



## CITY OF OAKLAND | POLICE COMMISSION

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News from the Oakland Police Commission

### **FOR IMMEDIATE RELEASE**

January 8, 2021

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### **Oakland Police Commission Unanimously Passes First-in-the-Nation Policy on Police Interactions with Armed Unresponsive Persons**

**Oakland, CA** - Last night, the Oakland Police Commission voted unanimously to make Oakland the first city in the nation with specific policy guidance for police interactions with unresponsive individuals found in possession of a weapon.

The Oakland Police Department has been involved in two high-profile officer involved shootings of armed unresponsive individuals in recent years. Both Demouria Hogg (2015) and Joshua Pawlik (2018), were shot and killed by members of the Department after being discovered asleep or unconscious with a weapon.

In September 2020, the Oakland Police Department presented the Police Commission with a draft Armed Unresponsive Persons policy for review and approval. The Commission appointed a Special Ad-Hoc Committee comprised of Commissioners, members of the OPD command and training staff, and members of the community to review the draft; and the ad-hoc spent the final 3 months of 2020 negotiating changes to improve the policy with language that integrates community concerns and expectations. Community representatives were given unprecedented access to OPD training and staff as part of this review process, and the final Training Bulletin reflects the hard work of the Committee to find consensus around language that speaks to the needs of the community while respecting the difficult work of law enforcement in engaging these complex incidents.

"The Oakland Police Commission was proud to work with community members and OPD to unanimously pass a first of its kind, progressive policy on the treatment of armed and unresponsive citizens such that the Hogg's and Pawlik's of the world may never again have to pay with their lives".

- Chair Regina Jackson, Oakland Police Commission

"As someone who lost confidence in the police department after witnessing how the Demouria Hogg and Joshua Pawlik incidents were handled. Being able to have a voice in resolving some of the issues that led to those tragic events, has provided me with hope for the future. I'm grateful to both the Police Commission and OPD for welcoming community members like myself with the opportunity to participate in this process."

- Omar Farmer, Community Member of the Armed Unresponsive Persons Ad-Hoc Committee

### **Key Elements of the Policy**

- Centers OPD response on the preservation of human life and safety; including that of the public, officers, and the unresponsive person.
- Emphasizes de-escalation, including the important concepts communication, time, distance, and cover to allow for a peaceful resolution of critical incidents.
- Stresses assessment and the importance of strategically responding to complex interactions instead of merely reacting to them.
- Clearly identifies the difference between persons in possession of a firearm or another weapon; and provides officers with additional tools to address incidents where no firearms are involved.
- Clearly differentiates between physical cover and armed cover provided by officers deploying lethal or less lethal weapons.
- Requires officers to be aware of the need for additional considerations when engaging members of vulnerable populations.
- Requires officers to bring in specialized resources such as OPD Mobile Crisis Teams or translators to assist in the peaceful resolution of difficult incidents when necessary and feasible.

“I’m happy with the final document and proud of the hard work that we put in. But more importantly, I believe this is a policy that we can train to, that re-enforces the concepts we introduced with the Department’s new K-3 Use of Force policy in 2020, and that can serve as an example for other departments around the country”

- Deputy Chief LeRonne Armstrong, Oakland Police Department

The Armed Unresponsive Persons Policy is one of three policies ordered by Judge William Orrick III in response to Federal Monitor Robert Warsaw’s review the officer involved shooting of Joshua Pawlik in 2018 under the City of Oakland Negotiated Settlement Agreement (NSA). The other two policies ordered by Judge Orrick are guidance for Designated Arrest Teams (DATs) that respond to critical incidents, and a policy for use of the Department’s Bearcat armored vehicle.

The Oakland Police Commission voted unanimously to accept the Ad Hoc Committee’s recommended language for the DAT Policy during the same meeting the Armed Unresponsive Persons Policy passed.

The Commission continues to review the armored vehicle policy and plans to introduce all three to the Oakland City Council for final approval by the end of January 2021.

For the text of all three policies, and more information about the work of each Ad Hoc Committee, please visit those Ad Hoc Committee’s pages on the Commission’s website.

Armed Unresponsive/DAT Ad Hoc Committee:

<https://www.oaklandca.gov/topics/armed-and-unresponsive-persons-and-arrest-teams-hoc-committee>

Militarized Equipment Ad Hoc Committee:

<https://www.oaklandca.gov/resources/ad-hoc-committee-on-militarized-equipment>

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