



CITY OF OAKLAND | POLICE COMMISSION  
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News from the Oakland Police Commission

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**Oakland Police Commission Adopts a New Use of Force Policy**

OAKLAND, Calif. (October 19, 2020): Over the last week the Oakland Police Commission made two bold policy actions to keep Oaklanders safe. The Oakland Police Commission unanimously approved a new use of force and asphyxia policy for the Oakland Police Department during Commission meetings (October 8 and October 15th). The Police Commission's action was fully supported by leadership of the Oakland Police Department, the Community Police Review Agency (CPRA) and several community groups, many of whom assisted Commissioners in developing the new policy by providing personal perspectives and subject matter expertise.

The revision process was led by an Ad Hoc Committee of three Commissioners and supported by legal and policy experts, a project management consultant, Police Department leadership, and representatives from the City and community.

"This policy is the culmination of almost a year's worth of hard work and is a first step in rebuilding trusted relationships," said Commissioner Ginale Harris, Ad Hoc Committee Chair. "The Black community has suffered enough. We needed a new use of force policy that clearly guides officers to protect us, not harm us. I don't believe that policy changes behavior, and I believe it's going to take more than just this policy to have accountability. However, I do believe this new policy is a start, especially in holding officers accountable. It's one of the most progressive policies out there and I'm very proud of the collaborative work that this effort has produced," added Harris.

The Commission and the Oakland Police Department agreed to overhaul Oakland's outdated use of force policy after completing a limited revision in January 2020 that brought Oakland into compliance with Assembly Bill 392. That initial revision made clear that a more substantive change was required.

Despite significant challenges created by the ongoing pandemic, the Ad Hoc Commissioners initiated a community engagement process to surface public sentiment and ideas and incorporated this feedback into the final policy.

"This policy was created during an exceptional time; mass protests, calls for police reform, economic recession and a global pandemic. Those conditions required that the Commission innovate to ensure the voices of those most marginalized and directly impacted by police use of force were included. I want to extend gratitude to the many community voices that made important changes in the policy possible," added Commissioner Tara Anderson, a member of the Ad Hoc Committee. "This policy is a milestone. It is not a

bookend, but instead a chapter in the work towards rebuilding stronger, safer and more equitable communities in Oakland.”

Changes to Oakland Police Department’s use of force policy include the use of the term “weapons” instead of “tools” to signify the gravity involved, as well as:

- Prioritizing the sanctity of life
- Requiring the use of de-escalation tactics, and directing officers to consider disengagement as an alternative to the immediate application of force
- Using person-centric language throughout
- Placing strict necessity and proportionality requirements on all uses of force
- Requiring officers to intervene if they view other officers using inappropriate force
- Pushing far beyond the Constitutional "floor" for police Use of Force policies, among other things

“There is an ever-present tension when looking at a policy like this one because it initiates the review of so many other related policies and training bulletins. It also requires cooperation and collaboration with other entities like the City Council, state legislature and maybe even federal authorities,” said Commissioner Henry Gage III, member of the Ad Hoc committee and Vice Chair of the Oakland Police Commission. “This is a better policy than the one that came before it. It is a new foundation, and one we intend to build on.” A revised version of Special Order (SO) 9205 Banning of the Carotid Restraint and All Forms of Asphyxia was approved during the Thursday night Special Commission meeting. The language added by the Commission clarified expectations about rendering medical assistance and explicit prohibitions on applying pressure to the chest, back, stomach or shoulders. SO 9205 goes beyond the prohibitions on carotid and chokehold signed into law by Governor Newsom last month, the Commission’s policy bans additional forms of contact known to cause serious injury and death.

The implementation of this new version of Department General Order K03 (Use of Force) and the additional language on Asphyxia in SO 9205 will go into effect immediately.