investigations surrounding the homicide. At this time OPD Officers observed a vehicle leave the area of the investigation at a high rate of speed. Immediately thereafter, multiple gunshots were fired in the direction of the officers (confirmed via ShotSpotter gunshot activation). OPD officers on scene took cover behind vehicles and fixed objects. OPD officers then observed a green colored laser pointed in the direction of the officers. As OPD Officers maintained cover behind vehicles, they noticed that a subject was observed standing on the overpass, in a position of tactical advantage – putting officers at greater risk. OPD Officers immediately told the suspect to raise his hands and the suspect immediately fled on foot.

OPD Command approved deployment of the Armored SUV and Rescue Vehicle (BearCat) and also requested ACSO UAS support. OPD helicopters and outside agency helicopters were not available. ACSO deployed two drones in the dark areas beneath the overpass, which encompassed the train tracks.

A search of the area was conducted, and no subjects (or vehicle observed fleeing the area) were located. Multiple expended casings were located near the area where the suspect vehicle had fled.

DEVICE USE INFORMATION

The UAS detection equipment was provided by, and operated by ACSO at the June 3, 2020 and both of the June 24, 2020 incidents.

Video Recorded

The UAS recorded video of the area where it was deployed.

Retention of Recordings

Per ACSO policy, the video recording will be maintained by ACSO for three years.

Usefulness in Arresting Suspect/s

- The UAS was utilized in connection with the June 3, 2020 residential yard searches. The barricaded suspect was heavily armed with a rifle and pistol in the residence and had held two juveniles' hostage. The suspect had shot at OPD Officers, who were taking cover behind the armored rescue vehicles. The UAS provided much-needed real-time intelligence. The UAS assisted in surveying the yards and rooftop. The UAS usage allowed OPD Officers real time intel in order to determine if the suspect would attempt to flee from the rear or side entrances/windows.
- The UAS was utilized in connection with the June 24, 2020 missing person investigation. OPD Officers were investigating a missing person at risk, who may have been involved in sex trafficking. The UAS assisted in quickly searching multiple areas. The Juvenile was not located by UAS and would later be found the following day.
- The UAS was utilized in connection with the June 24, 2020 train track search. OPD officers were investigating a homicide in the City of Oakland when they were fired upon by suspect(s). Officers maintained cover until other responding officers responded. The UAS assisted in surveying the train tracks and area under the overpass, which was dark. The UAS discovered no subjects were hiding.

COMPLIANT USE

The following information relating to helicopter and UAS is required by OMC 9.64.035, and shows that each technology was used in accordance with the OMC.

- A. The UAS detection equipment was used solely to respond to the exigency.
- B. Use of the UAS detection equipment ceased when the exigency ended.
- C. Only data related to the exigency was kept.
- D. This report is being provided to the Privacy Advisory Commission at its next meeting with a recommendation that it be forwarded to City Council.

OPD never had possession of the UAS detection equipment. ACSO maintained possession of the equipment during the entire equipment usage period.

Reviewed by:
Roland Holmgren, Deputy Chief
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Prepared by:
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