



OAKLAND POLICE COMMISSION SPECIAL MEETING AGENDA

**August 27, 2020
5:30 PM**

Pursuant to the Governor's Executive Order N-29-20, members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



OAKLAND POLICE COMMISSION

SPECIAL MEETING AGENDA

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PUBLIC PARTICIPATION

The Oakland Police Commission encourages public participation in the online board meetings. The public may observe and/or participate in this meeting in several ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/87198066230> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a webpage entitled “Joining a Meeting”
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 871 9806 6230

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting By Phone.”

PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment directly to the Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to clove@oaklandca.gov. Please note that e-Comment **submissions close at 4:30 pm**. All submitted public comment will be provided to the Commissioners prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”
- By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“*9”) to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail clove@oaklandca.gov.



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I. **Call to Order**
Chair Regina Jackson

II. **Roll Call and Determination of Quorum**
Chair Regina Jackson

III. **Public Comment on Closed Session Items**

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

IV. **Closed Session Closed Session**
CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION: 1 CASE - Govt. Code § 54956.9(d)(2)

V. **Report out of Closed Session**
a. The Commission will report on any actions taken during Closed Session, as required by law.

VI. **Welcome, Purpose, and Open Forum** (1 minute per speaker)
Chair Regina Jackson will welcome public speakers. The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

VII. **Update from Interim Police Chief**
OPD Interim Chief Manheimer will provide an update on the Department. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 7).***
a. Discussion
b. Public Comment
c. Action, if any

VIII. **OPD Training Bulletins Review**
Police Department Staff requests that the Police Commission schedule the previously submitted draft policies (Training Bulletins) for ad hoc committee and adoption. ***This is a new item. (Attachment 8).***
a. Discussion
b. Public Comment
c. Action, if any

IX. Crowd Management After Action Report from Public Demonstrations

OPD will provide a report on a crowd management that occurred during the recent public demonstrations and any updates to policy that will be made. *This is a new item.* (Attachment 9).

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

X. Reimagining Public Safety Task Force Creation

The Police Commission will select a representative to serve on this task force. *This is a new item.* (Attachment 10).

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

XI. Police Chief Search Update

The Police Chief Search Ad Hoc Committee will present a job description for the Chief of Police discuss a timeline for selecting the next Police Chief. The Commission may vote to accept the job description. *This was discussed on 3.12.20 and 7.23.20.* (Attachment 11).

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

XII. Pawlik Report from Federal Monitor

The Commission will discuss, and may vote on, any policy recommendations made by the Federal Monitor. *This is a new item.* (Attachment 12).

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

XIII. Use of Force Ad Hoc Committee Public Engagement

The Use of Force Ad Hoc Committee will provide an update on the public engagement and outreach program to amend and update DGO K-03 (Use of Force). *This was discussed 7.9.20 and 7.23.20.*

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

XIV. Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities

To the extent permitted by state and local law, Executive Director John Alden will report on the Agency's pending cases, completed investigations, staffing, and recent activities. *This is a recurring item.* (Attachment 14).

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

XV. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. *This is a recurring item.* ([Attachment 15](#)).

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

XVI. Adjournment



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CRIME ANALYSIS

Quarterly Crime Comparison 1st Quarter 2020 vs. 2nd Quarter 2020

Citywide <i>All totals include attempts except homicides.</i>	Q1 2020	Q2 2020	Percentage Change
Homicide – 187(a)PC	11	23	109%
Homicide – All Other *	-	2	PNC
Assault with a firearm – 245(a)(2)PC	69	114	65%
Subtotal - 187 + 245(a)(2)	80	139	74%
Shooting occupied home or vehicle – 246PC	77	82	6%
Shooting unoccupied home or vehicle – 247(b)PC	30	51	70%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	187	272	45%
Negligent discharge of a firearm – 246.3PC	158	249	58%
Grand Total	345	521	51%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unbounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.

PNC = Percentage not calculated — Percentage cannot be calculated.

All data extracted via Coplink Analytics.



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CRIME ANALYSIS

Quarterly Crime Comparison 2nd Quarter 2019 vs. 2nd Quarter 2020

Citywide <i>All totals include attempts except homicides.</i>	Q2 2019	Q2 2020	Percentage Change
Homicide – 187(a)PC	19	23	21%
Homicide – All Other*	1	2	100%
Assault with a firearm – 245(a)(2)PC	83	114	37%
Subtotal - 187 + 245(a)(2)	103	139	35%
Shooting occupied home or vehicle – 246PC	72	82	14%
Shooting unoccupied home or vehicle – 247(b)PC	44	51	16%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	219	272	24%
Negligent discharge of a firearm – 246.3PC	194	249	28%
Grand Total	413	521	26%

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CRIME ANALYSIS

2020 COVID-19 Shelter-in-Place Crime Summary — Citywide

Updated 19 Aug., 2020

Homicides Year-to-Year Comparison — 16 Mar to 16 Aug — 22 Weeks

Homicides	2019	2020	% Change
Homicides — 187(a)PC	32	45	41%

Robbery Year-to-Year Comparison — 16 Mar to 16 Aug — 22 Weeks

Robbery Type	2019	2020	% Change
Firearm	420	268	-36%
Knife	62	57	-8%
Strong Arm	509	354	-30%
Other Weapon	43	31	-28%
Carjacking	90	118	31%
Home Invasion	46	36	-22%
Total	1,170	864	-26%

Gunfire Year-to-Year Comparison — 16 Mar to 16 Aug — 22 Weeks

Shooting Type	2019	2020	% Change
Assault with a Firearm - 245(a)(2)	138	207	50%
Occupied Home or Car - 246	107	154	44%
Unoccupied Home or Car - 247(b)	62	90	45%
Subtotal	307	451	47%
Negligent Discharge - 246.3	325	492	51%
Grand Total	939	1,394	48%

ShotSpotter Year-to-Year Comparison — 16 Mar to 16 Aug — 22 Weeks

ShotSpotter Activations	2019	2020	% Change
ShotSpotter Activations	1,715	2,598	51%

Vehicle Theft Year-to-Year Comparison — 16 Mar to 16 Aug — 22 Weeks

Vehicle Theft	2019	2020	% Change
Vehicle Theft	2,750	3,991	45%

Burglary Year-to-Year Comparison — 16 Mar to 16 Aug — 22 Weeks

Burglary Type	2019	2020	% Change
Auto	4,552	1,851	
Residential	765	477	
Commercial	271	570	
Total			

Burglary comparisons are not yet available due to the delay in crime report processing.

This report is hierarchy based. Crime totals reflect one charge (the most severe) per incident.

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Homicides sourced from the Crime Analysis Section homicide log. Traffic collision fatalities are not included in this report.

ShotSpotter activations sourced from ShotSpotter Investigator. All other data sourced via Coplink Analytics.



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CRIME ANALYSIS

Weekly Gunfire Summary

10 Aug. – 16 Aug., 2020

Citywide <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	3	40	46	53	15%	46	14%
Homicide – All Other *	-	6	3	5	67%	5	7%
Assault with a firearm – 245(a)(2)PC	14	169	191	263	38%	208	27%
Subtotal - 187 + 245(a)(2)	17	215	240	321	34%	259	24%
Shooting occupied home or vehicle – 246PC	8	148	156	215	38%	173	24%
Shooting unoccupied home or vehicle – 247(b)PC	1	44	81	114	41%	80	43%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	26	407	477	650	36%	511	27%
Negligent discharge of a firearm – 246.3PC	29	254	451	611	35%	439	39%
Grand Total	55	661	928	1,261	36%	950	33%

Area 1 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	8	10	5	-50%	8	-35%
Homicide – All Other *	-	2	-	-	PNC	1	PNC
Assault with a firearm – 245(a)(2)PC	3	30	35	31	-11%	32	-3%
Subtotal - 187 + 245(a)(2)	3	40	45	36	-20%	40	-11%
Shooting occupied home or vehicle – 246PC	-	24	32	26	-19%	27	-5%
Shooting unoccupied home or vehicle – 247(b)PC	-	5	12	15	25%	11	41%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	3	69	89	77	-13%	78	-2%
Negligent discharge of a firearm – 246.3PC	3	23	56	54	-4%	44	22%
Grand Total	6	92	145	131	-10%	123	7%

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CRIME ANALYSIS

Weekly Gunfire Summary

10 Aug. – 16 Aug., 2020

Area 2 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	4	1	1	0%	2	-50%
Homicide – All Other *	-	1	-	1	PNC	1	50%
Assault with a firearm – 245(a)(2)PC	-	3	7	14	100%	8	75%
Subtotal - 187 + 245(a)(2)	-	8	8	16	100%	11	50%
Shooting occupied home or vehicle – 246PC	-	7	5	10	100%	7	36%
Shooting unoccupied home or vehicle – 247(b)PC	-	2	6	2	-67%	3	-40%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	-	17	19	28	47%	21	31%
Negligent discharge of a firearm – 246.3PC	1	13	13	10	-23%	12	-17%
Grand Total	1	30	32	38	19%	33	14%

Area 3 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	4	10	14	40%	9	50%
Homicide – All Other *	-	3	1	1	0%	2	-40%
Assault with a firearm – 245(a)(2)PC	1	21	35	57	63%	38	51%
Subtotal - 187 + 245(a)(2)	1	28	46	72	57%	49	48%
Shooting occupied home or vehicle – 246PC	1	18	25	38	52%	27	41%
Shooting unoccupied home or vehicle – 247(b)PC	1	8	15	22	47%	15	47%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	3	54	86	132	53%	91	46%
Negligent discharge of a firearm – 246.3PC	10	47	87	133	53%	89	49%
Grand Total	13	101	173	265	53%	180	47%

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CRIME ANALYSIS

Weekly Gunfire Summary

10 Aug. – 16 Aug., 2020

Area 4 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	9	6	13	117%	9	39%
Homicide – All Other *	-	-	2	-	-100%	1	PNC
Assault with a firearm – 245(a)(2)PC	2	31	41	50	22%	41	23%
Subtotal - 187 + 245(a)(2)	3	40	49	63	29%	51	24%
Shooting occupied home or vehicle – 246PC	4	33	40	50	25%	41	22%
Shooting unoccupied home or vehicle – 247(b)PC	2	9	16	28	75%	18	58%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	9	82	105	141	34%	109	29%
Negligent discharge of a firearm – 246.3PC	7	59	101	145	44%	102	43%
Grand Total	16	141	206	286	39%	211	36%

Area 5 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	2	15	19	20	5%	18	11%
Homicide – All Other *	-	-	-	3	PNC	1	200%
Assault with a firearm – 245(a)(2)PC	7	79	67	101	51%	82	23%
Subtotal - 187 + 245(a)(2)	9	94	86	124	44%	101	22%
Shooting occupied home or vehicle – 246PC	3	65	53	87	64%	68	27%
Shooting unoccupied home or vehicle – 247(b)PC	-	20	30	46	53%	32	44%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	12	179	169	257	52%	202	27%
Negligent discharge of a firearm – 246.3PC	9	112	192	258	34%	187	38%
Grand Total	21	291	361	515	43%	389	32%

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CRIME ANALYSIS

Weekly Gunfire Summary

10 Aug. – 16 Aug., 2020

BFO 1 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	16	21	20	-5%	19	5%
Homicide – All Other *	-	6	1	2	100%	3	-33%
Assault with a firearm – 245(a)(2)PC	4	54	77	102	32%	78	31%
Subtotal - 187 + 245(a)(2)	4	76	99	124	25%	100	24%
Shooting occupied home or vehicle – 246PC	1	49	62	74	19%	62	20%
Shooting unoccupied home or vehicle – 247(b)PC	1	15	33	39	18%	29	34%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	6	140	194	237	22%	190	25%
Negligent discharge of a firearm – 246.3PC	14	83	156	197	26%	145	36%
Grand Total	20	223	350	434	24%	336	29%

BFO 2 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	3	24	25	33	32%	27	21%
Homicide – All Other *	-	-	2	3	50%	2	80%
Assault with a firearm – 245(a)(2)PC	9	110	108	151	40%	123	23%
Subtotal - 187 + 245(a)(2)	12	134	135	187	39%	152	23%
Shooting occupied home or vehicle – 246PC	7	98	93	137	47%	109	25%
Shooting unoccupied home or vehicle – 247(b)PC	2	29	46	74	61%	50	49%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	21	261	274	398	45%	311	28%
Negligent discharge of a firearm – 246.3PC	16	171	293	403	38%	289	39%
Grand Total	37	432	567	801	41%	600	34%

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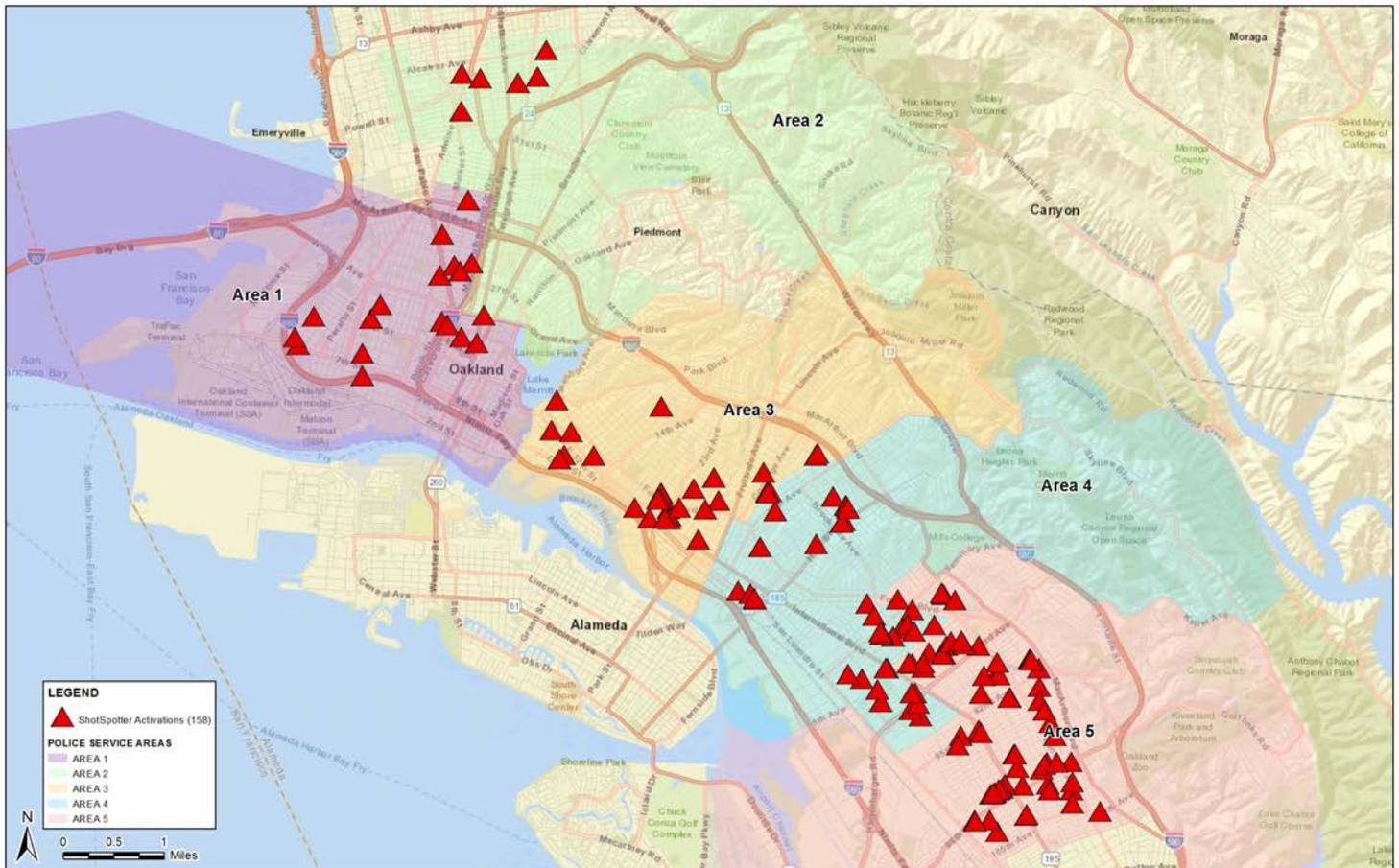
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CRIME ANALYSIS

Weekly ShotSpotter Activations Report — Citywide 10 Aug. – 16 Aug., 2020

ShotSpotter Activations	Weekly Total	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020
Citywide	158	2,483	3,375	36%
Area 1	17	285	282	-1%
Area 2	6	93	143	54%
Area 3	29	482	652	35%
Area 4	38	643	877	36%
Area 5	68	980	1,421	45%



All data sourced via ShotSpotter Investigator.

Produced by the Oakland Police Dept. Crime Analysis Unit.

2020 Year-to-Date Recovered Guns

Recoveries through 23 Aug., 2020

Grand Total	789
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Crime Recoveries	
Felony	397
Felony - Violent	140
Homicide	39
Infraction	0
Misdemeanor	32
Total	608

Crime Gun Types	Felony	Felony - Violent	Homicide	Infraction	Misdemeanor	Total
Machine Gun						0
Other	1					1
Pistol	284	105	22		23	434
Revolver	28	7	4		3	42
Rifle	42	12	8		3	65
Sawed Off	2					2
Shotgun	14	7	4			25
Sub-Machinegun	1	1				2
Unknown/Unstated	25	8	1		3	37
Total	397	140	39	0	32	608

Non-Criminal Recoveries	
Death Investigation	13
Found Property	65
SafeKeeping	103
Total	181

Non-Criminal Gun Types	Death Investigation	Found Property	SafeKeeping	Total
Machine Gun				0
Other				0
Pistol	4	31	37	72
Revolver	2	10	10	22
Rifle	5	9	29	43
Sawed Off				0
Shotgun		9	13	22
Sub-Machinegun				0
Unknown/Unstated	2	6	14	22
Total	13	65	103	181



MEMORANDUM

TO:	Regina Jackson Chair, Oakland Police Commission	FROM:	Susan E. Manheimer Chief of Police
SUBJECT:	Policy Submission	DATE:	August 27, 2020

PURPOSE

Police Department Staff requests that the Police Commission schedule the previously submitted draft policies (Training Bulletins) for ad hoc committee and adoption. These three policies are Training Bulletin III-P.01 (Armed Unresponsive Subjects, Training Bulletin III-P.03 (Dedicated Arrest Team), and Training Bulletin III-P.04 (Armored Vehicles).

BACKGROUND

The Department has established the attached 10 step policy development workflow to ensure all relevant stakeholders and approving oversight bodies can review and provide guidance and feedback prior to the Department finalizing any policy. This allows for an efficient review amongst all stakeholders while ensuring our oversight and legal reviews are completed.

Below are the steps taken to date on these three policies:

In February 2019, the Department held a Use of Force Board to review a 2018 officer involved shooting (OIS) from which several deliverables were issued. Of these deliverables, the Department recognized the need to update training when responding to critical incidents involving:

- Armed and Unresponsive Persons,
- Dedicated Arrest Teams (DATs), and
- Armored Vehicles

Step 1: February 2019. In addition to updating training, the Department was directed by the Mayor and the Police Chief to develop formal policies in March 2019 on Armed and Unresponsive Persons, Dedicated Arrest Teams (DATs), and Armored Vehicles.

March 2019 to January 2020, the Department provided the training at the Annual In – Service Training (CPT). Plaintiffs' Attorney(s) were present July 18, 2019 to observe the training on Armored Vehicles.

Step 2: March 2019. The Department formed a working group to develop these policies. The first drafts of all three policies were created and submitted to the City Attorney's office June 11, 2019.

Steps 3 – 5: June to November 2019. The City Attorney, Executive Team, Independent Monitoring Team, and Plaintiffs' Attorneys collectively reviewed eight drafts of the policies on DATs and Armored Vehicles and nine drafts of the policy on Armed and Unresponsive persons.

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The IMT and Plaintiffs' Attorneys provided valuable feedback to the Department and approved the draft policies on DATs and Armored Vehicles on October 29, 2019. The draft policy on Armed and Unresponsive Persons was approved by the IMT and Plaintiffs' Attorneys on November 21, 2019.

Step 6: January 17, 2020. Then – Chief Kirkpatrick requested these policies be placed on the Police Commission Meeting agenda and subsequently submitted additional requests.

January 2020 to current, the Department provided updated training on Armed and Unresponsive Persons and DATs at the 10-hour firearms qualification.

August 2020, the Department provided updated training on Armed and Unresponsive Persons, DATs, and Armored Vehicles at Sergeant Transition School.

CONCLUSION

The Department is currently training to the concepts of these draft policies and believes these standards are contemporary and in the best interest of public safety. These policies are anticipated to reduce use of force, reduce liability, and ultimately increase police accountability.

At this time, the Department requests the Oakland Police Commission schedule these policies for review within the 120-day timeline set forth in the Oakland City Charter.

Respectfully submitted,

Susan E. Manheimer
Chief of Police
Oakland Police Department

Attachments (3):

Policy Development Workflow



**Oakland Police Department
Police Commission
Policy Development
Flowchart**



Step 1: Policy Review/Revision Request Made



Step 2: Project Manager Identified and Working Group Formed



Step 3: Draft Policy Submitted to City Attorney for Review and to Identify Relevant Stakeholders



Step 4: Draft Policy Submitted to Executive Team for Review



Step 5: Draft Policy Submitted to Relevant Stakeholders (IMT, Plaintiffs' Attorneys, PAC, SSOC, CPAB, etc.)



Step 6: Draft Policy Submitted to Police Commission for Ad Hoc Committee Review or 120-day Review



Step 7: Meet and Confer Scheduled



Step 8: Draft Policy Submitted to Chief of Police for Final Signature



Step 9: Final Policy Submitted to Training Division for Training Plan Development



Step 10: Final Policy and Training Rolled out to Department



MEMORANDUM

TO: Regina Jackson
Chair, Oakland Police Commission

FROM: Susan E. Manheimer
Chief of Police

SUBJECT: Crowd Control After Action Report

DATE: August 21, 2020

PURPOSE

Police Department Staff recommend that the Police Commission receive the attached Crowd Control After-Action Report regarding dates May 29, 2020 to June 4, 2020.

BACKGROUND

Pursuant to OPD Training Bulletin III-G (the Department's Crowd Control policy), OPD is required to draft After-Action Reports after certain crowd control operations or incidents. These reports are meant to help the Department continually enhance its operations by allowing the Department to immediately identify apparent observations and training points.

In addition to this After-Action Report, further in-depth investigations and reviews are underway and ongoing by internal and external bodies.

While work is still ongoing to glean all the training points and opportunities for improvement resulting from these crowd management operations, this After-Action Report highlights things such as:

- The unprecedented nature of the events, including crowds of thousands, City and County local emergencies and curfew orders, over 130 arson fires in the City of Oakland, widespread looting and vandalism of over 200 businesses, and the homicide of one Federal Security Officer and the shooting of another by right-wing extremists;
- The need for the City of Oakland to work even more closely with any responding Mutual Aid agencies to clearly lay out expectations for and restrictions on actions by Mutual Aid officers; and
- Strategies for OPD personnel to protect life and vital facilities while avoiding becoming the focus of crowd anger and violence.

This After-Action Report serves as a record of what was known at the time it was written, and is not meant to serve as the final evaluation of Oakland Police Department rules, regulations, practices, or policies related to the events of May 29, 2020 through June 4, 2020 and/or the Department's response. The Oakland Police Department's policies call for a thorough review of various events during this period. To that end, rigorous administrative review is underway and ongoing by the Internal Affairs Division, use-of-force reviewers, the Community Police Review Agency, and an independent concurrent investigation. Further, the federal Independent Monitoring Team in *Allen, et al. v. City of Oakland, et al.*, No. CV 00-4599 WHO (N.D. Cal.), is monitoring and available for technical assistance on aspects of this review. In addition, the Department conducts quarterly reports of its crowd management and publishes the review on its website.

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For the crowd management events of May 29, 2020 to June 4, 2020 the following reviews include:

- Completion of Use of Force investigation reports for each day of the crowd control events
- Completion of Internal Affairs Division investigation reports for all complaints related to the crowd control events
- Force Review Boards reviewing the force used during these events, and accompanying reports
- Completion of concurrent Community Police Review Agency investigation reports for complaints related to the crowd control events; and
- A concurrent external reviewer conducting a high-level overall review of the Department's response to these events.

CONCLUSION

Once the further in-depth investigations and reviews by internal and external bodies conclude, we anticipate that there will be additional opportunities to elevate successes, gain a deeper understanding of constantly evolving crowd dynamics and enhance our tactical approaches - all towards the goal of continually growing as an organization. Some anticipated outcomes include:

- Recommendations for policy enhancements
- Recommendations for training enhancements
- Recognition of any outstanding performance or initiative
- Accountability for any lapses or misconduct, and
- Continued ability for self-assessment to ensure the Department follows the best practices in crowd management.

Respectfully submitted,



Susan E. Manheimer
Chief of Police
Oakland Police Department

Attachment (1):

A – Crowd Control After Action Report: May 29, 2020 to June 4, 2020

Oakland Police Department



Crowd Control After-Action Report May 29, 2020 to June 4, 2020 (all dates inclusive)

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Introduction

The murder of George Floyd while in police custody on May 25, 2020 sparked protests throughout the nation and world. The nation's attention was drawn to structural racism and disparities in the criminal justice system and in life outcomes.

Locally, the first related demonstration occurred on Thursday, 28 May 20, when roughly 50 protesters entered the freeway in West Oakland. Protestors shut down the 27 Street/West Grand Avenue exit on southbound Interstate 980. The protestors ultimately left the freeway off-ramp and then walked to the Oakland Police Administration Building (PAB).

On Friday, 29 May 20, the City activated its Emergency Operations Center (EOC) to coordinate the City's operations during mass protests. Among other City employees, OPD, Fire Department, and Public Works personnel staffed the EOC. The EOC was activated in this manner for all seven days of operations. The City worked to facilitate peaceful protests and to ensure public safety. During this time, there were inspiring protests—Oakland has a long and proud tradition of social activism. Especially during the first week, there was also violence and significant destruction throughout several Oakland communities. OPD Incident Commanders and officers faced extraordinarily challenging conditions. All at once, there were scattered and quickly swelling protests, violence, vandalism, looting, arson, and a high volume of service calls. This strained City resources; the City relied on mutual aid for assistance.

Oakland Police Department's policies call for a thorough review of various events during this period. To that end, rigorous administrative review is underway by the Internal Affairs Division, use-of-force reviewers, the Community Police Review Agency, as well as an independent concurrent investigative review. Further, the federal Independent Monitoring Team in *Allen, et al. v. City of Oakland, et al.*, U.S.D.C. N.D. Cal. No. C 00-4599 WHO, is monitoring and providing technical assistance on aspects of this review. In addition, the Department conducts quarterly reviews of its crowd management and publishes the review on its website.

Against that backdrop, Oakland Police Department's crowd management policy, Training Bulletin III-G, also allows for an early *After-Action Report* to help the Department identify "lessons learned and training opportunities" that are apparent within a short window of time after certain events involving crowds, helping the Department continually grow as an organization.

Events Summary

From May 29, 2020 through June 4, 2020, among other events, the following occurred:

- There were several daily protests, with some crowds reaching approximately 15,000 people.
- Alameda County, and many cities in the County, including the City of Oakland declared local emergencies and imposed curfew orders.
- Approximately 200 businesses were looted and vandalized.
- 137 arson fires were set throughout Oakland.
- There was violent crime, including multiple homicides and numerous shootings.
- There was a shooting incident related to an incident of looting.
- Two federal protective services uniformed officers were shot; one was killed.
- Multiple first responders, including Oakland Police Officers, Mutual Aid Officers, and Firefighters, were injured.
- Mutual Aid was activated, providing additional resources to help manage the large and disruptive violent protests.
- More than 300 individuals were arrested with more investigations pending.
- More than 700 calls for service were delayed of which 100 were priority calls.

Purpose/Scope

The purpose of this *After-Action Report* is to identify lessons and observations gleaned so far. The Department anticipates that it will identify additional lessons learned, training points, and opportunities for operational enhancements from the detailed administrative reviews that are currently underway by various internal and external bodies.

Training Bulletin TB III-G, Section XI.C, provides as follows:

The IC shall evaluate the need for an After-Action report which outlines the lessons learned and training opportunities, as well as an assessment of the effectiveness and quality of the Operations Plans. An After-Action Report will be completed within 30 days of the event if one of the following events occurs:

1. *Mutual Aid is requested;*
2. *An unlawful assembly is declared;*
3. *Arrests are made for acts of civil disobedience;*
4. *Significant police resources are used to control the event; or*
5. *Chemical agents or SIMS are used.*

These events occurred between Friday, May 29, 2020 through Thursday, June 4, 2020, and this *After-Action Report* focuses on that timeframe. The report draws from statistical information related to arrests, complaints, uses of force, injuries, personnel used and mutual aid during these days. The statistics provided are based on what was known at the time of publication. Further, the report incorporates feedback from Operations Chiefs and Company Commanders during the seven-day period.

This *After-Action Report* does not include an analysis of individual uses of force, complaints, arrests, policies, or body worn camera (BWC) videos.

Uses of Force reports for each day will be reviewed by the use-of-force report writer's chain of command and subject to a Use of Force Review Board process according to policy. The multi-level review of uses of force is required pursuant to Oakland Police Department General Order K-04 – *Reporting and Investigating the Use of Force*.

Complaints against personnel, in accordance with California Government Code Section 3304(d)(1), may take up to one (1) year to come to a finding. Nevertheless, the Department strives to complete investigations of misconduct within 180 days, in accordance with Oakland Police Department General Order M-03 – *Complaints Against Departmental Personnel or Procedures*, unless otherwise approved by the Internal Affairs Commander.

As the Oakland Police Department moves forward through an assessment of events, uses of force, personnel complaints and arrests, we will continue to evaluate policy for compliance and/or potential policy revision when appropriate.

This *After-Action Report* will serve as a record of what is known now and is not meant to serve as the final evaluation of Oakland Police Department rules, regulations, practices or policies related to the events of May 29, 2020 through June 4, 2020 and/or the Department's response.

In addition to this *After-Action Report*, there will be further in-depth investigations and reviews by internal and external bodies.

Department Mission

The Oakland Police Department is committed to reducing crime and serving the community through fair, quality policing.

Concept of Operations

Despite some intelligence being gathered for each period of operations, it was unknown what would actually occur on each day of events. There was a need for a centralized concept of operations. For each operational period, there was an incident commander and operations chief. Briefings were held daily for the Mobile Field Force (MFF) in the PAB Auditorium. The incident Commander and all subordinates were to utilize the Incident Command System for command and control.

After receiving the operations briefing, personnel were initially deployed in companies to monitor varied quadrants of the downtown and FOP (City Hall) and the Police Administration Building. Additionally, other units in the Department were directed to respond as follows:

- OPD Motors were to respond to traffic needs of the company commanders
- Undercover officers (UCs) were to monitor interior crowds and area around the demonstrations, providing real time updates of crowd size, activity, and demeanor. The Quick Reaction Force (QRF) units were designated to conduct arrests and support UCs.
- Cease-Fire Units were to monitor exterior crowd activity and act as a QRF.
- The Tactical Negotiations Team (TNT) was to attempt to establish contact with the group organizer(s) and provide updates regarding intel and direction of march.

OPD personnel were advised the following:

- No later than one hour after briefing, platoons deploy in vans with an additional squad in marked vehicles.
- Facilitate marches and rallies in the area as directed.
- Identify and arrest individuals committing crimes when safe or tactically sound to do so.
- Be prepared to maneuver Mobile Field Forces in order to assist in crowd containment, control and mass arrests, if required.
- On order, patrol designated areas, maintaining visibility, enforcing laws and citing for infractions.

- On order, provide force protection for vital facilities.

The Emergency Operations Center (EOC) was activated for each of the seven days of operations.

Contingency Planning:

Briefings covered certain situations or contingencies, and the following strategies to respond to these situations or contingencies. This was not meant to be an exhaustive list of potential situations of contingencies.

- **If a large group marches on public roadways** – OPD personnel will facilitate peaceful marches until the hours of darkness or under the discretion of the Incident Commander.
- **If individuals obstruct free flow of vehicle traffic at major thoroughfares or intersections causing significant disruption to commute traffic, safety and/or commerce** – OPD will assess the time, place, and manner in which people are engaged in these acts. The Incident Commander shall make the determination whether or not to remove people from intersections or thoroughfares based on the severity of the impacts if nothing is done to remove them. The Incident Commander shall balance the level of disruption to traffic against the OPD policy of facilitating 1st Amendment activity; the practicality of relegating the crowd to sidewalks or an alternate-route; the expected duration of the disruption, and the traffic disruption expected in making a mass arrest if demonstrators refuse to leave the street.
- **If individuals enter and take over a building or private lot refusing to leave** – OPD will identify the building owner and determine if police services are requested to remove the trespassing occupants (unless obvious and on-going crimes are occurring; fire set, vandalism). If police services are requested, OPD shall surround the building or lot and contain the occupants. OPD will provide announcements directing trespassers to immediately leave and shall arrest anyone found exiting the building or lot. OPD shall determine a tactical plan to enter the building or lot and arrest remaining trespassers.
- **If individuals damage property** – At the direction of a commander and when tactically feasible, arrest team(s) will make surgical arrests of individuals who damage or destroy property.
- **If individuals set fires** – OPD will use fire extinguishers to put out small trashcan fires. If needed, OPD escort officers will provide force protection to OFD to put out larger fires. At the direction of a commander, arrest team(s) will make surgical arrests of individuals who set fires.

- **If shots are fired from within the crowd** – OPD officers shall try to identify the shooter and react with the appropriate force, if possible. If there is no immediately identifiable target, then officers shall seek immediate cover positions. The on-scene commander will decide if the use of chemical agents, smoke or diversionary devices should be deployed to disperse the crowd, and/or shooter. Undercover officers will not engage shooters by drawing their weapons unless they are required to defend their own life.
- **If individuals erect tents, canopies, and other structures with the intent to lodge without permission on public property or violate park curfews** – At the direction of a commander and when tactically feasible, arrest team(s) will cite or arrest violators.

Mutual Aid Plan:

In the event, mutual aid was requested by OPD for an Oakland incident or event, each agency that responded to the City's request for mutual aid was to be briefed at the staging area on OPD's Crowd Management and Use of Force policies and given an overview of the operation plan detailing the Commander's intent (if feasible). Each agency was to be assigned an OPD liaison (pathfinder) to maintain the Incident Commander's command and control, communication and situational awareness while executing the mission (if available).

All OPD policies and procedures remained unchanged given OPD mutual aid response to outside agencies and jurisdictions.

Arrest Plan / Procedures:

Our mission was not to arrest every law violator but instead to manage the entire event. Personnel were directed to strive to not create situations which needlessly exacerbated the overall incident. When tactically feasible, arrests were to be made as safely and quickly as possible for incidents of violence or property damage.

Where a criminal act occurred within a large crowd, efforts shall be made to identify the suspect(s) for arrest(s). Field commanders shall consider the safety of officers and bystanders in their decision to move into a crowd to make an arrest. Where directed, arrest teams shall deploy to make surgical arrests. Arrest teams will be equipped with sufficient protective gear to complete the arrest or possible officer rescue. The field commander shall assess the situation and request the necessary resources to take action. On-scene personnel shall advise the best route to respond. Officers shall not abandon their posts, unless it becomes unsafe, to respond to other problems unless directed to do so by a supervisor or commander.

Individual arrests shall comply with Departmental policies and procedures. The field supervisors maintain the responsibility to ensure the procedures briefing takes place during line-up or as

needed. Juveniles shall be separated from adult offenders and processed in accordance with Departmental policy. Arrest teams shall be responsible for completing and submitting a separate supplemental report documenting each arrest at the conclusion of the operation.

Officers shall cite out misdemeanor violations unless there is reasonable likelihood that the offense would continue or resume or that the safety of persons or property would be immediately endangered by the release of the person (in accordance with section 853.6i(7) of the California Penal Code). Offenses that are likely to continue must be supported by articulable facts.

In the event of riotous behavior, a field commander will evaluate and recommend if the crowd should be dispersed. The Incident Commander or Operations Commander shall make the determination. Dispersal orders may be made in the following conditions:

- When crowd violence targets law enforcement personnel at a level likely to cause injury to personnel and arrests are not possible or are not likely to succeed.
- When crowd violence includes arson and arrests are not possible or likely to succeed.
- When crowd violence targets buildings/property with felony malicious mischief and arrests are not possible or likely to succeed.
- When individuals in the crowd begin to attack other people in the crowd with force likely to produce injuries requiring medical assistance and arrests are not possible or likely to succeed.

Dispersal orders may be given even if arrests are possible and have been made so that order may be restored among the remaining members of the group. The field commander will give or direct another to provide the dispersal order contained in TB III-G ensuring that it is heard and documented. If officers are directed to use “flex” cuffs, they must mark each side of the “lock” to show the position of the cuffs at the time of arrest. Additionally, arresting officers shall place their serial numbers on their flex cuffs.

Use of Force Plan:

The Incident Commander, field commanders and field supervisors shall make every effort to ensure that the police mission is accomplished as efficiently and unobtrusively as possible with the highest regard for the human dignity and liberty of all persons and with minimal reliance on the use of physical force.

Departmental General Order K-3 applies. The deployment of chemical agents shall be at the direction of the Incident Commander (unless exigent circumstances exist). If command

directed, field commanders shall provide specific direction on the type of munition and location of deployment. If an Unlawful Assembly (407 PC) is declared and a dispersal order, and persons refuse to leave, a second warning(s), if feasible, shall be made prior to the use of chemical agents, allowing persons another opportunity to leave voluntarily. Use of specialty impact munitions shall not be indiscriminate nor used to disperse a non-violent crowd. Officers shall make an effort to arrest suspects when force is used to gain compliance. Chemical agents and specialty impact munitions shall only be deployed as authorized by OPD policy and in limited situations provided pursuant to Training Bulletin III-G.

All personnel involved in a use of force shall complete a supplemental report articulating the circumstances and justifications for their individual decision to use force. In addition, such personnel shall submit a completed Preliminary Use of Force Report (PUFR) to their supervisor for approval (if available). Supervisors shall write the UOF report for their squad even if they are a witness, during this event. If they directed the UOF, they will not write the UOF. If they have a UOF, another supervisor shall write the UOF report per policy. Reports may be handwritten or completed on FBR per supervisor/commander's directive. In the event a report is handwritten, the approving supervisor shall print his/her name and then sign it.

Commanders' Intent

Throughout the seven days, the Incident Commanders had the same operational intent. This intent was captured in the Mission, Purpose, Key Tasks, Mutual Aid and desired End State for Each Day as outlined below:

Mission

The Oakland Police Department will conduct crowd management for the planned protests and any impromptu protests, in order to maintain public peace and order. This will be done with an effort to:

- *Maintain officer safety.*
- *Protect life.*
- *Protect property.*
- *Protect vital facilities; and*
- *Uphold Constitutional Rights of free speech and lawful assembly.*

Purpose

To facilitate planned or spontaneous and lawful rallies and marches in compliance with Department policy as directed in Training Bulletin III-G, OPD Crowd Control and Crowd Management Policy. Those who participate in acts of crime, violence and vandalism will be arrested if and when safe to do so. Mutual Aid response to requests will be handled in accordance with General Order L-03. Crowd size and available Department resources will factor into police response for this operation.

OPD intends to execute this operation in a cooperative manner and, to the extent possible, without requiring the use of force. To that end, OPD will try to identify group leaders, organizers, coordinators and to initiate dialogue to seek their cooperation. The OPD Tactical Negotiations Team will carry out this task. Any response to this event is contingent on the number of protesters/marchers and their behavior. Arrests will be made only if safe to do so, and, if time and circumstances allow, arrests will be directed based on incident commander or platoon commander discretion. The Incident Commander will be responsible for the overall Command and Control of this operation. Decisions about crowd dispersal and general strategies about crowd containment or crowd redirection, multiple simultaneous arrests, planned individual arrests, or planned use of force shall be made at the level of the Incident Commander or higher.

Strong supervision and command are essential to maintaining a unified, measured and effective police response. Impulsive or independent actions by officers are to be avoided. Police personnel must maintain professional demeanor and remain neutral in word and action despite unlawful or anti-social behavior on the part of crowd members. Unprofessional police behavior can inflame a tense situation and make crowd control efforts more difficult and dangerous.

OPD will endeavor to enforce applicable laws and arrest specific individuals who are committing crimes. The police may not disperse a demonstration or crowd event before demonstrators have acted illegally or before the demonstrators pose a clear and present danger of imminent violence.

In the event of a declaration of an unlawful assembly, OPD will disperse crowds in an orderly manner to predetermined egress routes and arrest individuals who fail to disperse.

Repeated announcements will be made advising them of our intent to arrest them if they do not leave. Announcements shall be made in different locations if the crowd is large and noisy. Sufficient time will be allotted for those who wish to

leave before any further police action is taken. Those remaining and refusing to leave will be cited or arrested.

OPD will follow and will request all law enforcement agencies participating pursuant to a mutual aid request to follow OPD policies respecting crowd control management, unlawful assemblies, use of chemical agents and less-lethal impact munitions, use of force, arrests, and transporting in-custody individuals to jail.

If Mutual aid is requested to Oakland, responding agency personnel will be briefed on the operation at the staging location and their crowd control munitions will be inspected (if feasible).

Key Tasks

The following is a list of mission-essential tasks:

- *Attempt dialogue with event leaders/organizers/coordinators. Attempt dialogue if march or event remains in or is directed through Oakland.*
- *Monitor the rally/march within Oakland and facilitate the march on Oakland streets if necessary.*
- *Prevent/Respond to acts of violence and major acts of property damage/vandalism and arrest those responsible for the acts when tactically feasible and safe to do so.*
- *Enforce applicable laws by identifying and arresting specific individuals engaged in unlawful behavior when tactically safe and feasible to do so.*
- *If necessary, issue dispersal orders and disperse crowds in an orderly manner to predetermined egress routes. Safely cite/arrest individuals who fail to disperse.*
- *Process arrestees in accord with OPD policy/procedures.*
- *Investigate uses of force, complaints and criminal acts in accord with OPD policy/procedures.*
- *Request Patrol Division support from the on-duty Watch Commander.*
- *Cause mutual aid requests if insufficient OPD units or resources exist.*
- *Maintain strong team discipline.*

Mutual Aid

As the Law Enforcement Regional Mutual Aid Coordinator, the Alameda County Sheriff's Office coordinated the mutual aid response by law enforcement agencies throughout the region. All requests for mutual aid will be made through the Incident Commander. All mutual aid responders shall check in at the main staging area. Relevant OPD policies shall be provided to all participating outside

agencies responding to a request for mutual aid including TB III-G (Crowd Control and Crowd Management).

All mutual aid agencies shall be briefed on the current Operations Plan by a commander. Each participating outside agency responding to a request for mutual aid shall be assigned an OPD liaison (pathfinder), if available. Pathfinders shall be equipped with body worn cameras (BWCs). Pathfinders shall utilize BWCs to record mutual aid agency attire (uniform) and activate when mutual aid units are engaged with a crowd. Pathfinders shall advise via the primary communications channel when they observe any mutual aid officer use force. Pathfinders shall include name of agency using force, type of force used (e.g. gas, bean bag, baton, etc.), location, and any visible identifier (e.g. helmet number, name tag, rank insignia, etc.) for the officer using force.

Prior to deployment, a complete inventory of all munitions and chemical agents possessed by mutual aid responders shall be completed and documented to ensure identification and approval by an OPD commander. The approving OPD commander shall brief the Operations Commander for final approval of munitions and chemical agents possessed by mutual aid responders. Munitions and chemical agents not approved by the Operations Commander shall not be deployed by any agency. If a mutual aid responder refuses to comply with this directive that agency shall not be utilized for any assignment where munitions are likely to be deployed.

End State for Each Day

This operation will be successful if the following conditions are achieved at the conclusion of each deployment period:

- *First Amendment rights exercised and upheld.*
- *No Uses of Force occur, or only objectively reasonable force is used while executing this mission.*
- *All tasks are completed without preventable or unnecessary injuries to citizens, officers or suspects.*

Acts of violence or vandalism successfully prevented, reduced, or otherwise addressed through enforcement, arrest or investigation where prevention was ineffective.

Friday, 29 May 20

Operational Period	1700 hours to 0315 hours
Location of Event	The City of Oakland
Incident Number	LOP200529000418
Report Number(s)	20-026554
Incident Commander	Deputy Chief R. Holmgren
Operations Chief	Captain R. Wingate
Alpha Commander	Lieutenant M. Beaver
Bravo Commander	Lieutenant A. Tedesco
Charlie Commander	A/Lieutenant K. Kaney

Planned Events / Intelligence

Social media posts directed protestors to meet at Frank Ogawa Plaza (FOP) an “FTP Vengeance for George Floyd, Minneapolis Solidarity” demonstration on 29 May 20, at 2000 hours.

Sgt. Dinh, Sgt. S. Kim and TNT monitored social media, open source and local news stations during the event.

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates. Additionally, Sgt. Jones sent out open source information, via email, she had found on the internet as summarized below (See Appendix B for screen captures of the open source information):

- *“The Minneapolis Uprising Points the Way! Spread the Fiery Spirit of Minneapolis by Any Means Necessary”* This was a car caravan that was to meet on 29 May 20, at 1300 hours, at 1800 98th Ave and caravan to downtown Oakland.
- blackbloctopus posted @queerbrutality *“Peaceful alternative to tonight’s Oakland protest organized by a Black woman”* People were to meet at FOP at 1730 hours.

- AerinCreer posted @AngelAerin777 *“Some of y’all aren’t ready to go into violent protests and i think you should prepare better. Masks, glasses, gloves, hoodies, sneakers, backpack, washcloth, cellular data OFF.”*

Significant Events Summary

On May 29, 2020, the City activated its Emergency Operations Center (EOC) to coordinate the City’s operations during mass protests. Among other City employees, OPD, Fire Department, and Public Works personnel staffed the EOC. Between 1700 hours and 2000 hours, there were up to 4000 demonstrators divided among two sites, City Hall and the PAB, which are seven blocks apart along Broadway.

During the evening of Friday, May 29, the first of many large-scale events protesting of the death George Floyd began in Oakland at Frank Ogawa Plaza (FOP). Social media posts directed protestors to meet at FOP for an “FTP Vengeance For George Floyd Minneapolis Solidarity Demo” at 2000 hours.

At one point, officers reported that someone in the crowd was throwing bottles towards them. Many others among the crowd directed anger towards the officers who were facilitating the protests, but those protestors did so without throwing things. Near City Hall, people ripped down boards covering small store fronts and some windows were damaged. More people came to the area and one group managed to get onto Interstate I-880; causing traffic to halt. Mutual Aid personnel reported that some of the people in the groups were throwing bottles and setting off fireworks. Additionally, OPD officers reported that people in the crowd were throwing rocks and bottles at them.

At 2121 hours, about 6000 people were in front of the PAB. Some people were reported to have been throwing rocks and bottles at officers. A short while later, and over the course of a few minutes, unlawful assembly and dispersal orders were given in English and Spanish. Chemical munitions were subsequently deployed when the crowd remained unruly, dangerous and failed to disperse.

At 2148 hours, two federal security officers were shot blocks away from Oakland City Hall and the PAB. One of the security officers died and the other was critically wounded.

Over the next few hours, there was significant looting, arson and vandalism in the downtown, uptown and China Town area with reports of subjects throwing Molotov Cocktail incendiary devices at officers.

The EOC closed at 0315 hours.

See Appendix A for a timeline of events for the operational period.

Planning

Lt. C. Shannon was assigned as the Planning Chief for this event. He completed staff detail.

The Operations Chief, Captain R. Wingate, conducted briefings and completed the operations plan.

Logistics

Logistics was handled by the Training Section. All personnel brought assigned equipment. Logistics supplied vans for deployment.

Finance

Fiscal Manager S. Shavies was the Finance Chief for this event.

Mass overtime sheets were used. Overtime was authorized and days off were cancelled.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

Safety officer duties were covered by the Oakland Fire Department.

There were eighteen (18) reported officer injuries. None of them required transportation to a medical facility.

Staging / Liaison

Acting Captain J. Encinias managed Staging and Liaison for this event. The staging area was established at 600 Washington (PAB).

Mutual Aid consisted of the following:

Agency	Staffing
ACSO	77
Alameda PD	13
Berkeley PD	34
Contra Costa County SO	70
East Bay Regional Parks Police	4
Falck Ambulance	8
Fremont/Union City/Newark	30
Hayward PD	26
Marin County SO	20
Marin County SO	20
Piedmont PD (attached to UC Berkeley)	2
San Leandro PD	16
San Mateo SO	43
Santa Cruz SO	25
Santa Cruz SO	25
SFPD	13
Solano County SO	48
Sonoma County SO	25
UC Berkeley PD	17
TOTAL	516

Public Information Officer

Manager P. Chambers, Officer J. Watson (PIO) and Officer F. Aisthorpe (PIO) were assigned to this event and responded to media requests. Many of the articles in the media for this operation period centered around the multiple fires, numerous instances of looting and the murder of a Federal Security officer and the shooting of his partner.

Following the events of 29 May 20, there were news articles referencing the events as follows (not an exhaustive list):

- Oakland George Floyd Protest Turns Angry As Marchers Block Freeway, Start Looting <https://sanfrancisco.cbslocal.com/2020/05/29/oakland-george-floyd-protesters-block-traffic-on-i-880-in-both-directions/>
- Oakland protest of George Floyd’s killing declared ‘unlawful assembly,’ police use tear gas <https://www.mercurynews.com/2020/05/29/protestors-gather-for-minneapolis-solidarity-demonstration-in-oakland-following-george-floyds-killing/>
- Fires, tear gas, looting at Friday night George Floyd protest in Oakland <https://www.sfchronicle.com/crime/article/San-Jose-police-deploy-tear-gas-fire-rubber-15304376.php>
- Authorities identify federal officer killed in Oakland during George Floyd protest <https://www.nbcnews.com/news/us-news/authorities-identify-federal-officer-killed-oakland-during-george-floyd-protest-n1220516>

Use of Force

Use of Force

The use of force was reported. See Statistical Data for this date for a breakdown of the levels of force reported.

Tango Team

Four (4) Tango Teams were utilized for this event. Munitions were deployed.

Arrests

There were twenty-five (25) arrests made. The most common arrest appeared to be for 459 PC – Burglary. See the chart on the next page for arrest details.

Statistical Data

Number of OPD Personnel Assigned to Event	1 – Deputy Chief 2 – Captains 6 – Lieutenants 35 – Sergeants
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	171 – Officers 2 – PCDs 1 – PRS 1 – PST <hr/> 219 – Total OPD Members
Number of Outside Agency Personnel Assigned to Event	516
Number of Subjects, Participants or Protesters at Event	Estimated total of 6,000 participants at its peak.
Complaints	2 Reported
Use of Force Level 1	Zero
Use of Force Level 2	1
Use of Force Level 3	116
Use of Force Level 4	93 (69 of which were Type 32s)
Total Uses of Force	210
Overtime Expenditures	1269.5 hours (all ranks)
Arrests Adult (includes NTA)	24 (12 were Oakland residents)
Arrests Juvenile (includes NTA)	1 (Not an Oakland resident)
Citations (moving, ped & registration)	Zero
Officers Injured	18
Subject Injuries	2
Uninvolved Party Injuries	None identified

Observations

- 150 mutual aid officers arrived before officers were deployed for crowd management. On subsequent days, in contrast, mutual aid officers arrived after OPD had already deployed its officers for crowd management. Given OES requirements, it is not always possible to secure mutual aid officers in advance of a deployment, but when it is possible, doing so is helpful.
- Personnel moved well together when they operated as complete squad, platoon or company. As elements were sent to different areas and assignments, it was very clear what they were tasked to accomplish. Examples of instructions such as, *“parallel the crowd to the east, but do not show,” “go to FOP and protect City Hall,”* and *“move to the north, prevent looters from reaching xxxx,”* made clear what needed to be accomplished

and provided sufficient latitude to meet the objectives.

- Officers maintained a professional demeanor in the face of anger, hostility, and violent acts being directed towards them.
- The radio communication was effective and efficient. Often, protest and riotous events can include large amounts of radio traffic that adds little overall value and potentially makes coordination more difficult. However, radio traffic for this event, for the most part, remained clear and concise.
- There was a deliberate effort to not get drawn into conflict outside of protecting life and to avoid moving too quickly or too far. This prevented personnel from being encircled.
- Two federal security officers were shot while guarding the Ronald V. Dellums Federal Building parking garage at the corner 12th Street and Jefferson Street. One of the officers did not survive the shooting. Even though this murder occurred little more than a block away from active protests and riotous behavior, OPD personnel rendered aid and gathered evidence the best they could until it was no longer safe to do so. Both security officers were evacuated from the area without haste. Personnel collected evidence and evacuated the area only when the danger posed was greater than the need to maintain the crime scene.
- At certain chaotic points, the Incident Commander took control over the radio and helped maintain calm and focus.
- There were simply not enough officers to prevent looting and fires.
- Some skirmish lines exposed officers' backs to violent crowds. When possible, the Department should strive to set up skirmish lines in a manner that does not expose officers to volatile actions from a direction out of their peripheral.
- We need to be ready for mass arrests. We travel in vans during mobile field forces, but we are not allowed to transport prisoners in the vans. Thus, a single arrest can bog down up to 10 officers at one time. Wagons may be a potential solution, but they are not always available when they are needed.
- When we had mass looting and potentially could have arrested 50-100 looters, logistics dictated our response. We need to be ready for mass arrests.
- We should consider developing a checklist to help check in mutual aid agencies more quickly and thus allow them to deploy into the field more rapidly.
- Many outside agencies would not split their team to cover multiple locations. We should consider whether multiple pathfinders for larger groups could help with this.
- Many agencies did not have the ability to be mobile in vehicles after checking in. This created slower response times.
- Some outside agencies did not follow instructions to check in when they arrived, but instead self-deployed.

Federal Investigators later determined that the Federal Protective officers were shot by a pair of anti-government extremists who targeted them specifically using the demonstrations as cover for their crimes. One of the Federal protective officers was killed and the other was

wounded. **Saturday, 30 May 20**

Operational Period	1600-0230 hours
Location of Event	The City of Oakland
Incident Number	LOP200530000663
Report Number(s)	20-026713
Incident Commander	Deputy Chief L. Armstrong
Deputy Incident Commander	Captain P. Figueroa
Operations Chief	Captain N. Joshi
Alpha Commander	Captain T. Jones
Bravo Commander	Acting Captain E. Lewis
Charlie Commander	Captain C. Bolton

Planned Events / Intelligence

The following were specific events scheduled from 1200 hours to 1900 hours on 30 May 20 that include the following (See Appendix B for screen captures of the open source information for two of the listed events):

- 1200 – 1400 hours at San Francisco “Justice and Solidarity for George Floyd”
- 1300 hours in Oakland at the Grand Lake Theater
- 1800 – 1900 hours in San Leandro at ACSO Eden Township Substation
- 1900 hours in Emeryville at the Emeryville Shopping Center Target

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates.

Sgt. C. Wong and Sgt. M. Valladon and TNT monitored social media, open source and local news stations during the event.

Significant Events Summary

On 30 May 20, there were fewer protestors than the night before. OPD officers and mutual aid personnel responded to widespread organized caravans of looters that struck throughout the night indifferent areas, beginning with looting in Emeryville and on the Oakland/Emeryville border, as well as arson, vandalism and looting in Oakland. The evening began almost immediately with looting along the Oakland/Emeryville border as well as rocks thrown at a Berkeley PD officer. Units continued monitoring a small group forming at 14th & Broadway while addressing the issues at Best Buy and Home Depot. Looting continued unimpeded in Emeryville's Bay St shopping area.

At 1900 hours, the crowd was initially noted to be around 15 to 40 people but eventually grew to around 300 people by 2030 hours. At about 2114, the first of many incidences of rocks and bottles thrown at OPD officers were reported to have occurred. At around 2117 hours, the main group of 300 merged with another group of 200. The group of 500 headed northbound and began to march.

At around 2200 hours, the crowd reached a high of about 700 people marching through west Oakland and the downtown area. At around this same time, there was a report of shots fired at the Decathlon sporting goods store in Emeryville on the Oakland border. There were patches of groups operating throughout the west Oakland and downtown area simultaneously.

At around 2228 hours, there was a group of around 300 at FOP. Some in the group were involved with throwing rocks and bottles and munitions were deployed. Announcements were made and the group began to move northbound away from FOP.

Over the course of the next three hours, there were multiple instances of looting, debris (rocks, brick, bottles) thrown at law enforcement and subsequent munitions deployments. Just after 0100 hours, announcements were made for people to clear the area. A mini sideshow developed at 19th Street and Broadway. Subjects began to throw objects from the moving vehicles at officers and other vehicles.

At 0120 hours, officers requested emergency assistance (Code 3 cover) at 16th Street and Telegraph Ave. Shortly thereafter, there was a CS munitions deployment that sent a crowd of 60 to 70 people northbound and then eastbound. Over the next hour, the crowds began to thin out and the acts of looting, violence, vandalism and arson began to dissipate.

The EOC closed at 0220 hours.

See Appendix A for a timeline of events for the operational period.

Planning

Lt. Shannon and Lt. Yu were the Planning Chiefs. Lt. Yu completed the detail.

Captain Wingate conducted briefings and Lt. Yu prepared the Operations Plan on behalf of DC Armstrong.

Logistics

Sgt. N. Calonge was assigned as the Logistics Section Chief for this event. All personnel brought assigned equipment. Logistics supplied vans for deployment and food.

Finance

Fiscal Manager S. Shavies was the Finance Chief for this event.

Mass overtime sheets were used. Overtime was authorized and days off were cancelled.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

Safety officer duties were covered by the Oakland Fire Department.

There were no reported officer injuries.

Staging / Liaison

Acting Captain J. Encinias managed Staging and Liaison for this event. The staging area was established at 600 Washington (PAB).

Mutual Aid consisted of the following:

Agency	Staffing
CHP	88
ACSO	80
Contra Costa County SO	110
San Leandro PD	16
Berkeley PD	36
Vallejo PD	9
Vacaville (Not Deployed/No Mutual Aid Order)	35
UC Berkeley PD	17
Hayward PD	27
Fremont/Union City/Newark	29
Alameda PD	14
Santa Cruz SO	21
Piedmont PD	2
Pleasanton PD	7
San Mateo SO	59
Falck Ambulance	3
TOTAL	553

Public Information Officer

Manager P. Chambers, Officer J. Watson (PIO) and Officer F. Aisthorpe (PIO) were assigned to this event and responded to media requests.

Following the events of 30 May 20, there were news articles referencing the events as follows (not an exhaustive list):

- Looting follows George Floyd protests in SF, Oakland with fire set in Westfield mall <https://www.sfchronicle.com/bayarea/article/Looting-vandalism-follows-George-Floyd-protests-15306147.php>
- East Bay stores looted amid violent protests <https://www.kron4.com/news/bay-area/east-bay-stores-looted-amid-violent-protests/>

Use of Force

Use of Force

The use of force was reported. See Statistical Data for this date for a breakdown of the levels of force reported.

Tango Team

Four (4) Tango Teams were utilized for this event. Munitions were deployed.

Arrests

There were twenty-two (22) arrests made. The predominant charge was 459 PC – Burglary.

Statistical Data

Number of OPD Personnel Assigned to Event	1 – Deputy Chief 8 – Captains 13 – Lieutenants 1 - Manager 58 – Sergeants 290 – Officers 3 – Dispatchers <hr/> 374 – Total OPD Members
Number of Outside Agency Personnel Assigned to Event	553
Number of Subjects, Participants or Protesters at Event	The crowd sizes varied during this operation from 15 to 700 at any one location. It is of note that there were crowds numbering the hundreds at multiple locations simultaneously. Please see the Significant Events portion of this date’s report for further details regarding crowd size, location and movements.
Complaints	1 Reported
Use of Force Level 1	Zero
Use of Force Level 2	5
Use of Force Level 3	74

Use of Force Level 4	62 (41 of which were Type 32s)
Total Uses of Force	141
Overtime Expenditures	4933.75 hours (all ranks)
Arrests Adult (includes NTA)	21 (11 of which were Oakland residents)
Arrests Juvenile (includes NTA)	1 (not an Oakland resident)
Citations (moving, ped & registration)	ZERO
Officers Injured	None identified
Subject Injuries	1
Uninvolved Party Injuries	None identified

Observations

- Personnel moved well together as they operated as complete squad/platoon/company.
- Units stayed focused despite the violence and looting going on around them. For example, at one point, units came upon someone who had just been hit by a car. Despite the chaos, officers had the wherewithal to get Code 3 medical and put out a suspect vehicle description. This showed a dedication to community service despite the active disorder all around.
- There was a shooting during looting at Decathlon Sports in Emeryville (Oakland border). The suspect was quickly taken into custody and a gun was recovered.
- OPD Injury information was not collected in a centralized fashion and tracking injuries was problematic. OPD should reinstitute maintaining a safety officer at the EOC for members to advise of injuries from the field.
- Tango Teams self-dispatched on a few occasions. This is not ideal for team unity or for keeping account of platoon numbers.
- At some points during the operational period, there were hundreds of people marching in the downtown area but there were simultaneous acts of violence occurring near the Oakland/Emeryville border (Best Buy & Decathlon) and in the City of Emeryville (Bev-Mo, UNIQLO, etc.) that needed dedicated air traffic. For such operations, the Department should consider having a separate, dispatcher staffed, radio channel for units on the fringe areas. The channel should be pre-patched with our main channel. This would allow for combining and separating the traffic as needed. These two areas of deployment were 2.5 to 3 miles apart and required different methods of response.
- The organized caravans of looters simultaneously targeting different merchant areas around Oakland and adjacent cities emerged as a new phenomenon that would repeat across the region over the next several days. Their numbers peaked at around 900 several nights later, and the tactics of violence and destruction with waves of successive looters quickly overwhelmed local agencies. Planning for these situations should be

incorporated into future regional responses.

- Best Buy was looted more than once. The initial response to Best Buy was combined OPD and ACSO but there appears to have been a miscommunication about the securing of the building. After the second round of looting was cleared, OPD remained on scene until the contractors arrived on scene to secure the property.
- There did not seem to be a preplanned response for looting in East Oakland, potentially resulting in a slower response once it began. The Department should consider at least one squad be staged at the Eastmont Substation, during such events, to serve as an anti-looting Quick Reaction Force.

Sunday, 31 May 20

Operational Period	1100-0430 hours
Location of Event	The City of Oakland
Incident Number	LOP200531000111
Report Number(s)	20-026817
Incident Commander	Deputy Chief Roland Holmgren
Operations Chief	Captain R. Wingate
Alpha Commander	Captain T. Jones
Bravo Commander	A/Captain E. Lewis
Charlie Commander	Captain Joshi

Planned Events / Intelligence

The following are specific events in and around Oakland scheduled from 1400 hours to 1600 hours on 31 May 20 that include the following (See Appendix B for screen captures of the open source information for the two listed events):

- Oakland, Middle Harbor Shoreline Park. Anti-Police Terror Project 1400-1600 hours.
- San Francisco, City Hall @ 1500 hours.

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates.

Sgt. C. Wong, Sgt. M. Valladon and TNT monitored social media, open source and local news stations during the event.

Significant Events Summary

On Sunday May 31st, there were peaceful protests during the day. OPD officers helped facilitate these protests. There were two major significant events planned for Sunday, May 31st.

The first event started the Children's Fairyland amphitheater at noon and was peaceful.

The second was a large caravan sponsored by the Anti-Police Terror Project (AFTP) in the parking lot at Middle Harbor Shoreline Park in the Port of Oakland. It was scheduled from 1400 hours to 1600 hours. Given the size of the caravan and proximity to on ramps at the Port of Oakland, there was great concern the caravan would try and takeover the Bay Bridge. However, before the caravan began, OPD received credible intelligence the caravan would remain on city streets. As the caravan slowly moved through West Oakland and then the downtown area, protestors began to congregate in the City Hall amphitheater in FOP.

At the peak, there were about 800 protestors in FOP. TNT attempted to establish communication with protestors at FOP but were met with resistance. Due to size of the caravan and group already in FOP, mutual aid was requested at 1513 hours. Various groups marched around the downtown and Lake Merritt area.

At 1622 hours, there a group of around 150 trying to overtake CHP to gain access to the Interstate 580 on-ramp near Lakeshore. An OPD Tango Team responded and a skirmish line was established. At about that same time, there was a group of about 1,000 people at the Cleveland Cascade steps on the east side of the lake.

At 1734 hours, there was a subject in a damaged car in the intersection of 14th/Broadway. The subject fled by driving on the sidewalk and then fled on foot. The subject had been armed and was taken into custody. A firearm was recovered. After the arrest, the crowd became hostile and officers called for an all hands emergency response (940B). Chemical munitions were deployed.

From around 1835 hours until around 2030 hours, there was a group of around 200 people marching in the area north of the PAB and south of FOP. Some in the group threw “snap pops” at the officers but the group dispersed after TNT made facilitating announcements for people to leave the area.

From 2030 hours until after 0400 hours, there was widespread looting and vandalism throughout the City of Oakland and at least two shootings. Officers made arrests when appropriate and when safe to do so.

At 0011 hours, there were shots fired at the PAB but thankfully there were no injuries. Suspect vehicle is white Lexus with black fenders. The suspect vehicle was located near the 19th Street and San Pablo Ave. Suspects fled from the vehicle. A perimeter and search was initiated and three suspects were taken into custody.

At 0106 hours, there was a shooting at Jack London Square. The suspect vehicle was located by ARGUS and three suspects were detained in the Acorn housing development. A firearm was recovered.

The EOC closed at 0430 hours.

See Appendix A for a timeline of events for the operational period.

Planning

Lt. Shannon and Lt. Yu were the Planning Chiefs. Lt. Yu completed the detail.

Captain Wingate conducted briefings and Lt. Yu prepared the Operations Plan on behalf of DC Holmgren.

Logistics

Sgt. N. Calonge was assigned as the Logistics Section Chief for this event. All personnel brought assigned equipment. Logistics supplied vans for deployment and food.

Finance

Fiscal Manager S. Shavies was the Finance Chief for this event.

Mass overtime sheets were used. Overtime was authorized and days off were cancelled.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

Safety officer duties were covered by the Oakland Fire Department.

There were three (3) reported officer injuries. None of them required transportation to a medical facility.

Staging / Liaison

Acting Captain W. Lau managed Staging and Liaison for this event. The staging area was established at 600 Washington (PAB).

Mutual Aid consisted of the following:

Agency	Staffing
Livermore PD	5
ACSO	96
Albany PD	2
Berkeley PD	50
Fremont/Union City/Newark	27
Piedmont PD	2
Marin County SO	18
Falck Ambulance	3
TOTAL	203

Public Information Officer

Manager P. Chambers, Officer J. Watson (PIO) and Officer F. Aisthorpe (PIO) were assigned to this event and responded to media requests.

Following the events of 31 May 20, there were news articles referencing the events as follows (not an exhaustive list):

- *Nearly 60 Arrested As Unruly Night Follows Peaceful Day Of Protests In Oakland*
<https://sanfrancisco.cbslocal.com/2020/06/01/george-floyd-protests-unruly-night-oakland-nearly-60-arrested-fruitvale-neighborhood-stores-vandalized-looted/>
- *George Floyd protests: Oakland institutes curfew, Reversing initial disavowal over weekend, city officials ask for residents’ cooperation*
<https://www.eastbaytimes.com/2020/06/01/george-floyd-protests-oakland-institutes-curfew/>
- *Oakland demonstrators face off with police on third night of George Floyd protests*
<https://www.sfchronicle.com/bayarea/article/Oakland-demonstrators-face-off-with-police-on-15307203.php>

Use of Force

Use of Force

The use of force was reported. See Statistical Data for this date for a breakdown of the levels of force reported.

Tango Team

Four (4) Tango Teams were utilized for this event. Munitions were deployed.

Arrests

There were seventy-nine (79) arrests made. The predominant charge was 459 PC – Burglary.

Statistical Data

<p>Number of OPD Personnel Assigned to Event</p>	<p>1 – Deputy Chief 6 – Captains 13 – Lieutenants 1 - Manager 62 – Sergeants 301 – Officers 3 – Dispatchers</p> <hr/> <p>387 – Total OPD Members</p>
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Number of Outside Agency Personnel Assigned to Event	203
Number of Subjects, Participants or Protesters at Event	<p>The crowd sizes and locations varied during this operation. There were four (4) major groups observed during this operation.</p> <ul style="list-style-type: none"> • Group 1 ranged from 30-300 participants at any given time. • Group 2 ranged from 250-5000 cars at any given time with an unknown number of occupants/pedestrians. • Group 3 ranged from 200-800 pedestrians and bicyclists. • Group 4 was about 200 hundred people throughout its duration. <p>Please see the Significant Events portion of this date’s report for further details regarding crowd size, location and movements.</p>
Complaints	8 Reported
Use of Force Level 1	1
Use of Force Level 2	4
Use of Force Level 3	12
Use of Force Level 4	65 (31 of which were Type 32s)
Total Uses of Force	82
Overtime Expenditures	6715.50 hours (all ranks)
Arrests Adult (includes NTA)	76 (27 of which were Oakland residents)
Arrests Juvenile (includes NTA)	3 (1 of which was an Oakland resident)
Citations (moving, ped & registration)	Zero
Officers Injured	3
Subject Injuries	1
Uninvolved Party Injuries	None identified

Observations

- Our ability to use ARGUS to monitor the 5,000 cars in the Port of Oakland afforded us an opportunity to deploy ground units only if/when needed. Considering the amount of

work and hours asked of our personnel in the days leading up to this operational period, this was helpful for our rank and file. Additionally, the fact that we had ARGUS overhead meant that uniformed personnel remained largely out of sight, reducing interaction with crowds.

- There were shots fired at the PAB. Units at the PAB put out a vehicle description for other units. The vehicle was ultimately located but the suspects fled on foot into a parking garage. Officers showed due caution by not hastily following the suspects into the garage. OPD and Berkeley PD command and supervisors coordinated a perimeter and search teams for the suspects. Three suspects were eventually taken into custody by Berkeley Police Officers. This showed a high level of perseverance by OPD personnel in the face of violence and a wanton disregard for human life. The coordinated effort by officers on scene relaying information to officers in the field help lead to a successful end.
- At one point, a crowd near the PAB was demanding access to the PAB and expressing anger towards officers guarding the PAB. OPD commanders de-escalated this tense situation by allowing officers to kneel with protesters.
- In addition to the shooting at the PAB previously mentioned, the field units did an excellent job handling a separate shooting less than an hour later. Shots were fired in the area of Jack London Square. Officers located a suspect vehicle fleeing the area. Ground units coordinated with ARGUS to track the vehicle without the need for a pursuit. After the suspects fled on foot, they were taken into custody in an open courtyard by officers directed in by ARGUS. In addition to the shooting incident, officers were able to deduce that the suspects had just been involved in the burglary of a marijuana business. Burglary loss and a firearm were recovered. Despite the chaos going on throughout the city, ground units and supervisors did an excellent job coordinating with air units to come to a successful end.
- Despite having over 370 OPD personnel and 200 mutual aid personnel in the field throughout the operational period, there were not enough to manage crowds and address all the violence and property destruction. Given the multiple in-progress crimes and crowd violence that arose during the operational period, we began to exceed our bandwidth. This operational period had a high level of looting and civil unrest that contributed to the necessity for the City of Oakland to institute a curfew effective June 1, 2020, at 2000 hours until 0500 hours the next day and until further notice. The presence of additional mutual aid officers may have been helpful.
- While responding to looting, OPD officers had to take statements and collect other evidence related to a use of force, leaving them unavailable to address other looting. This shows the usefulness of having a Use of Force Investigations Team assigned during each operational period. It is true that each operational period is assigned at least one main Use of Force Report Writer but during large scale activations, it would be prudent to have one or more Use of Force Investigations Teams as to not detract from the main mission of crowd control and crime (looting) prevention.
- At one point, there were not enough vans available for deployment. Lt. Shannon found a solution by having these units deploy in their patrol vehicles.

Monday, 1 Jun 20

Operational Period	1100-0100 hours
Location of Event	The City of Oakland
Incident Number	LOP200601000650
Report Number(s)	20-027034
Incident Commander	Deputy Chief R. Holmgren
Operations Chief	Captain R. Wingate
Alpha Commander	Captain C. Bolton
Bravo Commander	A/Captain J. Encinias
Charlie Commander	Captain T. Jones
Delta Commander	Captain N. Joshi
Echo Commander	A/Captain E. Lewis

Planned Events / Intelligence

There were six (6) known posted demonstrations in and around Oakland on 1 Jun 20 as follows:

- Oakland – Oakland Tech – 1600 hours
- Oakland – Frank Ogawa Plaza - 2000 hours
- Oakland – 5100 Broadway
- San Leandro – E14th Street - 1800 hours
- Berkeley – 1300 hours
- Fairfield – 1900 hours

The total number of potential participants was unknown.

Sgt. C. Wong, Sgt. M. Valladon and TNT monitored social media, open source and local news stations during the event.

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates. Additionally, Sgt. Jones sent out open source

information, via email, she had found on the internet as summarized below (See Appendix B for screen captures of the open source information):

- RIP Juicer posted @SkyHiDash *“Tonight we take the courthouse #Oakland”*
- From an unknown source *“NEXT HIT IS SAFEWAY FOODMAXX WALGREEN DDS ALL GOOD STORE IN ALAMEDA MEET UP AT SAFEWAY IN 867 Island Dr, Alameda, CA 94502 WE STRIKING AGAIN BE THER AT 7PM!!”*

Significant Events Summary

On Monday, June 1st, the Alameda County Sheriff’s Office issued a county-wide curfew. The City of Oakland also decided to adopt a temporary curfew. San Francisco and other Bay Area cities had done so the night before. The City of Oakland resisted this extraordinary measure, recognizing the City’s proud tradition of activism and the use of tools like curfews to oppress. But the violence and destruction preceding the curfew made it necessary.

On Monday, June 1st, there were two scheduled events. First there was “Covid-19 to Cops: We Can’t Breathe Caravan” with a start time of 1200 hours. This event was handled by OPD Motors.

The second scheduled event was the “George Floyd Solidarity March.” This march was scheduled to start at Oakland Tech High School (4300 block Broadway) and end at FOP. The march started at 1721 hours and began to enter FOP at 1800 hours. It is estimated that around 15,000 people were involved in the march ending at FOP. After the march, the large group started to dissipate in three different groups in varying directions: north, south and west. This event was handled by OPD MFF and the event was peaceful.

As the curfew time approached, the mood of the crowd appeared to change and there were reports of subjects trying to take over the 18th Street on-ramp at Interstate 980 and of people putting on gas masks at 8th Street and Broadway.

From 1930 hours until 2115 hours, there was violence from the crowd that resulted in gas deployments. There were reports of rocks and bottles being thrown at officers at 8th Street and Broadway. There were reports of a male armed with a Molotov cocktail at 8th Street and Washington Street. There was a separate report of a subjects making Molotov cocktails at 9th Street and Broadway. At 2008 hours, ARGUS made curfew order announcements to the remaining crowd. At 2020 hours, 30-40 protestors were detained in the 1400 block of Broadway for curfew violations.

From 2130 until around 2300 hours, there were numerous reports of looting throughout the city but many of the reports were in east Oakland. OPD units deployed city wide to help curb the looting. During this time, there were reports of shootings and a possible sideshow with 40-

50 vehicles. After an increased presence in the area and a few arrests, the problems seemed to quell around midnight.

The EOC closed at 0053 hours.

See Appendix A for a timeline of events for the operational period.

Planning

Lt. Shannon and Lt. Yu were the Planning Chiefs. Lt. Yu completed the detail.

Captain Wingate conducted briefings and Lt. Yu prepared the Operations Plan on behalf of DC Holmgren.

Logistics

Sgt. N. Calonge was assigned as the Logistics Section Chief for this event. All personnel brought assigned equipment. Logistics supplied vans for deployment and food.

Finance

Fiscal Manager S. Shavies was the Finance Chief for this event.

Mass overtime sheets were used. Overtime was authorized and days off were cancelled.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

Safety officer duties were covered by the Oakland Fire Department. There were no reported injuries.

Staging / Liaison

Acting Captain C. Gonzalez managed Staging and Liaison for this event. The staging area was established at 600 Washington (PAB).

Mutual Aid consisted of the following:

Agency	Staffing
Kings County SO	20
UC Berkeley PD	30
San Mateo County SO	45
Albany	2
ACSO	50
UC Santa Cruz PD/UC Merced PD	4
CDCR – San Quentin	28
CDCR – Parole (group 1 of 2)	5
US Marshals	13
CDCR – Parole (group 2 of 2)	25
TOTAL	222

Public Information Officer

Manager P. Chambers, Officer J. Watson (PIO) and Officer F. Aisthorpe (PIO) were assigned to this event and responded to media requests.

Following the events of 1 Jun 20, there were news articles referencing the events as follows (not an exhaustive list):

- *Inside Oakland Protest: Protester Describes Experience Peacefully Marching With 15,000*
<https://sanfrancisco.cbslocal.com/2020/06/02/inside-oakland-protest-protester-describes-experience-peacefully-marching-with-15000/>
- *Tear Gas, Rubber Bullets Fired As Curfew Falls On Oakland Protest; Police Briefly Detain KPIX 5 Reporter*
<https://sanfrancisco.cbslocal.com/2020/06/01/tear-gas-rubber-bullets-oakland-protest-george-floyd-kpix-katie-nielsen/>
- *How 2 Oakland students got 15,000 people to march against police violence on Monday*
<https://www.berkeleyside.com/2020/06/02/how-oakland-students-got-15000-people-to-march-against-police-violence-on-monday>

Use of Force

Use of Force

The use of force was reported. See Statistical Data for this date for a breakdown of the levels of force reported.

Tango Team

Four (4) Tango Teams were utilized for this event. Munitions were deployed.

Arrests

There were one hundred sixty-five (165) arrests made. The predominant charge was for violating Oakland Municipal Code Section 8.50.080 – Obstruct or Hinder Emergency Operations.

Statistical Data

Number of OPD Personnel Assigned to Event	1 – Deputy Chief 9 – Captains 14 – Lieutenants 1 – Manager 65 – Sergeants 303 – Officers 3 – Dispatchers <hr/> 396 – Total OPD Members
Number of Outside Agency Personnel Assigned to Event	222
Number of Subjects, Participants or Protesters at Event	100 to 15,000 at various times.
Complaints	13 Reported
Use of Force Level 1	Zero
Use of Force Level 2	2
Use of Force Level 3	10
Use of Force Level 4	33 (24 of which were Type 32s)
Total Uses of Force	45
Overtime Expenditures	4364.75 hours (all ranks)
Arrests Adult (includes NTA)	163 (78 of which were Oakland Residents)
Arrests Juvenile (includes NTA)	2 (Neither were Oakland residents)

Citations (moving, ped & registration)	Zero
Officers Injured	None identified
Subject Injuries	None identified
Uninvolved Party Injuries	None identified

Observations

- When arrests were made at 14th and Broadway, personnel showed good coordination to affect the arrests and facilitate prisoner processing.
- The Incident Commander and Operations Chief made decisions to place Tango Teams in strategic positions to protect officers from those who had clear intent on causing great bodily harm on law enforcement.
- There was strong messaging by command at line-ups that our posture was going to be focused on the protection of life and our intent was not to unnecessarily engage with a crowd if they were peaceful and free of violence.
- This was a long physical day. Snacks and water from logistics was greatly appreciated and, for the most part, timely.
- The Tango Teams stayed in close communications with their respective commanders and continued to support the MFF platoons that had to respond to looting and vandalism in the downtown area. This was a good coordinated effort from both sides (command and Tango Team).
- Coordinating real time tracking of Tango Team munitions deployment was made unnecessarily difficult. The Department should consider having predesignated Use of Force writers for each Tango Team each time they are deployed. This person can serve as a pathfinder or scribe that is not part of the tactical element. This would also make overall force reporting for the deployment period more manageable. It is not realistic to expect Tango Team leaders to investigate Uses of Force while they are working under such extreme conditions. Providing this resource to the Tango Teams would allow for a more comprehensive and real-time snapshot of force deployment.

Tuesday, 2 Jun 20

Operational Period	1100-0000 hours
Location of Event	The City of Oakland
Incident Number	LOP200602000229
Report Number(s)	20-027193
Incident Commander	Deputy Chief R. Holmgren
Operations Chief	Captain R. Wingate
Alpha Commander	Captain C. Bolton
Bravo Commander	A/Captain J. Encinias
Charlie Commander	Captain N. Joshi

Planned Events / Intelligence

There were four (4) known posted demonstrations in and around Oakland on 2 Jun 20 as follows:

- Oakland – Plaza de la Fuente 34th Avenue and International – 1700 hours
- Oakland – 7th and Broadway – 1600 hours
- San Mateo – Looting starting at Redwood City Target – 2130 hours
- Solano – 2000 hours

Sgt. C. Wong, Sgt. M. Valladon and TNT monitored social media, open source and local news stations during the event.

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates. Additionally, Sgt. Jones sent out open source information, via email, she had found on the internet as summarized below (See Appendix B for screen captures of the open source information):

- *“The Minneapolis Uprising Points the Way! Spread the Fiery Spirit of Minneapolis by Any Means Necessary”* Tuesday June 2 5pm RALLY & MARCH EAST OAKLAND

- BAMN posted @followbamn *“EAST OAKLAND Rally and March, TUESDAY JUNE 2, 5PM – Gather at Plaza de la Fuente (34th Ave and International Blvd). #JusticeForGeorgeFloyd #JailChauvinandAllCopsInvolved #Oakland #Protest #JailAllKillerCops #ABadgetsNotALicenseToKill...”*
- Isteelstuff posted *“Occupy our streets? We’ll occupy yours. Protest at Pakland PD, 7th and Broadway Tuesday, June 2, 4pm No violence, no damage. Just lots of yelling. Don’t give them a reason to gas peaceful protestors. Know that they till might. Masks + 6’ distance.”*

Significant Events Summary

On Tuesday, June 2nd, there were two planned events.

OPD became aware of the first incident via social media posts made on 2 Jun 20, before noon. The posters requested that protestors converge at the PAB at 1600 hours. The second event was posted on social media on 1 Jun 20, by the group By Any Means Necessary (BAMN). They called for protestors to meet at 34th and International Blvd at 1700 hours for a march and rally until 2300 hours.

At 1609 hours, Protestors began to converge in the 800 block of Broadway. The group grew to about 300 people. At 1720 hours, there were 75 protestors gathered at 34th and International in De La Fuente Plaza/Fruitvale Village. At 1727 hours, the march began but started to lose marchers around 1917 hours.

At 1751 hours, the protestors in the 800 block of Broadway approached the officers on the skirmish line and yelled at them. This group began to march and much of them ended up in FOP. As the 2000 hours curfew approached, about 100-150 marched southbound towards the PAB. They made their way to the 800 block of Broadway and slowly dispersed. By 2143 hours, there were only about 50 protestors left and then eventually all left the area.

At 2202 hours, unrelated to the protest, officers request emergency radio traffic only due to officers attempting to detain an identified murder suspect in a vehicle. The suspect fled the area and the vehicle but was quickly detained.

The EOC closed at 0000 hours

See Appendix A for a timeline of events for the operational period.

Planning

Lt. Shannon and Lt. Yu were the Planning Chiefs. Lt. Yu completed the detail.

Captain Wingate conducted briefings and Lt. Yu prepared the Operations Plan on behalf of DC Holmgren.

Logistics

Sgt. N. Calonge was assigned as the Logistics Section Chief for this event. All personnel brought assigned equipment. Logistics supplied vans for deployment and food.

Finance

Fiscal Manager S. Shavies was the Finance Chief for this event.

Mass overtime sheets were used. Overtime was authorized and days off were cancelled.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

Safety officer duties were covered by the Oakland Fire Department. There were no reported injuries.

Staging / Liaison

Acting Captain C. Gonzalez managed Staging and Liaison for this event. The staging area was established at 600 Washington (PAB).

Mutual Aid consisted of the following:

Agency	Staffing
Kings County SO	20
UC Berkeley PD	30
San Francisco CO SO	27
Piedmont PD	3
CDCR	109
US Marshals	24
Lassen County SO	4
TOTAL	217

Public Information Officer

Manager P. Chambers, Officer J. Watson (PIO) and Officer F. Aisthorpe (PIO) were assigned to this event and responded to media requests.

Following the events of 2 Jun 20, there was at least one news article referencing the events as follows:

- ‘Pillar’ organizations call for civil disobedience against Oakland’s curfew tonight. Here’s what’s at stake <https://www.berkeleyside.com/2020/06/03/pillar-organizations-call-for-civil-disobedience-against-oaklands-curfew-tonight-heres-whats-at-stake>

Use of Force

Use of Force

There were four (4) Level 4 uses of force reported.

Tango Team

Four (4) Tango Teams were utilized for this event. No munitions were deployed.

Arrests

There were four (4) arrests. There predominant charge was 463(a) PC – Looting

Statistical Data

Number of OPD Personnel Assigned to Event	1 – Deputy Chief 9 – Captains 14 – Lieutenants 1 – Manager 67 – Sergeants 303 – Officers 3 – Dispatch <hr/> 398 – Total OPD Members
Number of Outside Agency Personnel Assigned to Event	217
Number of Subjects, Participants or Protesters at Event	There were two groups. <ul style="list-style-type: none"> • Group 1 ranged from a low of 50 to a high of about 600 people at different points and locations. • Group 2 ranged from low of 75 to a high of about 150 people at different points and locations.
Complaints	27 Reported
Use of Force Level 1	Zero
Use of Force Level 2	Zero
Use of Force Level 3	Zero
Use of Force Level 4	4 (3 of which were Type 32s)
Total Uses of Force	4
Overtime Expenditures	2206.25 hours (all ranks)
Arrests Adult (includes NTA)	4 (1 of which was an Oakland Resident)
Arrests Juvenile (includes NTA)	Zero
Citations (moving, ped & registration)	Zero
Officers Injured	None identified
Subject Injuries	None identified
Uninvolved Party Injuries	None identified

Observations

- Near the end of the evening, OPD units went Code 33 to apprehend a previously identified murder suspect. Given the focus on our Mobile Field Force, it would have been understandable for officers to have missed the presence of such a suspect. That was not the case. Department personnel showed professionalism via radio discipline and dedication to the residents of the community by focusing on the alternate task at hand. Even after the murder suspect fled from a vehicle on foot, officers had the resolve to locate and arrest the suspect without incident. The officers successfully pivoted and responded to an organic occurrence unrelated to the primary task.
- Early in the protest, while protesters occupied the intersection of 8th Street and Broadway, OPD established a skirmish line on the south side of the intersection. Ultimately, this drew the attention of the protesters to OPD personnel. OPD became the focus and subjects approached officers and began to scream at them at close range; many of the protestors were not wearing masks. Setting up farther south at a greater distance is an option to consider, although protestors may have still insisted on getting close to the officers.

Wednesday, 3 Jun 20

Operational Period	1000-0030 hours
Location of Event	The City of Oakland
Incident Number	LOP200529000418
Report Number(s)	20-026554
Incident Commander	Deputy Chief R. Holmgren
Incident Commander	Deputy Chief R. Holmgren
Operations Chief	Captain R. Wingate
Alpha Commander	Captain C. Bolton
Bravo Commander	A/Captain J. Encinias

Planned Events / Intelligence

There were two (2) known posted demonstrations in and around Oakland on 3 Jun 20 as follows:

- S.F. to Oakland - Car Caravan protest starting at 1030 hours
- Oakland – “F**K Your Curfew” at 2005 hours at 14th and Broadway

Sgt. T. Dinh, Sgt. C. Wong, Sgt. M. Valladon and TNT monitored social media, open source and local news stations during the event.

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates. Additionally, Sgt. Jones sent out open source information, via email, she had found on the internet as summarized below (See Appendix B for screen captures of the open source information):

- antipoliceterrorproject posted *“F**K your curfew antipoliceterrorproject Family, JOIN US Wednesday night 6/3 at 8:05 pm as #TheTown Sits OUT the Curfew We’ll be sitting down in the intersection of 14th and Broadway to saw an unequivocal ‘F**k your curfew!’”*

- SimoneDeBovine posted that *“There is an Anti Police Terror action tomorrow night that is a direct action in protest of the Curfew. You can find it on their Instagram and facebook. I’ll be there too. That’s where I am planning to be civilly disobedient.”* In the same thread SimoneDeBovine goes on, *“I’m organizing it. Peaceful. No violence. No intention to get arrested today. That’s for the APTP action tomorrow night.”*
- LaborSolidarityCommittee posted A Workers First Car Caravan staging in San Francisco at Oracle Park at 1030 hours and arriving at the Oakland Federal Building at noon.
- bonbonalley posted *“what to do with bricks: set them up as barricades the way hongkong did so cop cars will have a hard time manouvering towards the people and running them over”*
- From an unknown poster, *“This is NOT a kid friendly action. Please take precautions TONIGHT WEDNESDAY 6/3 @ 8:05pm 14TH & BROADWAY OAKLAND”*

Significant Events Summary

On Wednesday, June 3rd, there two planned large and peaceful protest that were uneventful:

1. One at Mosswood Park which mostly consisted of doctors and nurses on their lunch breaks.
2. The other was a “Walking in Unity” march around Lake Merritt with about 1,000 people. (1200 hours)

Later, starting at 1830 hours, a crowd began to gather at FOP. By 2000 hours, the crowd grew to about 3,000 people and spread to the intersection of 14th & Broadway. By 2140 hours, the crowd grew to a high of 8,000 attendees listening to speakers.

At 2230 hours, the crowd had shrunk to about 1,000 people. By midnight, there were just a few people milling about and the event was concluded.

No violence occurred but City buildings and the FOP grounds were vandalized and there were multiple reports of subjects shining green lasers at a news helicopter.

The EOC closed at 0028 hours.

See Appendix A for a timeline of events for the operational period.

Planning

Lt. Shannon and Lt. Yu were the Planning Chiefs. Lt. Yu completed the detail.

Captain Wingate conducted briefings and Lt. Yu prepared the Operations Plan on behalf of DC Holmgren.

Logistics

Sgt. N. Calonge was assigned as the Logistics Section Chief for this event. All personnel brought assigned equipment. Logistics supplied vans for deployment and food.

Finance

Fiscal Manager S. Shavies was the Finance Chief for this event.

Mass overtime sheets were used. Overtime was authorized and days off were cancelled.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

Safety officer duties were covered by the Oakland Fire Department. There were no reported injuries.

Staging / Liaison

Acting Captain C. Gonzalez managed Staging and Liaison for this event. The staging area was established at 600 Washington (PAB).

There was no Mutual Aid used during this deployment period.

Public Information Officer

Manager P. Chambers, Officer J. Watson (PIO) and Officer F. Aisthorpe (PIO) were assigned to this event and responded to media requests.

Following the events of 3 Jun 20, there was at least one news article referencing the events as follows:

- In Oakland, protesters turn streets into giant dance party: 'One more song'
<https://www.latimes.com/california/story/2020-06-04/in-oakland-protesters-turn-streets-into-giant-dance-party>
- Thousands Turn Out For Peaceful Oakland George Floyd Demonstrations
<https://sanfrancisco.cbslocal.com/2020/06/04/thousands-turn-out-for-peaceful-oakland-george-floyd-demonstrations/>

Use of Force

Use of Force

There was no report of the use of force.

Tango Team

Four (4) Tango Teams were utilized for this event. No munitions were deployed.

Arrests

No arrests were made involving this event.

Statistical Data

Number of OPD Personnel Assigned to Event	1 – Deputy Chief 8 – Captains 14 – Lieutenants 1 – Manager 67 – Sergeants
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	299 – Officers 3 – Dispatch <hr/> 392 – Total OPD Members
Number of Outside Agency Personnel Assigned to Event	None
Number of Subjects, Participants or Protesters at Event	5 to 8,000. The crowd(s) varied in size and location ranging from 400 people by Lake Merritt at 1751 hours, to a maximum of around 8,000 people at 14 th & Broadway at 2142 hours and then down to 5-10 people at 14 th & Broadway waiting for rides at 0013 hours.
Complaints	Zero
Use of Force Level 1	Zero
Use of Force Level 2	Zero
Use of Force Level 3	Zero
Use of Force Level 4	Zero
Total Uses of Force	Zero
Overtime Expenditures	2319 hours (all ranks)
Arrests Adult (includes NTA)	Zero
Arrests Juvenile (includes NTA)	Zero
Citations (moving, ped & registration)	Zero
Officers Injured	None identified
Subject Injuries	None identified
Uninvolved Party Injuries	None identified

Observations

- During this event, a vehicle and occupants were identified as delivering flammable materials to people during the protest. OPD and CHP did an excellent job coordinating the identification of the involved parties and vehicle. Ultimately, this coordination lead to the detention and the arrest of the appropriate parties and removal of the vehicle away from the main protest. This enforcement specifically and successfully targeted those identified trying to incite, or act in the furtherance

of, violence that posed a great risk to the public at large and law enforcement personnel.

- The instituted curfew was a main source of discontent among the protestors during this day's event. Although there were up to 8,000 people at 14th Street and Broadway, the Department did an excellent job not becoming the focus. Rather than being confrontational about the strict enforcement of an ordered curfew, the Department allowed parties to give speeches and make announcements. This did cause traffic issues and required the re-routing of bus routes but the overall positive outcome of thousands of people leaving peacefully with minor reports of vandalism far outweighed the traffic/bus issues.
- Hindsight being 20/20, we should have given more attention, by undercover officers, to identifying subjects using lasers at aircraft and personnel. Based on what we have learned since this event, many of these green lasers can cause permanent blinding eye damage. Moving forward, this dangerous threat should receive more focus if/when it arises.

Thursday, 4 Jun 20

Operational Period	1400-2100
Location of Event	The City of Oakland
Incident Number	LOP200604000399
Report Number(s)	20-027488
Incident Commander	Deputy Chief R. Holmgren
Operations Chief	Captain C. Bolton
Alpha Commander	Captain C. Bolton
Alpha 1st Platoon	Lieutenant R. Rosin
Alpha 2nd Platoon	A/Lieutenant B. Hubbard

Planned Events / Intelligence

There were two (2) known posted demonstrations in and around Oakland on 4 Jun 20 as follows:

- Oakland – FOP 1600 hours “End Police Brutality”
- San Leandro – 1555 Hesperian Blvd (Walmart). 1500 hours

Sgt. T. Dinh, Sgt. C. Wong and TNT monitored social media, open source and local news stations during the event.

Sgt. KC Jones supervised plain clothes units for this event, searched for pre-event open source intelligence and provided intelligence updates. In addition to the two events noted above, Sgt. Jones sent out open source information, via email, she had found on the internet as summarized below (See Appendix B for screen captures of the open source information):

- Healthcare Providers Kneel In, June 4th at 5:30pm at Frank H. Ogawa Plaza meet at the world famous HotBoys. The plan was to kneel for 8 minutes and 46 seconds in silence.
- Unknown poster “OAKLAND – Thursday, June 4. Gather 6pm in Oscar Grant Plaza (14th & Broadway) for Rally and March. Be there! Keep Marching Until We Win!”

#NoJusticeNoPeace THE REAL POWER IN THE STREETS TRUMP MUST RESIGN OR BE REMOVED! TRUMP AND PENCE MUST GO NOW!

Significant Events Summary

On Thursday, June 4th, there were three events publicized.

1. Peaceful sit-in to “End Police Brutality” in Frank Ogawa Plaza (FOP) scheduled for 1600 hours
2. Healthcare Providers “Kneel In” at FOP scheduled at 1730 hours.
3. March and rally at FOP by By Any Means Necessary (BAMN) at 1800 hours.

The first of three events started at 1600 and grew to about 500 by 1730 hours when the march started. They marched around downtown and west Oakland until they encountered a CHP skirmish line on eastbound 14th Street at the Interstate 980 overcross. From that group, about 200 went around on 17th St while the other 300 waited in the intersection of Brush and 14th St. The overpass was then reopened and the crowd returned to FOP. The reconvened group of 500 listened to speakers in FOP.

At 1945 hours, the group hand dwindled to about 200 people. At about 2005 hours, the group ended their speeches and left.

The EOC closed at 2100 hours.

See Appendix A for a timeline of events for the operational period.

Planning

Lt. Yu was the Planning Chiefs. Lt. Yu completed the detail.

Captain Bolton conducted briefings and Lt. Yu prepared the Operations Plan on behalf of DC Holmgren.

Logistics

Sgt. N. Calonge was assigned as the Logistics Section Chief for this event. All personnel brought assigned equipment. None needed for this deployment period.

Finance

No Finance Chief for this deployment period.

Mass overtime sheets were used. Overtime was authorized.

The fund codes for the operational period were as follows:

Project: 1000008
Task: 1010.PS13.TRACK.1541
Program: I 197
Org: 108110

Safety

None for this deployment period.

Staging / Liaison

None for this deployment period.

Public Information Officer

Manager P. Chambers and Officer Watson (PIO) were assigned to this event and responded to media requests. No post event media coverage was identified.

Use of Force

Use of Force

There was no report of the use of force.

Tango Team

Three (3) Tango Teams were utilized for this event. No munitions were deployed.

Arrests

None for this deployment period.

Statistical Data

Number of OPD Personnel Assigned to Event	1 – Deputy Chief 1 – Captain 3 – Lieutenants 1 – Manager 29 – Sergeants 140 – Officers 1 – Dispatcher <hr/> 176 – Total OPD Members
Number of Outside Agency Personnel Assigned to Event	None
Number of Subjects, Participants or Protesters at Event	20 to 500 people. The crowd varied in size and location. The main crowd at FOP started at around 200 people and grew to about 500 mobile marchers. Near the end of the operation, the ground had dwindled down to about 20 people.
Complaints	2 Reported
Use of Force Level 1	Zero
Use of Force Level 2	Zero
Use of Force Level 3	Zero
Use of Force Level 4	Zero
Total Uses of Force	Zero

Overtime Expenditures	734.50 hours (all ranks)
Arrests Adult (includes NTA)	Zero
Arrests Juvenile (includes NTA)	Zero
Citations (moving, ped & registration)	Zero
Officers Injured	None identified
Subject Injuries	None identified
Uninvolved Party Injuries	None identified

Observations

- Given that there was no intelligence identifying fringe groups with a goal of committing vandalism and our main objective was to facilitate peaceful protests/marches, we did a great job keeping a low profile. Rather than being the focus of the event, we were there to respond when needed. This became apparent when we needed to facilitate the march at 14th Street and Brush Street when the intersection was initially block by CHP. We were able to intercede when necessary (see below).
- With regards to getting caught off guard with CHP's block on 14th Street at Brush Street, we did a good job facilitating the portion of the march that decided to detour the wrong way on Brush and then eastbound on 17th Street over the freeway towards FOP. Then, once communication was established with CHP, we were able to speak with CHP, have them break down their line and fallback to their vehicles to protect their vehicles from potential vandals. We adapted and overcame a potential flashpoint during what was an otherwise peaceful event.
- In the incident mentioned above, a contingent of CHP was standing by to deploy, to freeway on-ramps/off-ramps, on the 14th Street overcrossing (over I-980). The CHP personnel appeared to be caught off guard and quickly deployed a skirmish line preventing marchers from accessing the overcrossing eastbound. This otherwise peaceful group was now at odds with the CHP. CHP's response to prevent possible damage to their vehicles was understandable but it was a lack of ability to communicate with CHP that caused this issue and prolonged our ability to remedy it. During most EOC activations, CHP has a representative present in the EOC to pass on pertinent information. That was not the case on June 4th. Had a member of the CHP been at the EOC, the personnel on the overcrossing could have been advised to move off the overcrossing before the group arrived; relieving the need to deploy a skirmish line. Additionally, even if the skirmish line had been deployed out of an exigency, had there been a CHP representative at the EOC, OPD could have

communicated our desire to have CHP fall back to their vehicles and allow the march to proceed eastbound back towards FOP. This ultimately did happen but required OPD supervisors and commanders to make face to face contact with CHP supervisors on scene. In this scenario, there was no ultimate negative outcome but the confrontation between CHP personnel in riot gear and otherwise peaceful marchers could have had an unintended negative outcome. Moving forward, OPD should request the presence of a CHP representative at every EOC activation.

Commander Feedback

To help prepare this report, a command debrief was held on 11 Jun 20 and feedback was solicited from the Operations Chiefs and Company Commanders for each day of operations. A summary of their feedback—much of which was incorporated into the Observations for each day—follows:

1. Oakland Police Department's Internal Affairs Division (IAD) personnel were used in staging and administrative functions during these operations. Pursuant to policy, IAD personnel did not otherwise participate in operations. This fosters just and unbiased IAD investigations stemming from such events.
2. OPD should consider training multiple officers or sergeants how to be the Safety Officer at the EOC and liaise with the OPD Medical Unit. This position was formerly staffed by an OPD Member and allowed the Department to have a better picture of who may have been injured and their status.
3. Pathfinders should be prepared to document when the teams they are escorting use force and/or deploy munitions. This is not to say that they need to complete a Use of Force report for the outside agency but should note, as much as possible, what they observed and document it in a supplemental report.
4. For larger groups of mutual aid, the Department should consider using an OPD Lieutenant as a pathfinder. Often, these larger groups are deployed from their home agency with at least one commander. Deploying an OPD Lieutenant with these large groups will help in a linear command with checks & balances that might otherwise not exist if an OPD officer is assigned to one of these larger groups. Simply stated, an OPD officer might not feel comfortable directing an outside agency commander.
5. In situations where mutual aid agencies have been held over from previous day's events, due to the remote nature of their home agency (put up locally in hotels), higher ranking members of the agencies should be invited and encouraged to attend the line-ups held for OPD personnel. This serves the dual purpose of allowing the outside agency leaders to be apprised of the consistent direction given their personnel and our personnel and the secondary purpose of affording outside agency command/supervision the reverence we would afford any member of our own agency.
6. Very often protests/riots fracture into dozens of small splinter groups that prolong events for hours. When this occurs, we should be prepared to redeploy some, or all, units from vans to Adam Units in patrol cars with the understanding

that they may need to regroup and re-deploy in the vans if the dynamics change. This would provide a massive increase in visibility and flexibility when it becomes clear tactics need to be adjusted.

7. Planning for report writing time is critical, as is training officers in this unique type of report writing. Writing to provide a snapshot of what any individual member went through, did and experienced is different than responding to a static location and taking a cold report from a member of the public. Emphasis needs to be placed on observations, why the observations are important and collection of evidence on the fly on BWC video.
8. Use of Force reporting for mass events should be reworked. The Department should consider having a Use of Force Report Writer for each company or platoon. This reporting shift should also extend to how we capture the event, including video teams. Training and planning with video teams needs to occur so that we can quickly seize the narrative of an event.
9. The auditorium does not work for some larger briefings. There are not enough seats for everyone, which requires members to be outside the auditorium and unable to hear pertinent details. This issue is currently compounded with COVID-19 requirements. The Department should consider the instillation of screens and speakers in the auditorium side of the PAB lobby to be used when the lobby is secured for law enforcement personnel as has been the case recently.
10. A portion of the Vans need to be staged at the Eastmont Substation. It is difficult for members to commute to the PAB in patrol cars with multiple officers and their associated equipment.
11. Electronic copies of signed final Operations Plans should be sent to all supervisors and above as soon as practical for each day of operations. Logistically and environmentally, printing out copies for each person is not viable. This would clarify the daily mission. This has been addressed in subsequent operations.
12. During these operations, we used a mixture of barricade types. We should focus more on using barricades that require mechanical deployment (due to weight or need for water as a filler) and rely less on barriers that can be moved by one or two people. More substantial barriers would provide extra cover and provide clear direction to those marching.
13. Operations commanders should feel more comfortable using under used companies to bifurcate and bolster other companies that may be struggling for resources. There were instances where the company assigned to the PAB had little to no activity and could have provided, even if only temporarily, assistance elsewhere.

14. There were instances where OFD responded to put out fires but were overwhelmed with CS. Absent wearing their self-contained breathing apparatus (SCBA), the City should consider issuing gas masks to OFD personnel. If OFD personnel have already been issued gas masks, they should be required to have them available during crowd control operations.
15. With the increased presence of Molotov Cocktails and similar devices, QRFs should be supplied with larger (10-20 lbs) fire extinguishers and fire blankets. Relying on or waiting for OFD to come into a volatile area could be catastrophic for law enforcement personnel and/or members of the public. This is not to say that OFD isn't willing to respond, it is just a matter of fact that logistically and realistically, a rapid OFD response is not always feasible.
16. When at all possible, line-ups should be scheduled to allow two hours to get on post. As some people show up early for scheduled protests, more time on the front end would alleviate a rush to deploy.
17. Given the fact the PAB is increasingly becoming the focus of protests, the department should consider relocating the staging area to a secure area farther away from 7th Street and Broadway but close enough to have a rapid response.
18. Several officers were injured on the skirmish lines at 7th and Broadway by various objects thrown from the crowd. Having tactical emergency medical support (TEMS) with our teams was a considerable benefit. We were able to have TEMS respond and quickly provide treatment.
19. We should consider having portable mobile lights on trailers readily available. These would mostly be used around the PAB but could also be towed to other locations. Illuminating riotous behavior would assist officers in identifying potential attacks, aid in clearer BWC video and would be beneficial for follow-up investigations.
20. Increase crowd control training to include basic formations. The Department should also explore the idea of additional training with padded gear and plexiglass shields. Consider drafting teams of volunteers to train with the padded gear and shields. These groups could be deployed as arrest teams or as QRFs. These groups could also train with fire extinguishers and fire blankets previously recommended.
21. The Oakland Police Department has multiple captains but seem to only have a small recurring number of captains managing major events. This leads to mental fatigue, a lack of institutional equity and contrary to the tenants of internal Procedural Justice. The Department should use a schedule for captains to cover each week like a call-out rotation. This will bolster knowledge, skills and abilities to better serve the community.

22. We should explore the idea of the PAB and immediate areas around the PAB being outfitted with high definition cameras to capture the nature of the crowd present. Often, the crowd and the crowd's activity can be missed at ground level with BWC video and mobile video teams.
23. The City should consider requiring a minimum of one member of the Police Commission and one member of the City Council to be present on the ground with the Operations Chief in order to record and observe the situation in real time and nature. This is consistent with what the National Lawyers Guild does with identified protest groups. Members of the commission and council make policy and review decisions made by the Department. This firsthand perspective will allow for more efficacy in policy consideration and implementation.

Conclusion

During the varying days of civil unrest, the Oakland Police Department adjusted responses from day to day as was necessary.

On Friday, 29 May 20, personnel were severely outnumbered. The crowds were violent and used an overwhelming surge to cause damage to the City of Oakland and to commit acts of violence against law enforcement. Moving forward, we began to adapt in our response and planning.

On Saturday, 30 May 20, the Department set out to be more mobile to facilitate the mostly peaceful marches. This was generally successful in the downtown area but we, and our mutual aid partners, began to get stretched thin when it came time to deal with the central marches while simultaneously tending to looting and shootings near Emeryville; away from the central marches.

On Sunday, 31 May 20, the Department and mutual aid partners again set out to facilitate marches and peaceful protests in accordance with Constitutional rights to do so. Unfortunately, city wide looting began to occur at a level unseen before; causing all personnel resources to be stretched city wide. To compound matters, OPD personnel dealt with two shooting incidents within an hour.

On Monday, 1 Jun 20, the Department's posture was to facilitate multiple peaceful examples of civil solidarity. This was to be the first day of the regional 2000 hours curfew. The largest event was a march starting at Oakland Technical High School. It is estimated that around 15,000 people were involved in the march ending at FOP. After the march, the large group started to dissipate in varying directions. At this point, the plan to facilitate a peaceful assembly was successful. However, as the scheduled curfew approached, the mood and posture of the remaining crowd changed. OPD and mutual aid partners, set up skirmish lines but protestors engaged with the skirmish lines. Law enforcement personnel began to report that protestors were throwing rocks and bottles. Munitions were deployed. Shortly after the curfew went into effect, curfew announcements were made. At around 2020 hours, multiple subjects were detained for curfew violations in the 1400 block of Broadway. Over the next couple of hours, there were reports of vandalism and looting all over the city. This went on until around midnight.

On Tuesday, 2 Jun 20, the Department showed great restraint and elected to wait out the people protesting the curfew and to focus on addressing acts of criminal behavior and violence. There were two separate marches that were relatively peaceful. Right around 2000 hours, as

the curfew was set to take effect, around 150 people settled in around 8th Street and Broadway. Absent any acts of violence, our posture was controlled and set back to a position of observation. Over the course of the next couple hours, the crowd dissipated without incident.

On Wednesday, 3 Jun 20, the focus of the protestors appeared to be the curfew. The Department's stance was consistent with that of the day before; despite the curfew, we would wait out a peaceful crowd from an observable distance to not be the group's focus. At around 2000 hours, the beginning of the curfew, there were around 3000 subjects in the intersection of 14th and Broadway. In just over an hour and a half, the crowd size grew to around 8,000 people. By 2230 hours, the group had dropped in size to about 1,000-1,200 people. By 2345 hours, the group was down to about 50 people and vehicles began to drive on Broadway. Just after midnight, there were just a few people in the area. The night's events concluded without incident.

On Thursday, 4 Jun 20, the Department's approach was to facilitate lawful protests and a march. The Department facilitated events from around 1600 hours to just after 2000 hours without incident.

The Oakland Police Department evolved daily in its approach to curb violence and crime associated with protests and we recognize the continual nature of adaptability in moving forward. Pursuant to Training Bulletin TB III-G, this *After-Action Report* is meant to help the Department continually enhance its operations by allowing the Department to identify immediately apparent observations and training points.

Once the further in-depth investigations and reviews by internal and external bodies conclude, we anticipate that there will be additional opportunities to lift up successes, gain a deeper understanding of constantly evolving crowd dynamics and enhance our tactical approaches—all towards the goal of continually growing as an organization.

Appendix A (Daily Timelines)

29 May 20:

During the evening of Friday, May 29, the first of many large-scale events protesting of the death George Floyd began in Oakland at Frank Ogawa Plaza (FOP). Social media posts directed protestors to meet at FOP for an “FTP Vengeance For George Floyd Minneapolis Solidarity Demo” at 2000 hours.

The following is timeline of significant events that evening.

- **1700-2008 hours – Peaceful**
 - 1700 hours - Oakland Emergency Operations Center (EOC) was activated.
 - 1819 hours - About 100 peaceful protestors in the FOP area.
 - 1900 hours - 100-200 protestors in the intersection at 14th and Broadway, blocking north and southbound traffic. They are peaceful and the crowd size is increasing quickly (Group 1).
 - 1919 hours - Group 1 left FOP and began marching northbound on Broadway. The crowd was peaceful.
 - 1939 hours - This crowd marched around the downtown area before passing 14th and Broadway. Some from Group 1 remained in FOP and others (Group 2) continued southbound toward the Police Administration Building (PAB).
 - 1950 hours - Estimated 600 in Group 2 converges in the 700 block Broadway.
 - 1956 hours - Someone in the Group 2 threw a bottle at officers.
 - 2008 hours - Group 2 crowd size goes down to about 300.
 - 2013-2028 hours - Group 1 at FOP swells from 2,500 to 4,000.

- **2028-2200 hours – March, Vandalism, Violence & Use of Chemical Agents**
 - 2028 hours - Group 1 is 5,000 and growing.
 - 2031-2036 hours - Group 1 begins to march southbound on Broadway blocking all lanes of traffic. The Tactical Negotiations Team (TNT) is unable to establish communications with any possible event organizers. Vandalism at the Goodwill and Chase Bank in the 1300 block Broadway. Vandals are ripping off the wood panels covering the windows. Group 1 is eastbound 12th on towards Franklin St. and then southbound.

- 2037 hours – The estimated crowd of 5,000 in Group 1 splits. About 1,000 continue eastbound 7th towards Alice (Group 3) and the rest travel westbound towards the PAB (Group 1).
 - 2049 hours – The entire 400 block of 7th St east of the PAB is filled with protestors towards Franklin St.
 - 2050 hours - Group 3 enters the off ramp at northbound 880 at 5th and Oak. Group 3 takes over northbound lanes of traffic on 880. Fireworks are being launched on the freeway. Chemical agents deployed by Alameda County Sheriffs.
 - 2057 hours - Protestors in Group 3 are throwing bottles at CHP officers on 880.
 - 2058 hours - Protestors in Group 1 are throwing bottles at officers at 7th and Broadway.
 - 2100 hours - About 1,000 in Group 1 east the PAB and about 2,000 north of the PAB.
 - 2104 hours - Officers start taking rocks and bottles and 10th and Broadway.
 - 2121 hours - About 5,000-6,000 in the area of 7th and Broadway. Officers are taking rocks and bottles. Unlawful assembly declared at 7th and Broadway. Announcements being made for crowd to disperse. Another 1,500-2,000 approaching 7th and Broadway.
 - 2124 hours - TNT1 made unlawful assembly orders in English and Spanish.
 - 2127 hours - Chemical agents deployed. Group 1 scatters north and east from 7th and Broadway.
 - 2133 hours - Additional chemical agents deployed. TNT makes unlawful assembly orders.
 - 2136 hours – More reports of vandalism at businesses.
 - 2139 hours - Group 1 returned back to FOP.
 - 2142 hours - OPD officer injured from fireworks exploding on helmet.
 - 2148 hours – Two Federal Protection Services officers shot, one of them fatally, at 12th & Jefferson.
 - 2157 hours – About 1,000 left by the PAB (Group 4).
- **2200-0200 hours Continuing Violence, Significant Vandalism, Looting & Fires**
 - 2207 hours - Vandalism at City Hall
 - 2209 hours - Molotov cocktails thrown at officers from Group 1 at 7th and Franklin. Announcements made and arrests directed.
 - 2234 hours - Molotov cocktail thrown at officers from Group 1 at 8th and Broadway.
 - 2239 hours - 2,000 at 14th and Broadway (Group 5).

- 2241-2328 hours - Widespread looting and fires as vandals break off into splinter groups go north on Broadway. Significant commercial vandalism, looting and fires on Broadway from 27th St to 34th St. involving numerous groups of 40-100.
- 0059 hours – One in custody for assault with a deadly weapon (vehicle) on an officer at 1400 Broadway.
- Significant vandalism to business in the Chinatown, City Center, Telegraph and Broadway Corridors.

EOC closed at 0315 hours.

30 May 20:

The evening began almost immediately with looting along the Oakland/Emeryville border as well as rocks thrown at a Berkeley PD officer. Units continued monitoring a small group forming at 14th & Broadway while addressing the issues at Best Buy and Home Depot. Looting continued unchecked in Emeryville's Bay St shopping area.

- 1730 hours – EOC initial briefing
- 1810 hours – 14th & Broadway clear, 7th & Broadway clear
- 1840 hours – 50-60 in Emeryville
- 1850 hours – 80 at Eden Township event
- 1855 hours – Small group of about 15 forming at 14th & Broadway, SW corner
- 1920 hours – S/W Corner of 14th & Broadway up to about 40, staying on sidewalk with a few signs
- 1925 hours – BPD went into crowd and taking rocks at SP Safeway's
- 1930 hours – BPD, ACSO, OPD assisting in Emeryville
- 1933 hours – Starbucks in Emeryville vandalized
- 1935 hours – Crowd through Home Depot lot to Hollis
- 1938 hours – East end is clear
- 1940 hours – 1600 block Broadway, reports of people lighting Molotov Cocktails
- 1945 hours – 14th & Broadway is about 100
- 1945 hours – Emeryville crowd has splintered into groups of 20, BPD/ACSO monitoring
- 1950 hours – Group of 100 in Decathlon store in Emeryville
- 1953 hours – AC transit rerouted from 14th & Broadway
- 1955 hours – 100+ made their way into Best Buy
- 1955 hours – People are running out of Best Buy with items, EPD released BPD and ACSO
- 2000 hours – OPD heading back up to Best Buy
- 2003 hours – Units posted IFO Citibank, sending units to post at W. Grand & Broadway
- 2010 hours – About 200 at 14th & Broadway and in FOP
- 2011 hours – Business as usual at 27th & Broadway per CoCoSO
- 2012 hours – Vehicle fire at Best Buy
- 2015 hours – A11-14 on scene at Best Buy
- 2016 hours – Dumpster fire west side of Best Buy, OFD on scene
- 2019 hours – White van at S/W corner of 14th & Broadway inciting crowd
- 2020 hours – SFPD has about 200 marching around their city

The MFF refocused on the crowd forming and marching in the downtown area. Initially, sporadic looting occurred throughout Oakland and in Emeryville while MFF followed the marching

crowd. The crowd was initially noted at around 1900 hours with 15-40 people and eventually reached a high of about 700 just before 2200 hours. At about 2114, the first of many incidences of rocks and bottles thrown at OPD officers occurred.

- 2036 hours – Following a crowd of 300 WB on 14th St. approaching Lake Merritt
- 2037 hours – Possible entry to Sally’s Beauty, 933R
- 2040 hours – Setting off fireworks at Courtyard Marriott in Emeryville
- 2042 hours – H&M has broken glass and clothing is being looted
- 2043 hours – Looting suspect in custody by units on P3, directed by H37
- 2045 hours – Main group NB 1st Ave to EB International
- 2046 hours – OPD getting into vans to follow crowd EB International
- 2049 hours – AT&T store, 4750 Telegraph Ave, reports 459
- 2050 hours – UNIQLO also being looted, people on the roof.
- 2100 hours – 300 spread out over 3 blocks in area of Henry J. Kaiser
- 2102 hours – Ross store, Carter’s, BevMo, Daiso being looted in Emeryville
- 2114 hours – OPD taking rocks at 12th & Broadway
- 2116 hours – 200 people at 14th & Broadway
- 2117 hours – Groups combined to make 500 at 13th & Broadway per ARGUS
- 2119 hours – Majority of group moving NB Telegraph
- 2119 hours – San Mateo at 14th & B, CoCoSO at 17th & Broadway
- 2120 hours – Crowd heading WB toward 14th & Broadway
- 2120 hours – Crowd 1700 block Telegraph, NB
- 2121 hours – A-12 has one in custody requesting transport car at 3400 Mandela Parkway
- 2123 hours – Crowd is spreading out to 4 blocks as they pass 20th St. & Telegraph, about 600-700
- 2127 hours – Crowd is WB on W. Grand from Telegraph
- 2129 hours – Freeway nearby but crowd continuing WB to MLK Jr. Way
- 2130 hours – 27th & Tel CoCoSo on scene
- 2131 hours – Crowd passing Northgate, still WB on W. Grand toward Brush
- 2133 hours – CoCo setting skirmish on on/off ramps
- 2137 hours – SB Market from W. Grand, units taking rocks and bottles
- 2141 hours – SB Market approaching 19th, picked up a few vehicles in march
- 2143 hours – WB 18th from Myrtle St.
- 2147 hours – WB 18th St. approaching Adeline St.
- 2148 hours – Oakland Coin & Jewelry, 1725 Broadway, report of people breaking in again
- 2149 hours – ARGUS reporting 700 crowd size over 7 blocks SB Adeline from 16th, en route for fuel, H37 has 1 hour

During the march, a shot was fired at officers near the Emeryville border. It resulted in a foot

pursuit and with one in custody and a firearm recovery.

- 2155 hours – Shots fired at Decathlon in Emeryville MB, Black Hoody Blue Jeans. Suspect seen fleeing behind the building.
- 2157 hours – Video team taking rocks 8th/Adeline (no injuries)
- 2158 hours – C7 suspect IC at Park & Hollis, C7 recovered, 2 outstanding (1-whi tank top, heavy set, 2-block t-shirt, all dark clothing) last seen Park & Holden, scene located N of Decathlon
- 2206 hours – Group taking over Shell at 7th & Market
- 2209 hours – CHP taking rocks, bottles, explosives at 6th & Market, Delta Tango deploying, crowd EB
- 2212 hours – Crowd saw skirmish line and turned NB brush from 7th
- 2213 hours – Remainder of crowd WB from Shell station
- 2215 hours – 14th & Broadway moving into FOP
- 2217 hours – Crowd re-entering Best Buy to loot
- 2218 hours – Lead part of group to Market, WB
- 2222 hours – Near 10th & Market, skirmish line 1100 block Castro
- 2225 hours – Officers on skirmish line taking bottles 10th and Brush, social media reports officer blocking on ramp to 980
- 2227 hours – Crowd at 11th & Clay EB, 400 people + 12 cars

As the crowd reconvened on FOP, rocks and bottles were again thrown at officers, prompting unlawful assembly announcements. This next period involved dispersing groups throughout downtown and responding to vandalism and looting.

- 2228 hours – Due to rocks and bottles at FOP, preparing to make unlawful assembly announcement, 300 at FOP, munitions deployed
- 2230 hours – Announcements made, taking rocks and bottles, crowd NB Broadway from 11th
- 2232 hours – Requesting wagon to FOP, requesting recue vehicle to FOP
- 2233 hours – Per Delta Tango, FOP cleared, wagon 1 & 2 at 14th & Clay
- 2234 hours – 11th & Broadway group went NB to 12th then EB
- 2236 hours – Crowd of 300-400 EB 12th St to Webster, taking intersection
- 2237 hours – ARGUS reports no other large groups visible
- 2239 hours – Subjects lighting fire (dumpster) in intersection of 12th & Webster, FOP nearly clear
- 2242 hours – 12th & Webster crowd running NB, gas deployed
- 2243 hours – Units are not taking bricks now, no injuries
- 2244 hours – Approx. 300 still NB Webster passing 14th
- 2245 hours – Charlie company taking bricks and bottles again, multiple deployments, CoCoSo getting rocks and bottles

- 2245 hours – Continuing NB lighting fires as they move
- 2247 hours – 13th and Webster, rocks and bottles. Munitions deployed.
- 2247 hours – Dispersal orders requested
- 2248 hours – 15th & Webster, attempting to set up dispersal order
- 2251 hours – Crowd spread out between 1500-1700 Franklin, heading N/B Franklin
- 2253 hours – Lead of group turning WB 17th to Broadway
- 2254 hours – Crowd WB 17th St, skirmish line set at 14th & Broadway
- 2256 hours – M-80's (firecrackers) being thrown at officers on 12th & Broadway
- 2258 hours – Vehicle fire 18th & Broadway, main group is there, dumpster fire at 17th & Broadway
- 2259 hours – C3 med to 17th & Telegraph, people hit by car, Honda Accord 4D silver in color
- 2300 hours – Majority of crowd NB Broadway toward 19th
- 2303 hours – About 150 NB Broadway from 19th, 60 NB from 18th on Telegraph, 50-60 toward FOP, lost sight of FOP group but units at FOP
- 2308 hours – NB from 25th, 20+ cars
- 2312 hours – No demonstrators at FOP
- 2313 hours – Continuing NB past 23rd on Broadway, leaping forward to divert from dealerships
- 2317 hours – 2800 block Broadway has vandalism
- 2320 hours – 260 28th St OFD requesting OPD
- 2321 hours – Reports of shooting in VW dealership at 28th & Broadway, units on scene, no shooting
- 2323 hours – Located one IC with AR15 inside VW dealership
- 2325 hours – Breaking into 7-11 at 2350 Harrison
- 2336 hours – Group on foot through Kaiser Plaza
- 2337 hours – Vehicles separated from crowd
- 2338 hours – 40 headed to Broadway
- 2340 hours – Crowd forming at Harrison & 21st.
- 2342 hours – Group of 75 at W. Grand & Tel
- 2343 hours – 50 headed NB 17th & Broadway
- 2345 hours – Report of Code 7 at 500 William with handgun and green laser on balcony
- 2346 hours – Crowd still SB Telegraph at 20th
- 2348 hours – 50 WB on 20th from Broadway
- 2349 hours – Best Collateral being looted at 2025 Telegraph, units on scene, 2 inside, 1 fled SB
- 2352 hours – Dark blue Charger doing donuts near skirmish lines, 16th & Broadway, last seen Sb Clay at 17th
- 2353 hours – 17th & Telegraph has about 100-150
- 2354 hours – Telegraph b/n 17th & 18th - charger trapped in crowd, now 18th

toward San Pablo

- 2355 hours – Charger last seen NB 18th and Castro, now EB 580 past Harrison, advising CHP
- 2356 hours – 18th & Telegraph, rocks and bottles, still 100-150
- 2359 hours – One in custody at Best Collateral
- 0000 hours – Man unconscious at 20th St.
- 0001 hours – Crowd contained at 18th/17th/telegraph/Broadway, crowd inside 19th St BART
- 0002 hours – TNT making dispersal announcements
- 0004 hours – Home Depot and Safeway being looted
- 0007 hours – Code 3 medical needed at 18th/Telegraph
- 0010 hours – Hayward PD 924 for looting in their city
- 0012 hours – Crowd metering out, stopping EB because group is congregating
- 0014 hours – 17th & Telegraph clear
- 0018 hours – Crowd EB on 19th St
- 0021 hours – Bricks thrown at skirmish line
- 0024 hours – Crowd at 19th & Broadway
- 0027 hours – Giving dispersal orders at 19th & Broadway
- 0033 hours – Car fires at 19th & Webster, 1800 block Webster, 1800 block Franklin
- 0038 hours – Five in custody at best Collateral
- 0041 hours – 40 at 19th & Franklin
- 0042 hours – Male attempting 459 on storefronts on Webster, dressed in all black, running WB at 12th & Webster, IC, Level 3
- 0045 hours – Dumpster fire 1400 block Franklin, secure for OFD
- 0048 hours – Code 2 medical for 459 suspect I/C with laceration to his hand.
- 0100 hours – Looting at Colonial Donuts, 3318 Lakeshore, lots of people near Gap and Starbucks
- 0102 hours – People going back into Best Collateral
- 0104 hours – Reopening 19th b/n Telegraph and Broadway to traffic
- 0106 hours – Giving announcements
- 0107 hours – Dual-purpose and motors 924
- 0109 hours – Mini-sideshow forming at 19th & Telegraph
- 0111 hours – Throwing rocks and bottles from vehicles at vehicles and officers, at 19th & Telegraph Ave
- 0114 hours – Crowd gathering at 17th & Telegraph Ave.
- 0120 hours – C3 code 3 cover at 16th & Telegraph
- 0122 hours – NB Broadway to EB 17th St, CS deployment, 60-70
- 0123 hours – Also WB 16th to FOP
- 0124 hours – No plate, 90-00's Whi Cadi CTS driving recklessly near officers, last NB Broadway from 16th MH/MW driver with ponytail
- 0125 hours – 17th & telegraph trash fire

- 0127 hours – 14th & Broadway, chasing suspect throwing bottles at officers NB Broadway, MW with white mask
- 0130 hours – 16th & Broadway, crowd forming on officers making arrest, wagon request for IC
- 0134 hours – 20-30 at 19th & Telegraph
- 0136 hours – Group at 17th & Broadway
- 0137 hours – Officers trying to take a suspect into custody at 17th/Telegraph advised they are being surrounded by crowd. Suspect in custody/requesting medical. Level 2 UOF (knee to the face). Bravo 84 on scene.
- 0141 hours – Multiple CS gas deployments 17th/Telegraph.
- 0146 hours – 4A50 requests OFD for dumpster fire 19th St. between Webster and Franklin St.

EOC closed at 0220 hours.

31 May 20:

There were two significant protest events planned for Sunday, May 31st.

The first event started the Children's Fairyland amphitheater at noon (Group 1) and was peaceful.

The second was a large caravan sponsored by Anti-Police Terror Project (AFTP) in the parking lot at Middle Harbor Shoreline Park at 7th St and Middle Harbor Road at the Port of Oakland at between 1400-1600 hours (Group 2). Given the size of the caravan and proximity to on ramps at the Port, there was great concern the caravan would try and takeover the Bay Bridge. However, before the caravan began, OPD received credible intelligence the caravan would remain on city streets. As the caravan slowly moved through West Oakland and then the downtown area, protestors began to congregate in the City Hall amphitheater. At the peak, there were about 800 protestors (Group 3) in FOP. Due to size of the caravan and Group 3, mutual aid was requested at 1513 hours.

After the arrest of an armed suspect at 14th and Broadway, a group of about 150-200 protested at 8th and Clay St for several hours (Group 4). Group 4 later dispersed without incident.

Of significant concern that evening was a continuation of "pop-up" social media posts promoting looting all through the Bay Area. Potential targets included Bay Fair Mall in San Leandro and Target at Alameda Landing. After the conclusion of the planned events, the evening was marked by rampant and widespread looting of business throughout the city. Officers made numerous arrests.

There were also two significant incidents involving the arrests of three suspects who possibly shot at officers at the PAB and the arrest of three suspects who fled into the Acorn housing area after the burglary of a marijuana dispensary at 417 4th St.

Group 1

- 1218 hours - About 300 peaceful protestors at Fairyland at Lake Merritt. Front of group is approaching the amphitheater.
- 1234 hours - Group is now at Hanover & Lakeshore. About 250-300 and they are peaceful.
- 1323 hours - About 30 left at the protest at Lake Merritt and they are dispersing.

Groups 2 & 3

- 1340 hours - About 250 cars and growing at the APTP caravan at the Port.
- 1346 hours – About 500 cars and growing at the Port.
- 1414 hours – About 1,200 cars at the Port.
- 1423 hours – ABC 7 livestream of the Port below. Over 5,000 cars per ARGUS and appears to be peaceful. All surface streets in the area are blocked.
- 1443 hours – Bicyclists at the front of the caravan are doing traffic control.
- 1447 hours – Caravan is northbound Adeline St toward 7th St.
- 1450 hours - About 200 on foot at 12th St going westbound towards Broadway. Caravan is eastbound 7th St. possibly toward the PAB. About 500 going in Frank Ogawa Plaza (FOP). They are setting up in the amphitheater.
- 1502 hours - Crowd at FOP is peaceful.
- 1503 hours - Caravan is eastbound 9th St from Castro St. About 800 at FOP. Per TNT, the caravan may be heading to North County Jail and the PAB.
- 1511 hours - TNT attempting to establish communication with protestors at FOP and meeting resistance.
- 1513 hours - OPD is requesting mutual aid due to the size of the size of the crowd at FOP and the volume of cars in the caravan.
- 1535 hours - About 100-200 bicyclists with the caravan. At least 500 in FOP.
- 1544 hours - About 100-150 eastbound on 14th from Broadway.
- 1604 hours - Group on foot continuing towards E.18th St. They are north on Lakeshore by Hanover.
- 1610 hours - Caravan is southbound on Lakeshore and will be linking up with the crowd on foot.
- 1619 hours - Group of 100 on foot on Lakeshore is north towards the 580 east onramp. CHP is present at the onramp.
- 1622 hours - Group at the onramp is trying to overtake the CHP units. Safest approach west on MacArthur. A Tango Team is with CHP. Skirmish is established.
- 1626 hours - About 150 at the 580 on-ramp and 1,000 by the Cleveland Cascade steps on Lakeshore.
- 1734 hours - Silver Chevy Impala stopped in the intersection 14th and Broadway, damage to right front fender. Driver has a male black 40-50s, medium build, white mask, red t-shirt, large “white lettering ECKO 1972”. Suspect fled.
- 1740 hours - Suspect drove onto the sidewalk in the 400 block 14th St and then fled on foot. Suspect was armed. The firearm was recovered.
- 1745 hours - Suspect arrested in hostile crowd. 940B all officers respond. Chemical agents deployed.
- 1749 hours - Medical relocating to 17th and Franklin due to crowd.
- 1751 hours - Taser deployment and Type 22 UOF. Officer with facial injuries, transported to ACH.

- 1835 hours - About 200 now marching westbound on 12th towards Clay St. 150-200 still at the Lake. FOP is fairly clear.
- 1840 hours – Crowd is at 8th and Clay St with 20 plus vehicles. Skirmish lines mobilized around the PAB.
- 1907 hours – Credible information regarding sideshow activity tonight in East Oakland.
- 1945 hours – About 200 still at 8th and Clay.
- 2007 hours - About 200 still at 8th and Clay St. A mix of peaceful protestors and potential agitators.
- 2018 hours - Protestors threw “snap pops” at officers at 8th and Clay St. TNT started facilitation announcements.
- Group dispersed later with no issues.

Widespread Looting & Multiple Arrests

- 2033 hours - Looting reported in the 3400 block E.12th inside the Fruitvale BART village. ARGUS en route.
- 2049 hours – Large scale looting at Bayfair Mall. Per ACSO, Southland Mall and the Home Depot in Hayward at A St/Hesperian are also getting looted.
- 2052 hours – Looting at 3040 E.9th St at the Sally’s and Gamestop.
- 2056 hours - More gunfire reported at Bayfair Mall. No injuries to those on scene.
- 2106 hours - ARGUS surveyed the downtown area. The vehicles and group around Lake Merritt dispersed. The only group remaining is at 8th and Clay St
- 2109 hours - Reports of 100 looting at the Fitness 19 and Foodmaxx at Durant Square.
- 2114 hours - Fire reported at Durant Square with more than 30 looters. Units en route there.
- 2128 hours - Reports of about 30 looting at the Walgreens at 301 E.18th St. Units en route.
- 2129 hours - Attempted 459 at the BevMo at Jack London Square.
- 2131 hours - ARGUS2 reports one broken window at the Walgreen. Two looters just exited and got into a silver car that’s fleeing north on Park Blvd. ARGUS2 is overhead.
- 2134 hours - Vehicle is eastbound on 580 from 14th Ave.
- 2137 hours - Vehicle exited Edwards and is now westbound on 580. Loss is possibly prescription medication.
- 2143 hours - ARGUS2 and AIR37 lost visual of the vehicle. Air support redirecting to the Fruitvale Station shopping center at 3000 E.9th St. FOP is clear. Protestors still at 8th and Clay St.
- 2146 hours - Two looters in custody at Gamestop at Fruitvale Station. Additional units requested. Walgreens at 81st& International getting looted.

- 2150 hours - Three in custody at the GameStop.
- 2154 hours - ARGUS2 confirmed looting at the Walgreens.
- 2157 hours - Looting at the Pawn stop at 21st & Telegraph involving 10 suspects.
- 2200 hours – Moment of silence as officers and protestors take a knee at 8th and Clay St.
- 2210 hours - Looting suspect from AT&T at 3000 E.9th St. in custody.
- 2211 hours - Per ACSO, mass looting and fire at the Marina Square outlets in San Leandro.
- 2219 hours - The crowd of 200 at 8th and Clay went north then eastbound. Some continued towards Broadway, others heading towards 8th and Washington.
- 2224 hours - Crowd is northbound Franklin St. from 8th St.
- 2226 hours - Front of crowd is at 11th St. They are spread out four blocks.
- 2227 hours - Crowd is now eastbound 11th St. Medical needed for the suspect from the AT&T 459 at Fruitvale Station.
- 2237 hours - Protestors are on the steps at the Courthouse.
- 2244 hours - Metro PCS at 98th Ave & International getting looted.
- 2246 hours - Protestors sprayed graffiti on Courthouse doors. About 175 in the group.
- 2251 hours - Protestors are now westbound 14th from towards Alice St. About 50 looters at Fruitvale and Foothill.
- 2300 hours – Firearms stolen from Richardson Tactical in Hayward. Suspect vehicle is black Honda. ACSO reports large fire at Bayfair Mall.
- 2301 hours – Sideshow activity in 400 block 14th St. 80s Mustang gray in color. It fled northbound on Broadway. Good for 23103.
- 2303 hours – Crowd is northbound Broadway. FOP is clear. Mustang I/p LALO666 stopped at 22nd and Broadway. One detained.
- 2305 hours – Looting in 3100-3800 blocks International Blvd involving dozens of vehicles. Kicks City getting looted. Two detained.
- 2311 hours – Crowd is westbound on Thomas L. Berkeley towards San Pablo Ave. Active looting at Kicks City and additional units requested. Another suspect taken into custody.
- 2315 hours - Multiple people still inside Kicks City. ACSO is sending a prisoner transport bus to the PAB.
- 2317 hours - Crowd of 150-200 trying to get on 980 from 19th and Castro. Some of crowd left eastbound on Thomas L. Berkeley. About 100 stopped at the northbound on ramp.
- 2324 hours – Multiple in custody at 51st and Telegraph.
- 2326 hours - Crowd is eastbound on 18th St. CHP requesting OPD assistance with blocking the on ramps at 12th and Castro and 11th and Brush.
- 2333 hours - OFD on scene at the structure fire. Report of someone trying to break in through the roof the High St Pharmacy at 4248 High St. Active looting at the Walgreens at 81st Ave and International.

- 2337 hours - Walgreens by High and MacArthur overrun with looters.
- 2338 hours - 150-200 are northbound on Telegraph from 20th St.
- 2341 hours – Suspects detained at 3483 International Blvd.
- 2345 hours - About 20 looting at the Smart and Final on 42nd Ave. 50 looting at Cardenas on High St.
- 2349 hours - Assistance from CHP requested at 27th and Northgate. About 100 protestors are taking over the intersection. CHP is on scene. Skirmish line established.
- 2353 hours - Level 2 UOF at Bancroft and High St. 1-2 additional units requested. Cardenas Security advised looters were armed with handguns. (Later upgraded to Level 1).
- 2355 hours - Six in custody for looting the shoe store next to Cardenas Market. Units are clearing the shoe store.
- 0005 hours - Vehicles parked around EOC vandalized.
- 0007 hours - Looting at High and International, units requested to clear the O'Reilly's. Suspects detained.
- 0008 hours - Crowd is northbound Telegraph from 27th St.
- 0154 hours - Numerous suspects inside business at 1055 3rd St. ARGUS
- 0202 hours - 150+ cars are driving around the Fruitvale and International corridors, possibly casing locations.
- 0211 hours - Possible shots fired from a vehicle at 1620 High St. Officers not injured. Suspect vehicle is newer model red in color that fled east on Bancroft from Bond. Around the same time a suspect on the roof at 4505 Bond pointed a laser pointer at officers.
- 0220 hours - O'Reilly Auto Parts at 4240 International looted again.
- 0223 hours - Silver Acura with female black driver was looting in the 3300 block International Blvd.
- 0227 hours - Vehicle associated with numerous burglaries fled from the 3800 block International Blvd.
- 0229 hours - Vehicle is at the onramp at 580 and 35th. Vehicle hit the island and is disabled. Suspects carjacked a white van that is getting on 580 westbound. It turned back around and is now on surface streets. Pursuit authorized. Suspects abandoned the carjacked van at the dead end of Quigley St., west of 39th Ave. One suspect detained. Outstanding suspect is a male Hispanic, 5'8, beanie, hoodie, thin build. Units setting up a perimeter and search team.
- 0333 hours - Four looting suspects detained at the T-Mobile at 3509 International.
- 0333 hours - Units requested for 15 looters at the Home Depot at 4000 Alameda Ave.
- 0336 hours - Suspect at Home Depot possibly armed with a machete.
- 0344 hours - About 50 cars and 100 people looting a marijuana grow at 944 85th Ave.

- 0350 hours - 2 burglary suspects detained 3077 E.15th St.
- 0355 hours - Looting at 81st Ave at the U-haul and dispensary
- 0401 hours - Units searched the 3900 block Quigley St where the carjacking suspect fled with negative results.
- 0413 hours - 4 looting suspects detained in the 8400 block Amelia. Two more detained in the 8300 block San Leandro.

PAB Shooting Arrests, William St. & San Pablo Ave.

- 0011 hours - Shots fired at officers the PAB. No injuries. Suspect vehicle is white Lexus with black fenders.
- 0014 hours - Vehicle is at 18th/19th and San Pablo Ave but it is blacked out. Female driver CA- 8MGU408. Suspects ran north.
- 0019 hours - One suspect is a male black, black and white sweater, black jeans. Two female black suspects, one with ponytail, blue cap, yellow sweater and plaid dress. The second in a black dress, white shoes. Less lethal being deployed at windows.
- 0020 hours - Perimeter and search teams being mobilized.
- 0047 hours - Three suspects in custody and identified via video and photos.

459 Marijuana Dispensary Arrests, 7th & Filbert St.

- 0106 hours - Vehicle shooting at Jack London St. involving a dark green Toyota RAV4, blacked out
- 0108 hours - Possible vehicle is northbound Filbert St from 7th St. pulling into parking stall at the Acorns. ARGUS and CHP overhead. ARGUS observed three occupants flee on foot.
- 0114 hours - Three suspects detained.
- 0133 hours - Loss items from the burglary of the Marijuana Dispensary at 417 4th St recovered in the RAV4.
- 0142 hours - Firearm recovered in the 900 block 8th St.

EOC closed at 0430 hours.

1 Jun 20:

On Monday, June 1st, there were two scheduled events.

First there was “Covid-19 to Cops: We Can’t Breathe Caravan”. Start time was approx. 1200 hours and to meet at the State Building, located in the 1400 block of Clay St. This event was handled by OPD Motors. Please see the below schedule of events:

- 1200-1245 hours – Rally at the State Building (1400 block Clay St.)
- 1315-1400 hours – Speak out at Fruitvale Plaza
- 1430-1500 hours – Rally at Coliseum BART Station parking lot

The second scheduled event was the “George Floyd Solidarity March”. This event was handled by OPD MFF. Please see the below schedule of events:

- 1600 hours – The group was to gather at Oakland Tech High School, located in the 4300 block of Broadway. The event was advertised as a non-violent for our community and families. There are planned speeches at 1615 hours, followed by spoken word poetry. At 1630 hours, the plan was to march down Broadway and arrive at Frank Ogawa Plaza at 1730 hours for additional speeches and spoken word poetry. The projected end time was 1800 hours

The following is a timeline of the significant events for Monday, June 1st.

- 1130 hours – The Oakland Emergency Operations Center (EOC) is operational
- 1220 hours – 8M75 (Motors supervisor) made contact with the organizer of the vehicle caravan. He was advised the route of the caravan would be eastbound around Lake Merritt (1 lap) and then to the Fruitvale Station. Approx. 30 vehicles.
- 1257 hours – After a few speeches were completed, the caravan departed. The lead vehicle was a red Big Rig truck.
- 1302 hours – The caravan traveled eastbound 14th St. The group stayed together and were moving very slowly.
- 1335 hours - The caravan did not make a lap of Lake Merritt and proceeded to Fruitvale Station.
- 1412 hours – The caravan arrived at Fruitvale Station. Approx. 50-75 people present.
- 1436 hours – Speeches completed.
- 1552 hours – The organizers advised OPD the event was done, and they do not plan to caravan to the Oakland Coliseum BART Station or another location.

End of first scheduled event.

Start of second scheduled event for Monday, June 1st at Oakland Tech High School (4300 block Broadway)

- 1600 hours – The crowd is estimated to be about 2000-3000 people. The group is in and around the high school. Traffic control is requested for the event.
- 1610 hours – Request to AC Transit to re-route the bus lines close to the event.
- 1628 hours – ARGUS is requested for the event.
- 1656 hours – ARGUS estimates the crowd has increased to approx. 5000 people.
- 1700 hours – There are reports of a large crowd of people a Piedmont Ave./Monte Vista Ave. with baseball bats.
- 1703 hours – Organizers of the event advised the march will begin in approx. 5 minutes and will only march to Frank Ogawa Plaza and not the PAB.
- 1721 hours – The march begins.
- 1729 hours – The crowd is estimated to have stretched out to about a mile long.
- 1734 hours – The crowd is now estimated to be approx. 10,000 people.
- 1800 hours – The crowd is entering Frank Ogawa Plaza.
- 1811 hours – EOC receives intel that people may “take over” the courthouse later tonight. ACSO is notified.
- 1829 hours – ARGUS now estimates the crowd to be approx. **15,000 people**.
- 1848 hours – Crowd appears to be peaceful.
- 1851 hours – Reports of a group of 12-13, who were “masked up” and ran towards the PAB from Washington St.
- 1854 hours – The group is now on Franklin St., approaching the PAB.
- 1901 hours – The group is beginning to thin out, approx. 8000 people.
- 1909 hours – The group appeared to have splintered into 3 separate groups. A third went Northbound on Broadway. Another third went Southbound Broadway and the final third went Westbound. A sound truck associated with the event left Westbound 14th St.
- 1913 hours – Approx. 300 people left at Frank Ogawa Plaza.
- 1916 hours – Approx. 1000 people arrived in the 800 block of Broadway.
- 1918 hours – ARGUS reports CHP may lose the 18th St. onramp to the 980 freeway to the crowd of people.
- 1921 hours – Crowd 1 (8th/Broadway) is now going Northbound on Castro St.
- 1923 hours – Reports of people in crowd 1 (8th/Broadway) are putting on gas masks. No children or elderly people observed in the crowd.
- 1924 hours – Crowd 2 is now approaching San Pablo Ave. from Castro St. And continue to travel Eastbound on W. Grand Ave. (still approx. 200).

1930-2115 hours, Skirmish lines, Violence and Gas Deployments

- 1936 hours – Crowd 1 is throwing rock/bottles at officers at 8th and Broadway. Multiple gas deployments. Announcements to the crowd can be heard.

- 1941 hours – Crowd 1 is dispersing (8th/Broadway). Half the crowd went Northbound Franklin St. and other half went Northbound Washington St.
- 1944 hours – Reports of a MW, red hat, black t-s with white design, wearing a backpack, standing at 8th/Washington St. It appeared the crowd was surrounding him, and he was removing something from his backpack.
- 1945 hours – BART closes the 12th St. and 19th St. BART stations.
- 1946 hours – MW with red had appears to have a Molotov cocktail.
- 1948 hours – Skirmish line set up at 8th St. and Washington St.
- 1949 hours – OFD reports an Auto/Ped accident at 14th St./ Broadway.
- 1951 hours – Arrests are made at the Southwest corner of 8th St./Washington St.
- 1959 hours – Skirmish line is moved up mid-block, 800 block Broadway.
- 2002 hours – Reports of 200-300 people assembled at Frank Ogawa Plaza.
- 2003 hours – A portion of the main group (approx. 400), appear to be peaceful and are approaching Oakland Tech High School.
- 2005 hours – Suspects observed making Molotov cocktails at 9th St./Broadway by a MW wearing a red bandana.
- 2008 hours – ARGUS provided curfew orders to the remaining group.
- 2013 hours – TNT has been giving curfew orders to various groups of people.
- 2020 hours – 30-40 protesters were detained in the 1400 block of Broadway for curfew violations.
- 2029 hours – Crowd 2 was at W. Grand Ave. (approx. 50)
- 2036 hours – Crowd 2 is stopped at 28th St./Telegraph Ave.
- 2039 hours – CHP is attempting to detain a group that ran onto freeway at 27th St./Northgate Ave.
- 2040 hours – Another group of approx. 50 people on Sycamore St.
- 2043 hours – Crowd 2 is moving Southbound in the 2500 block of Telegraph Ave.
- 2044 hours – 4 taken into custody at Valley St./24th St.
- 2051 hours – Reports of a large group of people attempting to overturn vehicles at 27th St./Telegraph Ave.
- 2105 hours – ARGUS reports they are unable to locate any large crowds of people.
- 2107 hours – 7 taken into custody in the 2600 block of Telegraph Ave.
- 2121 hours – Received reports a Richmond PD officer was shot at Hilltop Mall (later determined not to be shot. They were assaulted with a vehicle). Fremont PD is in pursuit of a gray SUV, wanted for assaulting an officer on the 880 freeway. ARGUS is en-route to assist.
- 2134 hours – Reports of looting at Smoakland marijuana dispensary, located at 7805 Edgewater Dr. Units dispatched to investigate numerous looting calls for service in East Oakland. Reports of looting at the Walgreen's at 81st Ave./International Blvd.
- 2139 hours – Reports of looting at a clothing store in the 3500 block of International Blvd.

- 2147 hours – Reports of looting at 90th Ave./International Blvd. at Harry’s Liquor Store.
- 2153 hours – It appears Harry’s Liquors has been looted and a majority of the merchandise inside has been taken.
- 2158 hours – Reports of 701 Kennedy St. was being looted.
- 2159 hours – ARGUS was following a 459 PC vehicle, Southbound 880 Freeway/66th Ave.
- 2204 hours – Reports of a male shot in the leg, at 926 85th Ave.
- 2206 hours – Officers hear numerous gunshots in the 900 block of 85th Ave., while on scene.
- 2209 hours – Reports of a shooting in the 8400 block of Amelia St., in or near an apartment complex.
- 2239 hours – Reports of possible Sideshow activity near Kevin Ct., approx. 40-50 vehicles.
- 2240 hours – Reports of a group of 40 vehicles on Hegenberger Rd. Possible 211 PC and 459 PC vehicle among the group of vehicles.
- 2247 hours – A marijuana dispensary located at 2109 Fredrick St. is being broken into by a group of unknown people. Security guards are reported to be locked inside. No entry made; group fled the scene.
- 2251 hours – Reports of a 459 PC/212.5 PC at 4901 E.12th St. Suspects trying to gain entry into the business, while a victim is inside.
- 2254 hours – ACSO advised suspects may have entered a business on Kevin Ct.
- 2302 hours – Delta Tango Team detains/arrests a 459 PC suspect at 3418 International Blvd.
- 2306 hours – Officers spot a possible stolen vehicle from the San Leandro car dealership on International Blvd. No other wants, vehicle fled the area.
- 2330 hours – Red Dodge Charger stolen from the San Leandro car dealership is recovered in the 300 block of Stoneford Ave., unoccupied.
- 0017 hours – Reports of a 459 PC of a marijuana grow at 8400 Baldwin St.
- 0019 hours – White Dodge Charger fled from officers arriving at 8400 Baldwin St. The vehicle crashed at 95th Ave./Edes Ave., 3 suspects fled from the vehicle and into adjacent yards.
- 0037 hours – A victim is located on Hegenberger Place, with a GSW to the neck and appears deceased.
- 0047 hours – Code 7 suspect taken into custody at 71 Herbert Guice way. A Taser deployment was documented.

EOC closed at 0053 hours

2 Jun 20:

There were two events today:

OPD became aware of the first incident via social media posts made on 2Jun20 before noon. The posters requested that protestors converge at the PAB at 1600 hours (Group 1).

- 1609 hours - Protestors began to converge in the 800 block of Broadway.
- At the peak, there were 200-300 protestors. Some sat down in the intersection.
- Officers established skirmish line along the southern boundary of the intersection at 8th and Broadway.
- Group 1 was primarily located in the 800 block on Broadway outside of the Starbucks.
- 1751 hours - Group 1 moved south towards the skirmish line and began to yell in officers' faces.
- 1852 hours - Group 1 began to march eastbound on 8th St. The farthest they went was 17th St. & Lakeside Dr.
- 1937 hours - Group 1 landed back in FOP. At this point, there were 500-600 in FOP in the amphitheater.
- 1952 hours - Group 1 began to disperse. Social media postings suggest this was due to the curfew.
- 1958 hours - About 100-150 went southbound and back to the 800 block Broadway.
- They continued to slowly disperse over the next few hours as officers monitored the crowd.
- 2143 hours - There were about 50 left.

The second event was posted on social media the evening before by the group By Any Means Necessary (BAMN) for protestors to meet at 34th and International Blvd at 1700 hours for a march and rally until 2300 hours (Group 2).

- 1720 hours - There were 75 protestors gathered at 34th and International in De La Fuente Plaza/Fruitvale Village.
- 1727 hours - Group 2 began marching and were described as peaceful.
- They marched as far as High and International.
- 1815 hours - Group 2 returned to De La Fuente Plaza.
- 1818 hours - Group 2 was estimated at 100-150.
- 1917 hours - Group 2 began to slowly disperse.
- 1956 hours - Group 2 S/B Broadway at 9th Street. About 100.
- 2007 hours - Crowd 2 at 8th/Broadway. About 150 total.
- 2018 hours - Blue van driving in circles at 8th/Broadway. Driving on wrong side of road.

- 2020 hours - Blue Prius doing same as above.
- 2100 hours - Per Traffic units, downtown area clear.
- 2108 hours - FOP Clear.
- 2116 to 2201 hours - Units deployed to areas of looting from previous nights. All clear.
- 2202 hours - Code 33 for murder suspect vehicle. Suspect fled form vehicle but was detained quickly.

EOC CLOSED at 0000 hours

3 Jun 20:

We had two large and peaceful protests today with no issues.

1. One at Mosswood Park which mostly consisted of doctors and nurses on their lunch breaks.
2. The other was a "Walking in Unity" march around Lake Merritt with about 1,000 people. (1200 hours)

A crowd gathered at FOP reaching a high of 8,000 attendees listening to speakers. The area in and around the intersection of 14th & Broadway was blocked to traffic for nearly six hours. No violence occurred but City buildings and the FOP grounds were vandalized. Laser pointers were a significant issue for news and law enforcement helicopters.

- 1627 hours - Thousands gathered at Mission High in San Francisco. Numerous posts that attendees from there will come to the sit-in at 14th and Broadway tonight.
- 1700 hours - EOC open. EOC briefing at 1800 hours.
- 1740 hours - No reports of protests so far.
- 1751 hours - Reports of a group of 400 on Grand Ave by Lake Merritt. Units en route.
- 1758 hours - Frank Ogawa Plaza (FOP) is clear.
- 1815 hours - EOC briefing complete. Next one will be at 2000 hours.
- 1817 hours - About 20 in FOP, slowly growing.
- 1832 hours - About 50 in FOP.
- 1840 hours - Critical incident involving a barricaded suspect armed with a rifle in the 5700 block Harmon Ave was peacefully resolved. The suspect surrendered.
- 1843 hours - About 300 in FOP (Group 1) and growing.
- 1905 hours - Group painting "Defund the Police" on the sidewalk in FOP.
- 1920 hours - Crowd size estimated at 700+
- 1931 hours - Crowd size is 1000+ and many individuals had wooden shields.
- 1937 hours - Crowd size is 1500 and growing rapidly.
- 1940 hours - 100 at Rashidah Mohammed Park 20th St. and Williams St.
- 1956 hours - Black van, tan van and white van with solar panels seen dropping off boxes that say "flammable liquid" as well as shields, rocks and gas cans.
- 2000 hours - Crowd just moved into the intersection of 14th/Broadway.
- 2001 hours - Bart closing 12th St. station.
- 2002 hours - Male on 880 above PAB pumps carrying bottle.
- 2003 hours - Male had a T-shirt covering the bottle.... Likely Molotov cocktail.
- 2004 hours - Black truck on 17th San Pablo, driver left truck to join protest.

- 2006 hours - Crowd estimated at 3000, standing in intersection of 14th St. and Broadway.
- 2012 hours – CA-83702H2 Chevy Utility truck seen unloading flammable materials.
- 2018 hours - No change, white pickup truck with PA addressing the crowd.
- 2021 hours - There is a drone at approx. the same altitude as Argus at 8th St. and Broadway.
- 2022 hours - Facebook posts say the organizers plan to hold 14th and Broadway for 2 hours.
- 2026 hours - Drone operator is on 12th St. and Broadway. Male black, 20's, 5'10", gray cap.
- 2039 hours - Bart reopening 12th St. (only 1 side).
- 2040 hours - Another vehicle (dark sedan) stopped on 880 above the PAB.
- 2042 hours - Drone over the PAB.
- 2048 hours - Crowd size approx. 5000-6000 covering entire intersection of 14th St. and Broadway.
- 2051 hours - Argus being hit by lasers from someone on the N/E corner of 14th St. and Broadway.
- 2053 hours - ABC news helicopter also being hit by a green laser from someone in the crowd. The helicopter is being pulled off the assignment after lasers.
- 2059 hours - The driver of the black truck seen unloading boxes of flammable liquid has been taken into custody.
- 2111 hours - The crowd size is estimated at 7,500.
- 2114 hours - Below is views of the laser being shined on the Channel 7 helicopter.
- 2115 hours - Both subjects I/C for flammable liquids were wearing body armor.
- 2122 hours - Strong green laser from Telegraph/18th St. CHP air being hit 10-15x per minute.
- 2127 hours - CHP H30 taking 5 different lasers from different locations.
- 2130 hours - Twitter user driving around identifying locations of police assets.
- 2137 hours - BART working on a 245 stabbing at 12th St. Station. Antioch train, unknown if related to protest.
- 2142 hours - City Attorney staff receiving threatening phone calls - report being taken.
- 2142 hours - Groups is stationary at 14th and Broadway and is 7,500-8,000. 14th and Jefferson is clear.
- 2147 hours - Lasers being pointed at CHP from multiple locations. Has been happening for the last 20 minutes.
- 2149 hours - Group of 100-150 people gathering up in formation at 12th and Broadway facing S/B.
- 2155 hours - Per organizers, at 2200 they will head home.

- 2156 hours - Reports of explosions and loud bangs near Piedmont Ave per Piedmont PD.
- 2157 hours - Group facing South on Broadway is now 300.
- 2203 hours - Bart 245 stabbing is I/C. Suspect was fighting on the train before 12th St.
- 2212 hours - Per Bart, Mission St. Precinct SF taking Molotov cocktails.
- 2217 hours - Lots of movement in group, possibly done with speeches.
- 2222 hours - Main group is thinning out.
- 2223 hours - Graffiti on City Hall.
- 2225 hours - People leaving in each direction, protests have been peaceful.
- 2227 hours - Vehicles lined up on 14th St. blocking roadway west of intersection.
- 2231 hours - Crowd size at 1000-1200.
- 2233 hours - Group facing PAB, some wearing helmets and have shields-Per U/C Units.
- 2239 hours - Crowd of 700 now, still peaceful.
- 2240 hours - Group forming at 15th St. and Broadway.
- 2246 hours - Crowd is down to 500 spread out in three main groups, on Broadway at 13th, Broadway at 14th and Broadway at 15th St.
- 2254 hours - The group at 13th and Broadway is gone. Group is 500-600 at 14th St. and Broadway.
- 2313 hours - Group down to 300.
- 2316 hours - Group pulled out a "fukkk your curfew" shield over 4' tall.
- 2332 hours- Group down to 150.
- 2334 hours - Agitator group is on the move.
- 2335 hours - City Administrator threatens RD 20-027415.
- 2337 hours - Agitators on the move... UC units watching.
- 2338 hours - Scattered group of 100 between FOP and 14th and Broadway
- 2344 hours - 50 still in the street, another 50 on sidewalks/plaza.
- 2344 hours - Vehicles beginning to drive down Broadway.
- 2348 hours - Agitator group of 5 loading stuff onto a van at 16th St. and San Pablo Ave.
- 0001 hours - About 20-25 people remaining in the intersection.
- 0013 hours - About 5-10 people now standing around waiting for rides home.

EOC closed at 0028 hours

4 Jun 20:

There were three events publicized for this date.

1. Peaceful sit-in to “End Police Brutality” in Frank Ogawa Plaza (FOP) scheduled for 1600 hours
2. Healthcare Providers “Kneel In” at FOP scheduled at 1730 hours.
3. March and rally at FOP by By Any Means Necessary (BAMN) at 1800 hours.

The first of three events started at 1600 and grew to about 500 by 1730 hours when the march started. They marched north on Broadway, west on W. Grand, and south on Market St. with no incident. As the group turned east on 14th, they encountered a CHP skirmish line. About 200 went around on 17th St while the other 300 waited in the intersection of Brush and 14th St. After a few minutes of communication with CHP, the overpass was reopened, and the crowd returned to FOP. The reconvened group of 500 listened to speaker in FOP and slowly dwindled to about 200 at about 1945 hours. At about 2005 hours, the group ended their speeches and dissipated. Units remained to ensure no crowds formed and no businesses were vandalized.

- 1600 hours - EOC open.
- 1642 hours – About 200-250 at the City Hall amphitheater sit-in. They are peaceful and the group size is growing slowly.
- 1700 hours – EOC Brief
- 1707 hours – End Police Brutality at FOP about 300 seated on north lawn
- 1725 hours – crowd is slowly growing and listening to speakers
- 1730 hours – Fremont has a march going with about 300.
- 1732 hours – estimated at 350
- 1740 hours – healthcare workers were at 16th & San Pablo with about 40-50
- 1756 hours – crowd is standing up, about 500
- 1758 hours – EB through breezeway to 15th & Broadway, NB telegraph Ave
- 1800 hours – Health Care Worker event doesn’t look like it’s occurring
- 1803 hours – march is NB telegraph approaching 20th
- 1806 hours – Hayward is having a march in their city
- 1810 hours – AC transit redirected from Broadway, FOP clear
- 1811 hours – WB on W. Grand approaching Northgate, about 500
- 1815 hours – TNT in contact with marching group, they plan to do a loop and return to FOP
- 1816 hours – WB W. Grand passing West
- 1817 hours – 10 Apparent healthcare workers leaving FOP, EB 14th St
- 1820 hours – SB Market passing 21st St.
- 1824 hours – tail end is now on Market, front is at 18th St, taking up all lanes

- 1828 hours – marching EB 14th St, still about 500
- 1831 hours – CHP blocking 14th St overpass, trying to get CHP to open up to allow crowd to FOP
- 1837 hours – front of march is EB on 17th toward MLK, about 300 remain at 18th & Brush in standoff with CHP
- 1842 hours – another group crossed at 17th
- 1844 hours – second group is now SB Broadway from 17th at about 350
- 1845 hours – 14th St is open, and crowd is now crossing, CHP cars are pulled to the side.
- 1849 hours – entire crowd is across freeway; group is starting to reconvene at FOP
- 1854 hours – tail end is entering FOP
- 1900 hours – listening to speakers again, crowd appears smaller at 300
- 1915 hours – crowd still holding at FOP
- 1915 hours – El Cerrito has a march with 150, SB at Bayview and San Pablo Ave
- 1925 hours – still speaking at FOP, holding about 250
- 1930 hours – EOC briefing
- 1944 hours – still speaking, about 200, 4A50 924 for fuel
- 2005 hours – crowd dispersed, about 30 remaining in groups of 2-3
- 2050 hours – units are doing security checks in business districts
- 2052 hours – about 20 in FOP, some regulars

EOC closed at 2100 hours

Appendix B (Daily Open Source Information)

29 May 20:

THE MINNEAPOLIS UPRISING POINTS THE WAY!

SPREAD THE FIERY SPIRIT OF MINNEAPOLIS BY ANY MEANS NECESSARY!

- Justice For George Floyd!
- Jail Derek Chauvin and All the Cops Involved in the Conspiracy to Murder George Floyd!
- End Racist Coverups by District Attorneys and Grand Juries!
- Jail All Killer Cops: A Badge is Not a License to Kill!
- Defend Protesters from Attacks by Trump, Local, and State Police!
- Trump Must Resign or Be Removed Now!

TODAY Friday May 29: 1PM Car Caravan Protest
starts in East Oakland on 98th Avenue (front of Elmhurst Middle School 1800 - 98th Ave., three blocks north of International Blvd.), Caravan to Downtown Oakland

The people of Minneapolis have taken the right actions to fight for justice for George Floyd. As fires continue to burn, the words of Martin Luther King come to mind: "Riots are the language of the unheard." The people of Minneapolis are being loud and clear: the racist police murder of George Floyd by Derek Chauvin and other police officers involved cannot be treated as business as usual. Yet, in order to win real justice and prevent future racist police murders of Black and Latina/o youth, the method of struggle in Minneapolis must spread to the rest of the nation to prevent the long tried-and-true sham process of justice that has followed after every racist murder by police. In the next couple of weeks, we will see this sham play out and we must reject the efforts of politicians and sellout misleaders alike to shut down the struggle with hypocritical expressions of sympathy and phony militant rhetoric. The new civil rights movement whose spirit is surging in Minneapolis must reject all leaders who are really no more than two-legged fire extinguishers and who oppose any method of struggle that could win. Justice will only be served if we keep the fiery spirit of Minneapolis alive all over the nation until Derek Chauvin and the other collaborators are in jail!



George Floyd

For a movement fighting to win the struggle for justice, there can be no fear of the wisdom of those who choose to take matters into their own hands: the criminal justice system has stubbornly denied justice in virtually every instance in which black and



Oakland Police Department
Crowd Control After-Action Report
May 29, 2020 to June 4, 2020

AerinCreer @AngelAerin777
Some of y'all aren't ready to go into violent protests and i think you should prepare better.
Masks, glasses, gloves, hoodies, sneakers, backpack, washcloth, cellular data OFF.
1:06 PM · May 28, 2020 · [Twitter for iPhone](#)
59.7K Retweets 192.3K Likes

AerinCreer @AngelAerin777 · 22h
Replying to @AngelAerin777
In your backpack, you should have snacks, water, a charger, and CASH. No debit, no credit. Hop turnstiles, don't pay there's a camera right there. The washcloth is to drench in milk or white vinegar for tearg's.
18 3.1K 20.7K

AerinCreer @AngelAerin777 · 22h
Sneakers, running shoes. Wear nondescript clothing with no logos or details. All black to distort.
DONT:
talk to press
Walk in front of news cameras or give your names to reporters.
Keep eyes, nose, lips COVERED.
Walking, bikes, trains >> Uber
11 2.7K 18.9K

AerinCreer @AngelAerin777 · 22h
Be prepared for a long fucking day. Pack granola and water so you don't get hungry. Push all new coverage away from your fucking face. Do not give a statement, period.
Tear gas is hot, to throw It back you should be wear gloves.
6 2.2K 16.5K

statement, period.
Tear gas is hot, to throw It back you should be wear gloves.
6 2.2K 16.5K

AerinCreer @AngelAerin777 · 22h
Make sure your hoodie is the right size and has a drawstring hood. Tie It tight around your face, hiding your hair and locking your goggles in. They're less likely to fall if your do it this way and nobody can pull your hair.
Go with a friend.
2 2K 15.1K

AerinCreer @AngelAerin777 · 22h
If shit goes left, you wanna be able to run. Don't wear overly baggy pants, wear tight clothing that you can move in.
If It goes left, drop your signs. Keep the signs nondescript and don't fucking take pictures of them at home, especially if you use iCloud.
5 1.9K 13.7K

AerinCreer @AngelAerin777 · 22h
Throw on a hat. Bend the brim and keep it LOW.
Don't throw up gang signs or any identifying signs to your group or organization.
Again, a fucking bike is probably your best bet. If you're looting a target, grab a damn bike if It has air in its tires.
6 1.7K 13.9K

AerinCreer @AngelAerin777 · 22h
Black lives fucking matter #blm #BlackLivesMatter 🍌 #acab
Stay fucking safe, It gets real out there.
12 1.5K 12.4K

AerinCreer @AngelAerin777 · 22h
Photographers: Back up outta people's faces. I knocked a couple DSLRs to the ground before and I'll do It again.
3 1.2K 13.3K

30 May 20:

Justice and Solidarity for George Floyd @ Eden Sheriff's Station
May 30 @ 6:00 pm - 7:00 pm

**JUSTICE & SOLIDARITY
FOR GEORGE FLOYD**

#ICantBreathe #EndWhiteSilence
#BlackLivesMatter #NoJusticeNoPeace

Sat. 5/30 6-7pm
Eden Sheriff's Station
San Leandro
Corner of Fairmont and Foothill

BRING: Use Physical Distancing Text 510-
• Sign Stand 6' Apart 936-1883
• Mask Wear Masks with Q's
• Water Peaceful Demonstration

Share Tweet

CATEGORIES: PROTEST

Read more →

HH @truthjusticeph

Replying to @WajahatAli

This so how and what I'm doing. Organizing a protest.

OAKLAND, CA

**JUSTICE
FOR
GEORGE**

#SAYHISNAME
#BLACKLIVESMATTER

**GRAND LAKE THEATER
SATURDAY, MAY 30TH
1PM**

BRING MASKS AND SIGNS IN
SOLIDARITY

31 May 20:



We will be holding a car caravan for #GeorgeFloyd and #BreonnaTaylor. We will gather in the parking lot at Middle Harbor Shoreline Park at 7th St and Middle Harbor Road at the Port of Oakland. We will have some signs or you can bring your own.

Once the lot fills, please line up on 7th St, between Port View Park and Middle Harbor Park, facing Middle Harbor Park (map posted on Facebook event page).

Please wear masks when your windows are open and stay in your cars. If you have to get out to post signs, please remember to keep 6 ft apart.

1 Jun 20:



2 Jun 20:

THE MINNEAPOLIS UPRISING POINTS THE WAY:



**SPREAD THE FIERY
SPIRIT OF MINNEAPOLIS
BY ANY MEANS NECESSARY**

**TUESDAY, JUNE 2
5PM RALLY & MARCH
EAST OAKLAND**
Plaza de la Fuente, at 34th Ave. and
International Blvd.

**Keep safe from COVID-19: always wear a
mask in public.*

Justice for George Floyd
Jail Derek Chauvin and all the cops involved in the conspiracy to
murder George Floyd
End racist cover-ups by District Attorneys and grand juries
Jail all killer cops: a badge is not a license to kill
Defend protesters from attacks by Trump, local, and state police
Trump must resign or be removed now

BAMN Coalition to Defend Affirmative Action, Integration & Immigrant Rights, and Fight for Equality By Any Means Necessary
(855) ASK-BAMN (365.276.234) | california@bamn.com | www.bamn.com | facebook.com/bamnpage

La gente de Minneapolis ha tomado las acciones correctas para luchar por justicia para George Floyd. Mientras los incendios continúan ardiendo, las palabras de Martin Luther King Jr. vienen a la mente "Revueeltas son el lenguaje de los no escuchados." La gente de Minneapolis está siendo ruidosos y claros: el asesinato racista de George Floyd por parte de Derek Chauvin y los otros policías involucrados no pueden ser tratados como negocios de siempre.

A pesar de todo, para ganar justicia real y prevenir asesinatos policíacos racistas de jóvenes Afroamericanos y Latino/as en el futuro, el método de lucha de Minneapolis se tiene que propagar al resto de la nación para prevenir el ya conocido engañoso proceso de justicia que a seguido después de cada asesinato racista policial. En las próximas semanas veremos este engaño desenvolverse y debemos rechazar los esfuerzos de políticos y falsos líderes vendidos para parar la lucha con expresiones hipócritas de simpatía y falsa retórica militante. El nuevo movimiento de derechos civiles, del cual el espíritu en Minneapolis esta surgiendo, debemos rechazar todos los líderes que no son mas que extinguidores de incendios en dos piernas y quienes se oponen a cualquier método de lucha que puede ganar. La Justicia solamente será servida si mantenemos vivo el espíritu ardiente de Minneapolis por toda la nación hasta que Derek Chauvin y otros colaboradores estén en la cárcel.

Para un movimiento luchando para ganar la lucha por la justicia, no puede haber temor de la sabiduría de los que deciden tomar asuntos en sus propias manos: el Sistema de justicia penal terciamente a negado justicia en virtualmente cada instancia en las cuales jóvenes Afroamericanos y Latino/as han sido asesinados por la policía. Sin importar los hechos de la situación, sin importar que el liderazgo sea republicano o democrático, y sin importar la magnitud publica del escándalo, todas las autoridades han aplicado estrictamente una política universal a todos los asesinatos racistas por la policía: los policías se salen con las suyas con el asesinato, las celebridades de derechos civiles mantienen la paz, talvez un poco de dinero es tirado hacia la familia de la victima, y la juventud Afro-Americana y morena siguen en peligro. No, no debe de haber temor de la sabiduría de la gente que deciden tomar asuntos en sus propias manos.

En la era de Trump- un fanático que personifica los elementos racistas mas asquerosos de América, cual campana presidencial fue avalada por las uniones nacionales de la policía y la migra (ICE)- este no es tiempo de esperar justicia de parte de los sistemas políticos y legales a cualquier nivel gubernamental. Bajo la presidencia de Trump, su encubrimiento de blancos supremacistas y pólizas antinmigrantes



George
Floyd

agresivas le han dado luz verde a la policía, oficiales de ICE y ataques racistas de blancos supremacistas en contra de minorías en los Estados Unidos. George Floyd llega en el contexto de una serie de asesinatos y ataques racistas antinmigrantes por parte de policías y blancos supremacistas. Desde el asesinato de Ahmaud Arbery por parte de dos blancos supremacistas mientras trotaba en Atlanta, a Breonna Taylor quien fue asesinada en su casa por oficiales de policía en su casa de Louisville quienes llevaban a cabo una orden de cateo en la casa incorrecta, o Steven Taylor asesinado dentro de un Walmart en San Leandro.

Estos y muchos otros asesinatos racistas vienen detrás de una póliza mortal de la administración de Trump y cada gobierno local y estatal en respuesta a la pandemia de COVID-19 que abrumadoramente esta matando a comunidades Afroamericanas, Latinas y Nativo Americanas a quienes se les a negado acceso a pruebas y tratamiento medico. El re-abrimiento prematuro de la economía también indudablemente incrementaran los números de infecciones y muertes de comunidades minorías y debe ser rechazada fuertemente. Es claro que Trump se debe ir por cualquier medio necesario y que estos asesinatos policíacos racistas tienen que parar y solamente pueden ser parados por una lucha militantemente masiva, independiente y continua.

Ciertos políticos y medios de comunicación fingiendo simpatía con los protestantes en Minneapolis, están clamando que las acciones militantes de la gente de Minneapolis son las acciones de unos pocos agitadores externos y extremistas. Nada puede ser mas lejos de la realidad. La insurrección de la gente de Minneapolis es una expresión lógica de anos continuos de indignación y la ira reprimida en contra del hostigamiento y abuso racista por el departamento policial de Minneapolis, las cortes y todo el establecimiento político.

El 26 de mayo, después de una presunta llamada policial de "falsificación en proceso," oficiales de policía de Minneapolis arrestaron a George Floyd en plena luz del día enfrente de múltiples testigos. Atreves de todo el incidente captado en video, es mas que claro que George Floyd nunca resistió el arresto y siguió las instrucciones de la policía. Refuerzos policíacos innecesarios

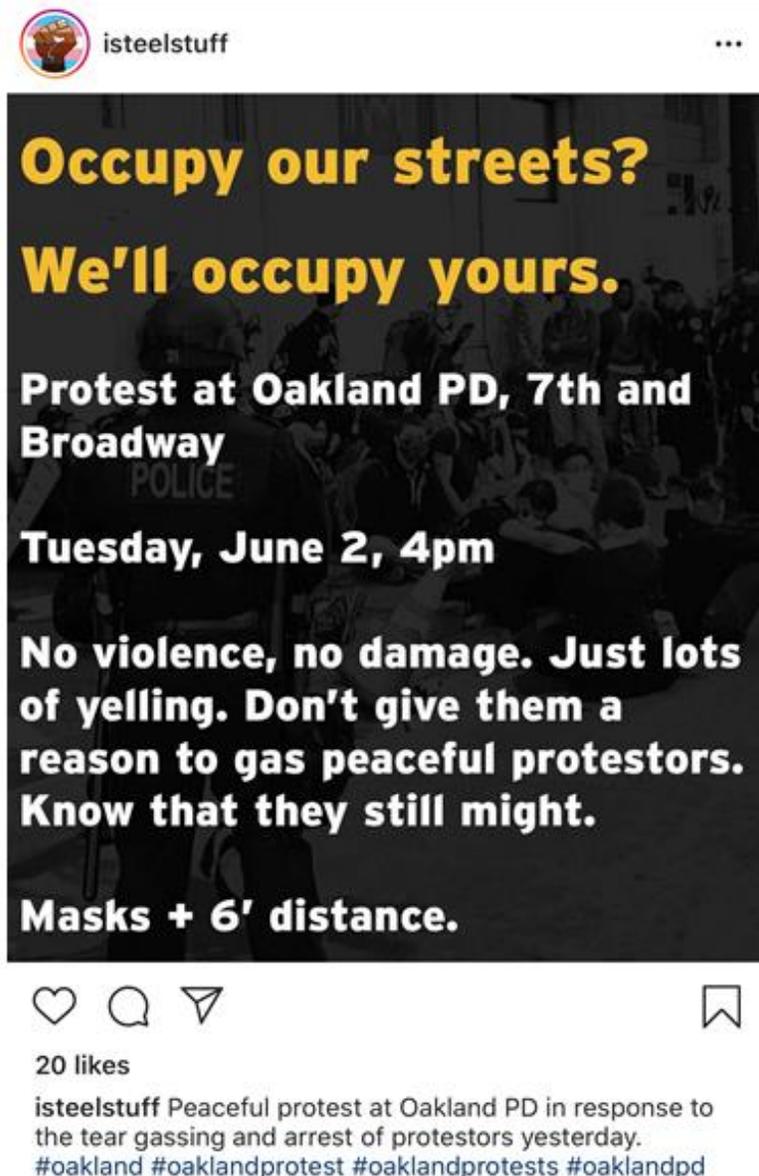
fueron llamados, no para mantener una persona o grupo "violento" bajo control, pero en realidad para hacer el espectáculo usual que departamentos de policía atreves del país están acostumbrados a hacer para aterrorizar comunidades mayoría-minorías. El espectáculo enfermo que siguió por parte del oficial de policía racista Derek Chauvin, un oficial con una historia de incidentes racistas es difícil de ver, pero sobresalta la completamente correcta y necesaria respuesta de la gente de Minneapolis.

Por mas de diez minutos, Derek Chauvin y otros oficiales de policía fijaron sus cuerpos sobre George Floyd, mientras Chauvin fijo su rodilla y cuerpo entero sobre el cuello de George Floyd. Chauvin visiblemente tomo placer en los gritos de "no puedo respirar" y "el me esta matando" de George Floyd, mientras que la gente en la acera les suplicaba a los oficiales que se quitaran de encima de el y que le revisara el pulso. A cierto punto, Floyd dejo de moverse y de hablar, aun así, Chauvin mantuvo sobre el por casi cinco minutos hasta que un rescatista llegó a recoger el cuerpo inmóvil. Video del arresto y subsecuentemente asesinato se ha vuelto viral internacionalmente.

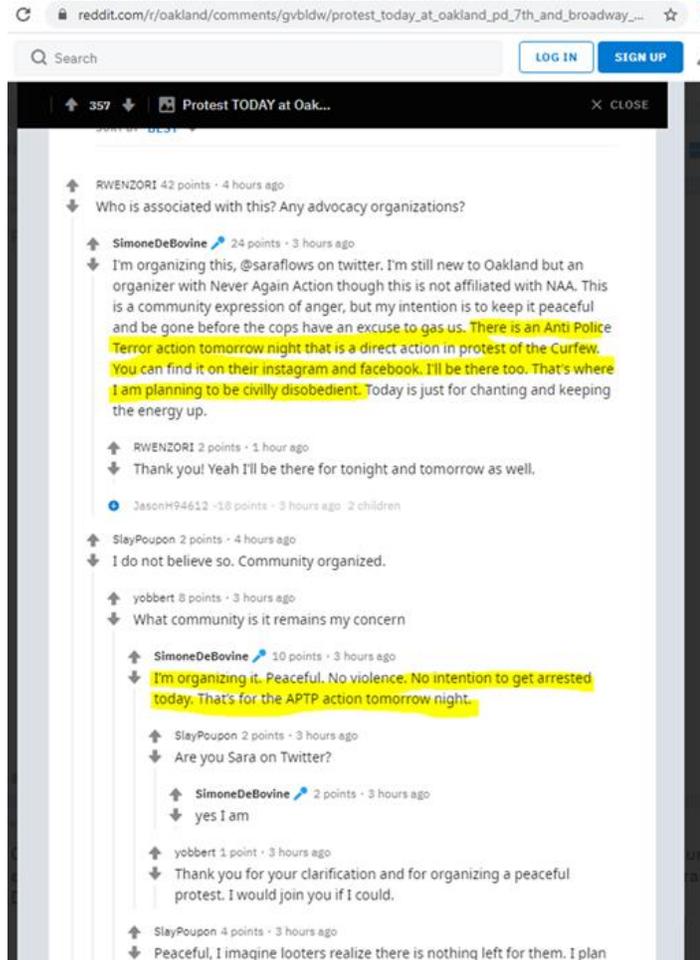
Las acciones de Derek Chauvin y otros oficiales de policía no pueden ser descritas como nada mas que una ejecución publica racista para aterrorizar a una comunidad. Pero Minneapolis ha demostrado que nos Podemos alzar por nosotros mismos y nuestras comunidades en contra de inigualada y ataques racistas cuando tomamos asuntos en nuestras propias manos. Para esos que critican las acciones de la gente de Minneapolis, tenemos que hacer claro que las vidas son mas importantes que la propiedad privada. En tan solo unos cuantos días, las acciones de la comunidad Afroamericana de la gente de Minneapolis y sus simpatizantes atreves del país han hecho mas para proteger las vidas de comunidades Afroamericanas, Latinas y otras minorías atreves del país que cualquier "protesta pacífica" o dialogo, corte o políticos en el país. El peligro ahora para nuestro movimiento es si mantenemos nuestra independencia y consistencia o si caemos en los mismos errores del pasado y cedemos poder a abogados, falsos líderes de derechos civiles o políticos. En este momento, las acciones hablan mas fuerte que las palabras.

*Justicia para George Floyd.
Justicia para Ahmaud Arbery.
Justicia para Breonna Taylor.
Justicia para Sha'Teina Grady El.
Justicia para Steven Taylor.
Justicia para todas las victimas de
brutalidad policial.*

2020.05.29



3 Jun 20:



A Workers First Car Caravan

June 1, 2020 at 9:13 am. Posted by [LaborSolidarityCommittee](#)

Categories:

WHEN:

June 3, 2020 @ 10:30 am – 12:30 pm

WHERE:

Lot A, Oracle Park
San Francisco

 Calendar

 Add to Calendar ▾

PROTEST

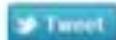
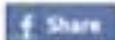
Join us on June 3rd from 10:30am-1pm for an action and car caravan from the SF Federal Building to the Oakland Federal Building calling on Congress and on our state level officials to adopt the 5 Economic Essentials:

- * Keep America healthy—protect and expand health insurance for all workers.
- * Keep front-line workers safe and secure.
- * Keep workers employed and protect earned pension checks.
- * Keep public schools going, the Postal Service solvent, state and local governments running.
- * Keep America competitive—hire people to build infrastructure.

Here are the details:

- 10:30 AM: Staging in SF at Lot A of Oracle Park
- 11:00 AM: Caravan to SF Federal Bldg
- 11:30 AM: Depart to Oakland
- 12:00 PM: Arrive at Oakland Federal Bldg

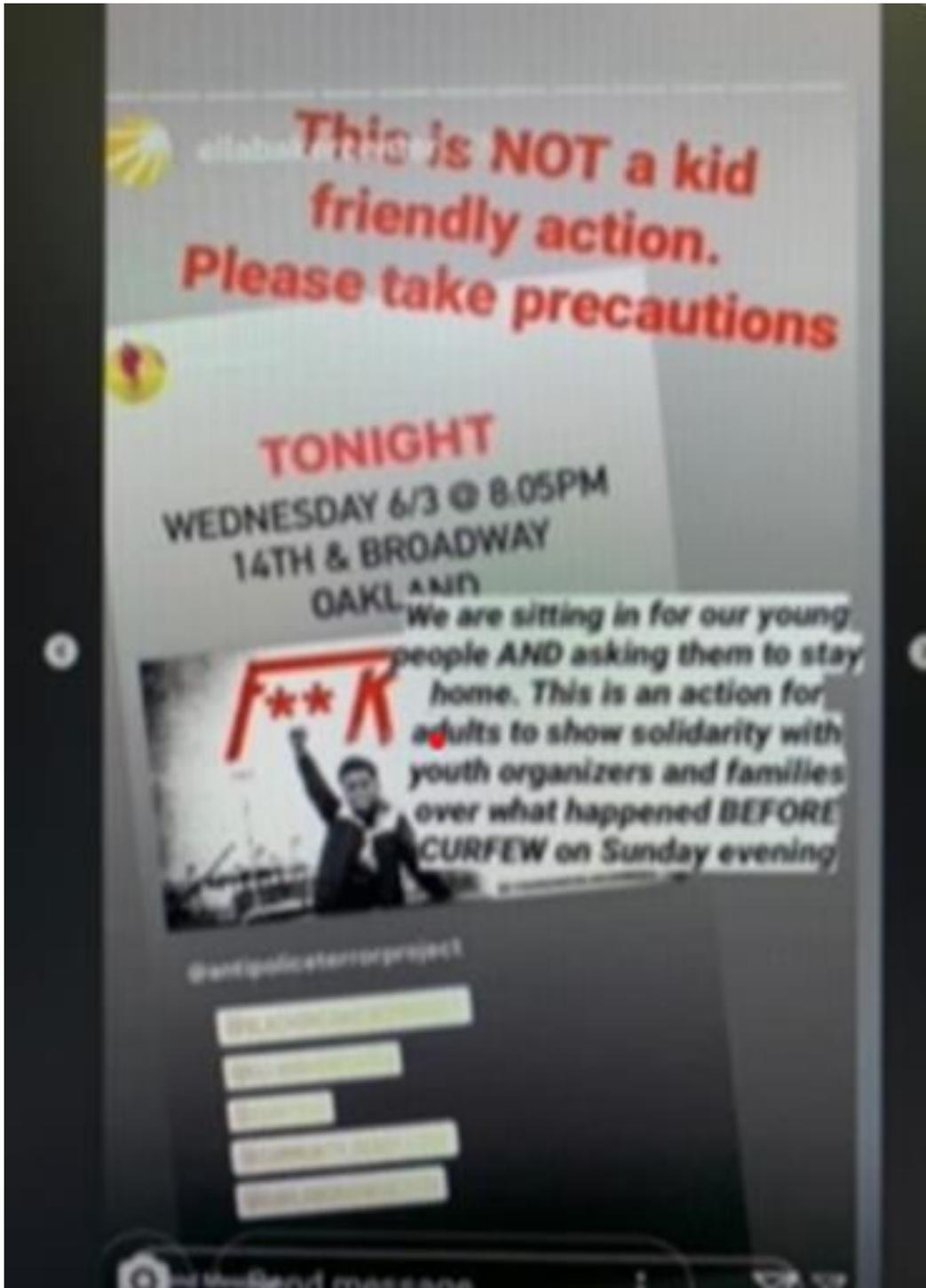
Make your voice heard. Demand worker protections today.



Leave a Reply

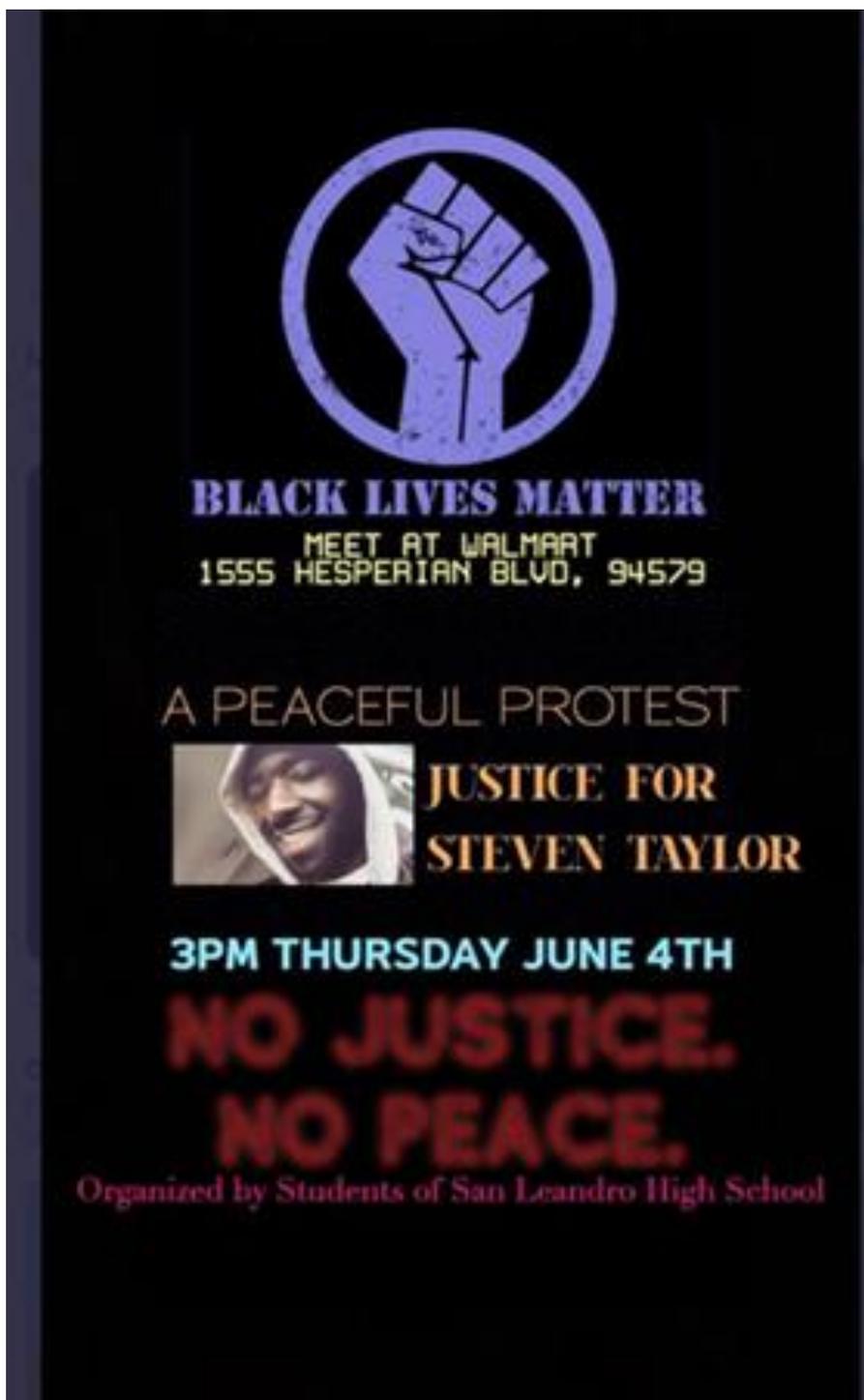
You must be [logged in](#) to post a comment.





4 Jun 20:





HEALTHCARE PROVIDERS KNEEL IN

WHO
 BAY AREA
 HEALTHCARE PROVIDERS

WHEN
 Thursday, June 4th
 5:30PM

WHERE
 Frank H. Ogawa Plaza
 Meet at World Famous HotBoys
 1601 San Pablo Ave. Oakland CA 94612

MISSION
 To stand as healthcare providers in solidarity with the Black community against racism and police brutality

ACTION
 We will kneel for eight minutes and 46 seconds in silence. This is the length of time former police officer Chauvin was seen kneeling on George Floyd's neck.

DETAILS
 Masks required. Six foot distances will be maintained. Bring signs of support. Wear your scrubs, white coats and stethoscopes.

IN SUPPORT OF
 #WhiteCoatsForBlackLives
 #BlackLivesMatter
 #KneelForGeorgeFloyd

OAKLAND - Thursday, June 4. Gather 6pm in Oscar Grant Plaza (14th & Broadway) for Rally and March. Be There! Keep Marching Until We Win! #NoJusticeNoPeace

THE REAL POWER IS IN THE STREETS

TRUMP MUST RESIGN OR BE REMOVED!
 TRUMP AND PENCE MUST GO NOW!

Our country is coming apart. Neither political party is in control of anything important. Only the movement for

ments exist to protect the rights of the people, and that among those absolutely fundamental rights are life, liberty, and

Pence administration and the incapacity of the "opposition party," the Democrats, to show the consciousness, the will, or

TOMORROW AT 6 PM

The Real Power is In The Streets - Keep Marching Until We Win

INTERESTED

Appendix C (Tango Team Inventory Sheets)

29 May 20:

Tango Team Inventory				Box #2	Date: 5/29/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Cardona		8781		CS					
Team Members - Last, First		Serial #		CS Canister		8	0	0	
Officer D. Jagar		8817		CS Triple Chaser		6	5	5	
Officer A. Martinelli		9121		CS Han-Ball		10	5	5	
Officer M. Petty		9225		40mm SKAT CS		10	10	10	
Officer A. Baragan		9263		37mm SKAT CS		0	0	0	
				SMOKE					
CS Blast Inventory									
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Canister		Qty	# Out	# In
		Yes	No						
S215867	8817		X	8817	Smoke Triple Chaser		5	3	3
S215869	8817		X	8817	Smoke Han Ball		22	4	4
S215863	9121		X	8817	40mm SKAT Smoke		9	5	5
S118190	9225		X	8817	37mm SKAT Smoke		3	0	0
S216522	9263		X	8817	40mm Ser#				
S115403	8781	X			40mm Ser#				
S216526	9121		X	8817	40mm Direct Impact		20	20	20
S215866	8781		X	8817	40mm Foam Baton		1	0	0
S215768	9225		X	8817	Inert blast		2	0	0
S215860	9263		X	8817	40mm Launchers		3	3	3
S215865			X	8817	37mm Launchers		0	0	0
S215864			X	8817	Vest		1	0	0
S215769			X	8817	Backpacks		3	2	2
Notes									

Oakland Police Department
 Crowd Control After-Action Report
 May 29, 2020 to June 4, 2020

Tango Team Inventory				Box #3	Date: 29May20				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. E. Perez-Angeles 8803				Handthrown CS					
Team Members - Last, First		Serial #		CS Canister		5	5	4	
Ofc. T. Thurston		9148		CS Trip Chs		5	5	5	
Ofc. J. Palmer		8997		CS Han-Ball		12	12	3	
Ofc. G. Aranda		9453		Handthrown SMOKE					
				Smoke Canister		5	5	5	
				Smoke Trip Chs		5	5	5	
				Smoke Han Ball		5	5	5	
CS Blast Inventory				Launched Munitions					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#					
		Yes	No						
S228906	8803	x							
S228860	8803	x							
S215876	9453	x							
S215878	8803	x			37mm CS SKAT	10	10	10	
S228867	9453	x			37mm Skat Smoke	3	3	3	
S228909	9453	x							
S228907			X						
S228905	9148	x							
S215915	9148	x							
S215917	9148	x			40 mm CS SKAT	12	12	9	
S228904	9148	x							
S215916	8803	x							
Notes									
				40mm Direct Impact					
				40mm Direct Impact					
				40mm Launcher					

Tango Team Inventory				Box # 4	Date: 29 May 20				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sotto, Thomas		8559		Handthrown CS					
Team Members - Last, First		Serial #		CS Canister		5	5	5	
Alcantar, Abel		9315		CS Trip Chs		5	3	2	
Au, Kenneth		9150		CS Han-Ball		17	17	3	
Albino, Kaleo		9450		Handthrown SMOKE					
CS Blast Inventory				Smoke Canister		3	2	1	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Trip Chs		5	2	2
		Yes	No		Smoke Han Ball		5	4	3
S228897	9315	x			Launched Munitions				
S228899	9150	x			37mm CS SKAT		5	5	5
S228898	9150	x			37mm Skat Smoke		5	0	
S228895	9315	x							
S215780	9150	x							
S215873	8559	x							
S228836	9315	x							
S228894	9450	x							
S228896	9450	x							
S228866	9315	x							
S228891	8559	x							
S228890	8596	x			40 mm CS SKAT		10	10	6
S216543	9450	x							
S216524	9315	x							
S215789	9315	x							
S215781	9150	x							
unk	9150	x							
unk	9450	x							
unk	9450	x							
unk	9450	x							
unk	9450	x							
Notes									
				40mm Direct Impact					
				40mm Direct Impact		25	25	25	
				40mm Launcher		1			

Oakland Police Department
 Crowd Control After-Action Report
 May 29, 2020 to June 4, 2020

Tango Team Inventory				Box #6	Date: 5/29/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick				CS					
		8151		CS Canister		4	4	4	
Team Members - Last, First		Serial #		CS Triple Chaser		5	5	3	
Sgt. Alaura, Brian		8396		CS Han-Ball		10	10	8	
Ofc. Esparza, Art		9335		40mm SKAT CS		8	8	0	
Ofc. Brown, Randy		8967		37mm SKAT CS		0	0	0	
Ofc. Schmarzo, Alex		9566		SMOKE					
Ofc. Tioyao, Ryan		9557		Smoke Canister		7	7	6	
CS Blast Inventory									
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Triple Chaser	Qty	# Out	# In	
		Yes	No						
S115457	8151	X		N/A	Smoke Han Ball	7	7	5	
S216508	8151	X		N/A	40mm SKAT Smoke	14	14	14	
S118259	8151	X		N/A	37mm SKAT Smoke	0	0	0	
S228875	8151	X		N/A	Flameless Tri Chamber Smoke	1	1	1	
S216507	8151	X		N/A	CTS White Smoke	1	1	1	
S215796	8151	X		N/A	40mm				
S215798	8151	X		N/A	37mm				
S216503	8151	X		N/A	40mm Direct Impact	25	25	25	
S216518	8151	X		N/A	Notes 				
S216500	8151	X		N/A					
S215790	8151	X		N/A					
S228873	8151	X		N/A					
S216509	8151	X		N/A					
					40mm Foam Baton	0	0	0	
					40mm Launchers	1	1	1	
					37mm Launchers	1	1	1	
					Vest	0	0	0	
					Backpacks	1	1	1	

Oakland Police Department
 Crowd Control After-Action Report
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Tango Team Inventory				Box #3	Date: 30May20				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. E. Perez-Angeles 8803				Handthrown CS					
Team Members - Last, First		Serial #		CS Canister		5	5	4	
Ofc. T. Thurston		9148		CS Trip Chs		5	5	4	
Ofc. A. Barragan		9263		CS Han-Ball		12	12	4	
Ofc. M. Petty		9225		Handthrown SMOKE					
Ofc. A. Esparza		9355		Smoke Canister		5	5	5	
CS Blast Inventory				Smoke Trip Chs		5	5	5	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Han Ball		5	5	
		Yes	No		Launched Munitions				
S216472	8803	x							
S228916	8803	x							
S215860	8803	x							
S216463	9225	x							
S216462	9225	x			37mm CS SKAT	10	10	10	
S215807	9225	x			37mm Skat Smoke	3	3	3	
S216469	9225	x							
S215801	9355	x							
S216488	9263	x							
S216460	9225	x			40 mm CS SKAT	12	12	5	
S2164661	9148	x							
S228907	9148	x							
S216484	9263								
S216489	9263								
S216487	9355								
S216508	9148								
S216481	9263								
S216485	9148								
Notes				40mm Direct Impact					
All CS blast were deployed on Sat May 30th 2020.				40mm Direct Impact					
				40mm Launcher					

Tango Team Inventory				Box #4	30-May-20				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Alaura, Brian 8396				CS					
Team Members - Last, First		Serial #		CS Canister		5	5	5	
Mart, Brandon		9423		CS Trip Chs		13	13	13	
Schmarzo, Alex		9566		CS Han-Ball		10	10	10	
Tioyao, Ryan		9557		SMOKE					
				Smoke Canister		3	0	0	
				Smoke Trip Chs		10	10	10	
				Smoke Han Ball		5	5	5	
CS Blast Inventory				Launch Munitions					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#					
S215800	9557	X			40mm Muzzle Blast		0	0	
S216518	8396	X			40mm CS SKAT		14	4	
S228868			X	8396	40mm Skat Smoke		10	10	
S216477			X	8396	40mm Vest		1	1	
S216476	9557		X	8396	40mm Launcher		2	2	
S216479		X							
S228918			X	8396					
S215787			X	8396					
S216523			X	8396					
S228910	9423	X							
S215877	9423	X							
S228893	8396	X							
S228924	9566		X	8396	37mm CS Skat		21	21	
S216470	9566	X							
S228912			X						
S215785	8396	X							
S215783			X	8396					
S215784			X						
S216543	9423	X							
S215786			X	8396	40mm Ser # TL (None)				
Notes				40mm Impact					
Charlie Tango				40mm Foam Baton					
				Tango Back Pack					

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Tango Team Inventory				Box #6	Date: 5/30/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick				CS					
		8151		CS Canister		2	2	2	
Team Members - Last, First		Serial #							
Sgt. Toribio, Steve		8659		CS Triple Chaser		4	4	4	
Ofc. Kaleo, Albino		9450							
Ofc. Brown, Randy		8967		CS Han-Ball		14	14	11	
Ofc. Alcantar, Abel		9315							
				40mm SKAT CS		3	3	3	
				37mm SKAT CS		14	14	14	
CS Blast Inventory				SMOKE					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Canister		7	7	7
		Yes	No		Smoke Triple Chaser		2	2	0
S216473	8151		X	8151	Smoke Han Ball		7	7	7
S216509	8967		X	8151	40mm SKAT Smoke		14	14	14
S228919	8967		X	8151	37mm SKAT Smoke		0	0	0
S228917	9450	X		N/A	Flameless Tri Chamber Smoke		1	1	1
S228914	9450	X		N/A	CTS White Smoke		0	0	0
S228915	8967	X		N/A					
S228913	8967	X		N/A					
S216475	8967	X		N/A					
S228911	9315	X		N/A					
S215782	9315	X		N/A					
S216474	8151	X		N/A					
S215790	8659	X		N/A					
S228873	8659		x	8151					
				40mm					
				37mm					
				40mm Direct Impact		25	25	19	
Notes				40mm Foam Baton		0	0	0	
				40mm Launchers		1	1	1	
				37mm Launchers		1	1	1	
				Vest		0	0	0	
				Backpacks		1	1	1	

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Tango Team Inventory		McGiffert		Date: 30 May 20				
		Misc. Team Inventory						
Team Leader - Last , First	Serial #	Type/Start Total	Serial #	Qty	# Out	# In		
McGiffert, Matt	8443	CS						
Team Members - Last, First	Serial #	CS Canister		0				
N/A		CS Trip Chs		0				
		CS Han-Ball		2	2	1		
		SMOKE						
		Smoke Canister		0				
		Smoke Trip Chs		0				
		Smoke Han Ball		4	4	2		
CS Blast Inventory								
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#				
		Yes	No					
					37mm Ser#			
					37mm Muzzle Blast	0		
					37mm CS SKAT	0		
					37mm Skat Smoke	0		
					37mm Vest	0		
					37mm Launcher	0		
Notes								
		40mm Ser#						
				40mm Impact				
				40mm Foam Baton		0		
				40mm Launcher				
		Tango Back Pack						

31 May 20:

Tango Team Inventory			Box #2	Date: 5/31/2020				
Personnel			Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In
Sgt. Cardona		8781		CS				
Team Members - Last, First		Serial #		CS Canister		8	8	8
Officer D. Jagar		8817		CS Triple Chaser		6	6	6
Officer J. Palmer		8997		CS Han-Ball		11	11	11
Officer K. Au		9150		40mm SKAT CS		29	29	28
Sgt. Smoak		8786		37mm SKAT CS		0	0	0
				SMOKE				
CS Blast Inventory				Smoke Canister		4	4	4
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Triple Chaser		5	5
		Yes	No		Smoke Han Ball		22	22
S215867	8817		X	8817	40mm SKAT Smoke		9	9
S215869 (INOP)			X	8817	37mm SKAT Smoke		3	0
S215887	9150		X	8817	40mm Ser#			
S215884	8997		X	8817	40mm Ser#			
S215885	8997		X	8817	40mm Direct Impact		20	20
S215805	8781		X	8817	40mm Foam Baton		1	0
S215803	8781		X	8817	Inert blast		2	0
S215886	9150	X			40mm Launchers		3	3
S215864	8786	X			37mm Launchers		0	0
S215860	8817		X	8817	Vest		1	1
S215865	8786		X	8817	Backpacks		3	2
S215769			X	8817	Notes			
S215888			X	8817				

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Tango Team Inventory				Box # 3	Date: 31 May 20				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sotto, Thomas 8559				Handthrown CS					
Team Members - Last, First		Serial #		CS Canister		10	5	5	
Thurston, Thomas		9148		CS Trip Chs		13	3	2	
Petty, Matt		9225		CS Han-Ball		17	9	3	
Esparza, Art		9355		Handthrown SMOKE					
Barragan, Adam		9263		Smoke Canister		0			
CS Blast Inventory				Smoke Trip Chs		5	5	5	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Han Ball		5	5	
		Yes	No						
S216486	8559		X	9148	Launched Munitions				
S216490	8559		X	9148	37mm CS SKAT		18	0	
S216491	9148		X	9148	37mm Skat Smoke		3	0	
S216492	9148		X	9148					
S216493	9225		X	9148					
S216494	9225		X	9148					
S216495	9263		X	9148					
S216496	9263		X	9148					
S216497	9355	X							
S216498	9355	x							
S216499	8559		X	9148					
Notes				40 mm CS SKAT		6	6	6	
A. Esparza deployed 2 X CS Blasts M. Petty Deployed 1 X CS Triple Chaser				40mm SMOKE SKAT		3	3	3	
				40mm Direct Impact					
				40mm Direct Impact		25	25	25	
				40mm Launcher	D36435	1			

Tango Team Inventory				Box #4	31-May-20				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Alaura, Brian 8396				CS					
Team Members - Last, First		Serial #		CS Canister		5	5	5	
Mart, Brandon		9423		CS Trip Chs		13	13	13	
Schmarzo, Alex		9566		CS Han-Ball		10	10	10	
Tioyao, Ryan		9557		SMOKE					
				Smoke Canister		3	0	0	
				Smoke Trip Chs		10	10	9	
CS Blast Inventory				Smoke Han Ball		5	5	5	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#					
		Yes	No		Launch Munitions				
S228868			X	8396	40mm Muzzle Blast	0	0	0	
S216477			X	8396	40mm CS SKAT	14	4	4	
S216476	9566		X	8396	40mm Skat Smoke	10	10	10	
S228918			X	8396	40mm Vest	1	1	1	
S215787			X	8396	40mm Launcher	2	2	2	
S216523	9566		X	8396					
S228924			X	8396	37mm CS Skat	21	21	21	
S215783		X							
S215880	9557		X	8396					
S215889			X	8396					
S215871	9423		X	8396					
S215766	9423		X	8396					
S215765									
S215786	8396		X	8396					
Notes									
Charlie Tango									
				40mm Ser # TL (None)					
				40mm Impact		20	20	20	
				40mm Foam Baton		0	0	0	
				Tango Back Pack		1	1	1	

Tango Team Inventory				Box #6	Date: 5/31/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick				CS					
		8151		CS Canister		10	10	10	
Team Members - Last, First		Serial #							
Sgt. Toribio, Steve		8659		CS Triple Chaser		10	10	9	
Ofc. Kaleo, Albino		9450							
Ofc. Brown, Randy		8967		CS Han-Ball		10	10	10	
Ofc. Alcantar, Abel		9315							
Ofc. Martinelli, Anthony		9121		40mm SKAT CS		13	13	13	
Ofc. Hutchison, John		9329							
				37mm SKAT CS		14	14	14	
CS Blast Inventory				SMOKE					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Canister	Qty	# Out	# In	
		Yes	No						
S215757	9121	X		N/A	Smoke Triple Chaser	10	10	10	
S228927	8151	X		N/A	Smoke Han Ball	10	10	10	
S216515	8967	X		N/A	40mm SKAT Smoke	11	11	11	
S215756	9121		X	8151	37mm SKAT Smoke	0	0	0	
S215758	8151	X		N/A	Flameless Tri Chamber Smoke	1	1	1	
S215851	8659		X	8151	CTS White Smoke	0	0	0	
S215857	8659		X	8151					
S228928	9450		X	8151					
S215852	8967		X	8151					
S216535	9315		X	8151					
S215762	9315		X	8151					
S215790	9450	X		N/A					
				40mm					
				37mm					
				40mm Direct Impact		25	25	22	
				40mm Foam Baton		0	0	0	
				40mm Launchers		1	1	1	
				37mm Launchers		1	1	1	
				Vest		0	0	0	
				Backpacks		1	1	1	
Notes									

1 Jun 20:

Tango Team Inventory				Box #	Date: 1 Jun 20				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sotto, Thomas 8559				Handthrown CS					
Team Members - Last, First		Serial #		CS Canister		0			
Martinelli, Anthony		9121		CS Trip Chs		5	5	5	
Aranda, Gil		9453		CS Han-Ball		0			
Patane, Nick		9547		Handthrown SMOKE					
				Smoke Canister		5	5	5	
				Smoke Trip Chs		3	3	3	
				Smoke Han Ball		6	6	6	
CS Blast Inventory				Launched Munitions					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#					
		Yes	No						
S216493	8559		x	8559	37mm CS SKAT				
S216491	8559		x	8559	37mm Skat Smoke				
S215767	9121		x	8559		0			
S216535	9121		x	8559		0			
S216525	9453		x	8559					
S216539	9453		x	8559					
S216537	9547		x	8559					
S215787	9547		x	8559					
S228918	8559		x	8559					
				40 mm CS SKAT					
						7	7	7	
				40mm SMOKE SKAT					
						0	0	0	
Notes				40mm Direct Impact					
				40mm Direct Impact					
						5	5	5	
				40mm Launcher					
						1			

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Tango Team Inventory				Box #2	Date: 06/01/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Cardona		8781		CS					
Team Members - Last, First		Serial #		CS Canister		8	8	8	
Officer D. Jagar		8817		CS Triple Chaser		6	6	6	
Officer J. Palmer		8997		CS Han-Ball		11	11	10	
Officer K. Au		9150		40mm SKAT CS		29	29	20	
Sgt. Smoak		8786		37mm SKAT CS		0	0	0	
CS Blast Inventory				SMOKE					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Canister		Qty	# Out	# In
		Yes	No						
S215867	8817		X	8817	Smoke Triple Chaser		4	4	4
S215869 (INOP)			X	8817	Smoke Han Ball		5	5	4
S215887	9150	X			Smoke Han Ball		22	22	21
S215884	8781	X			40mm SKAT Smoke		9	9	9
S215885	8786		X	8817	37mm SKAT Smoke		3	0	0
S215805	8781		X	8817	40mm Ser#				
S215803	8781	X			40mm Ser#				
S215769			X	8817	40mm Direct Impact		20	20	20
S215888			X	8817	40mm Foam Baton		1	0	0
S215860	8817		X	8817	Inert blast		2	0	0
S215865	8997		X	8817	40mm Launchers		3	3	3
Notes				37mm Launchers					
				Vest					
				Backpacks					

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Tango Team Inventory				Box #3	Date: 01Jun 20				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. E. Perez-Angeles 8803				Handthrown CS					
Team Members - Last, First		Serial #		CS Canister		10	10	9	
Ofc. T. Thurston		9148		CS Trip Chs		12	12	12	
Ofc. A. Barragan		9263		CS Han-Ball		17	17	15	
Ofc. M. Petty		9225		Handthrown SMOKE					
Ofc. A. Esparza		9355		Smoke Canister		6	6	6	
CS Blast Inventory				Smoke Trip Chs		5	5	5	
Serial Number	Issued to Ser #	Deployed? Yes No	Rec'd Back By Ser#	Smoke Han Ball		5	5	4	
S216496	9263	X		Launched Munitions					
S216495	8803		X						
S216491	8803		X						
S216486	8803		X	37mm CS SKAT		18	18	13	
S216492	9355		X	37mm Skat Smoke		3	3	3	
S216499	9355		X						
S216494	9148		X						
S216090	9148		X						
S216493	8803		X	40 mm CS SKAT		3	3	3	
Notes									
S216491 & S216493 were given to Ofc. Martinelli.									
				40mm Direct Impact					
				40mm Direct Impact		22	22	22	
				40mm Launcher		1	1	1	

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Tango Team Inventory				Box #4	1-Jun-20			
Personnel				Misc. Team Inventory				
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In
Alaura, Brian 8396				CS				
Team Members - Last, First		Serial #		CS Canister		5	5	5
Mart, Brandon		9423		CS Trip Chs		17	17	17
Schmarzo, Alex		9566		CS Han-Ball		10	10	10
Tioyao, Ryan		9557		SMOKE				
				Smoke Canister		3	2	2
				Smoke Trip Chs		10	10	9
				Smoke Han Ball		10	10	10
CS Blast Inventory				Launch Munitions				
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#				
		Yes	No					
S228868	9566		X	8396	40mm Muzzle Blast	0	0	0
S216477			X	8396	40mm CS SKAT	14	4	4
S216476	9423		X	8396	40mm Skat Smoke	10	10	10
S228918			X	8396	40mm Vest	1	1	1
S215787			X	8396	40mm Launcher	2	2	2
S216523	8396		X	8396				
S228924			X	8396				
S215880			X	8396				
S215889	9566		X	8396				
S215871			X	8396				
S215766	9557		X	8396				
S215783	8396	X						
S215786	9423		X	8396	37mm CS Skat	21	21	21
S215872	9557		X	8396				
Notes				40mm Ser # TL (None)				
Delta Tango				40mm Impact		20	20	20
				40mm Foam Baton		0	0	0
				Tango Back Pack		1	1	1

Tango Team Inventory				Box #6	Date: 6/01/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick				CS					
		8151		CS Canister		10	10	10	
Team Members - Last, First		Serial #		CS Triple Chaser		10	10	10	
Sgt. Toribio, Steve		8659		CS Han-Ball		10	10	10	
Ofc. Kaleo, Albino		9450		40mm SKAT CS		13	13	11	
Ofc. Brown, Randy		8967		37mm SKAT CS		14	14	10	
Ofc. Alcantar, Abel		9315		SMOKE					
Ofc. Hutchison, John		9329		Smoke Canister		10	10	10	
CS Blast Inventory				Smoke Triple Chaser		10	10	10	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Han Ball		10	10	
S216473	8151		X	8151	40mm SKAT Smoke		11	11	
S215851	8151		X	8151	37mm SKAT Smoke		0	0	
S215857	9450		X	8151	Flameless Tri Chamber Smoke		1	1	
S228928	9315	X		N/A	CTS White Smoke		0	0	
S215852	9450		X	8151	40mm				
S228927	9329	X		N/A	37mm				
S215762	8659		X	8151	40mm Direct Impact		25	25	
S216536	8659		X	8151	40mm Foam Baton		0	0	
S215756	8967		X	8151	40mm Launchers		1	1	
S216532	8967		X	8151	37mm Launchers		1	1	
S216533	9329		X	8151	Vest		0	0	
S216531	9315		X	8151	Backpacks		1	1	
S216513	8967		x	8151	Notes 				

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2 Jun 20:

Tango Team Inventory		Box #2	Date: 6/02/2020					
Personnel		Misc. Team Inventory						
Team Leader - Last, First	Serial #	Type/Start Total	Serial #	Qty	# Out	# In		
SMOAK, J.	8786	CS						
Team Members - Last, First	Serial #	CS Canister		8	8	8		
JAGAR, Dinesh	8817	CS Triple Chaser		8	8	8		
AN, Kenneth	9150	CS Han-Ball		9	9	9		
Gatdug, Austin	9599	40mm SKAT CS		25	25	25		
		37mm SKAT CS		0	0	0		
(6) CS Blast Inventory		SMOKE						
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Canister			
		Yes	No			4	4	4
S215867	8817		✓		Smoke Triple Chaser	10	10	10
S215869					Smoke Han Ball	17	17	17
S215863					40mm SKAT Smoke	10	10	10
S118190					37mm SKAT Smoke	3	0	0
S216522					40mm Ser#			
S115403					40mm Ser#			
S216526					40mm Direct Impact	20	0	0
S215866					40mm Foam Baton	0	0	0
S215768					Inert blast	0	0	0
S215860	8186		✓					
S215865	9599		✓					
S215864					37mm Launchers	0	0	0
S215769					Vest	1	0	0
S215805	9150		✓		Backpacks	3	0	0
S215803								
S215887								
S215885	8817		✓					
S215888	9150		✓					
S215886								
S215884								

Tango Team Inventory				Box #3	Date: 6/2/20						
Personnel				Misc. Team Inventory							
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In			
PEREZ, Eriberto		8803		CS							
Beaver, Michael		8095		CS Canister		10	10	10			
Team Members - Last, First		Serial #		CS Trip Chs		12	12	12			
ESPARZA, Art		9355		CS Han-Ball		15	15	15			
PETTY, Tim Matthew		9225		SMOKE							
THURSTON, Thomas		9148		Smoke Canister		5	5	5			
BARRAGAN, Adam		9263		Smoke Trip Chs		5	5	5			
CS Blast Inventory				Smoke Han Ball		4	4	4			
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	37mm Ser#						
		Yes	No		37mm Muzzle Blast	0					
3216495	8803				40	1					
3216486	9263				37mm CS SKAT	17	17	17			
3216490	8803				40	3					
3216494	9148				37mm Skat Smoke	3	5	5			
3216499	9225				37mm Vest						
3216492	9355				37mm Launcher						
Notes				40mm Ser#							
No Gas Deployment by Bravo Tango.				0							
				40mm Impact					22	22	22
				40mm Foam Baton					0		
				40mm Launcher							
				Tango Back Pack							

Tango Team Inventory				Box #4	2-Jun-20				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Alaura, Brian 8396				CS					
Team Members - Last, First		Serial #		CS Canister		5	5	5	
Mart, Brandon		9423		CS Trip Chs		17	17	17	
Schmarzo, Alex		9566		CS Han-Ball		10	10	10	
Tioyao, Ryan		9557		SMOKE					
				Smoke Canister		3	2	2	
				Smoke Trip Chs		10	10	10	
CS Blast Inventory				Smoke Han Ball		10	10	10	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#					
		Yes	No		Launch Munitions				
S228868	8396		X	8396	40mm Muzzle Blast	0	0	0	
S216477	9423		X	8396	40mm CS SKAT	14	4	4	
S216476			X	8396	40mm Skat Smoke	10	10	10	
S216523	9557		X	8396	40mm Vest	1	1	1	
S215880	9557		X	8396	40mm Launcher	2	2	2	
S215889	9556		X	8396	37mm CS Skat	21	21	21	
S215871	9423		X	8396	40mm Ser # TL (None)				
S215766			X	8396	40mm Impact	20	20	20	
S215872			X	8396	40mm Foam Baton	0	0	0	
S215786			X	8396	Tango Back Pack	1	1	1	
Notes									
Delta Tango									

Tango Team Inventory				Box #6	Date: 6/02/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick				CS					
		8151		CS Canister		10	10	10	
Team Members - Last, First		Serial #		CS Triple Chaser		10	10	10	
Sgt. Toribio, Steve		8659		CS Han-Ball		10	10	10	
Ofc. Kaleo, Albino		9450		40mm SKAT CS		10	10	10	
Ofc. Brown, Randy		8967		37mm SKAT CS		10	10	10	
Ofc. Alcantar, Abel		9315		SMOKE					
Ofc. Hutchison, John		9329		Smoke Canister		10	10	10	
CS Blast Inventory				Smoke Triple Chaser		10	10	10	
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Han Ball		10	10	
S215857			X	8151	40mm SKAT Smoke		10	10	
S215851			X	8151	37mm SKAT Smoke		0	0	
S216531			X	8151	Flameless Tri Chamber Smoke		1	1	
S215852			X	8151	CTS White Smoke		0	0	
S216533			X	8151	40mm				
S215765			X	8151	37mm				
S216473			X	8151	40mm Direct Impact		25	25	
S216532			X	8151	40mm Foam Baton		0	0	
S215767			X	8151	40mm Launchers		1	1	
S215765			X	8151	37mm Launchers		1	1	
S216513			X	8151	Vest		0	0	
S216536			X	8151	Backpacks		1	1	
Notes									

3 Jun 20:

Tango Team Inventory				Box #4	3-Jun-20				
Personnel				Misc. Team Inventory					
Team Leader - Last , First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Alaura, Brian 8396				CS					
Team Members - Last, First		Serial #		CS Canister		5	5	5	
Mart, Brandon		9423		CS Trip Chs		17	17	17	
Schmarzo, Alex		9566		CS Han-Ball		10	6	6	
Tioyao, Ryan		9557		SMOKE					
				Smoke Canister		3	2	2	
				Smoke Trip Chs		12	12	12	
				Smoke Han Ball		10	6	6	
CS Blast Inventory				Launch Munitions					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#					
		Yes	No						
S228868	9557		X	8396	40mm Muzzle Blast	0	0	0	
S216477			X	8396	40mm CS SKAT	20	4	4	
S216476			X	8396	40mm Skat Smoke	10	6	6	
S216523	9423		X	8396	40mm Vest	1	1	1	
S215880	9423		X	8396	40mm Launcher	2	2	2	
S215889	9557		X	8396					
S215871	9566		X	8396					
S215766			X	8396					
S215872	8396		X	8396					
S215786			X	8396					
S216477			X	8396					
				37mm CS Skat		21	21	21	
Notes				40mm Ser # TL (None)					
Charlie Tango				40mm Impact		20	20	20	
				40mm Foam Baton		0	0	0	
				Tango Back Pack		1	1	1	

Tango Team Inventory			Box #6	Date: 6/03/2020				
Personnel			Misc. Team Inventory					
Team Leader - Last , First		Serial #	Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick			CS					
Team Members - Last, First		Serial #	CS Canister		10	10	10	
Sgt. Toribio, Steve		8151						
Ofc. Kaleo, Albino		8659	CS Triple Chaser		10	10	10	
Ofc. Brown, Randy		9450						
Ofc. Alcantar, Abel		8967	CS Han-Ball		10	10	10	
Ofc. Hutchison, John		9315						
		9329	40mm SKAT CS		10	10	10	
			37mm SKAT CS		10	10	10	
CS Blast Inventory				SMOKE				
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Canister	Qty	# Out	# In
		Yes	No					
S215857			X	8151	Smoke Triple Chaser	10	10	10
S215851			X	8151	Smoke Han Ball	10	10	10
S216531			X	8151	40mm SKAT Smoke	10	10	10
S215852			X	8151				
S216533			X	8151	37mm SKAT Smoke	0	0	0
S215765			X	8151	Flameless Tri Chamber Smoke	1	1	1
S216473			X	8151				
S216532			X	8151	CTS White Smoke	0	0	0
S215767			X	8151				
S215765			X	8151				
S216513			X	8151				
S216536			X	8151				
				8151				
					40mm			
					37mm			
					40mm Direct Impact	25	25	25
Notes					40mm Foam Baton	0	0	0
					40mm Launchers	1	1	1
					37mm Launchers	1	1	1
					Vest	0	0	0
					Backpacks	1	1	1

4 Jun 20:

Tango Team Inventory				Box #6	Date: 6/04/2020				
Personnel				Misc. Team Inventory					
Team Leader - Last, First		Serial #		Type/Start Total	Serial #	Qty	# Out	# In	
Sgt. Gonzales, Patrick				CS					
Team Members - Last, First		Serial #		CS Canister		10	10	10	
Sgt. Toribio, Steve		8659		CS Triple Chaser		10	10	10	
Ofc. Kaleo, Albino		9450		CS Han-Ball		10	10	10	
Ofc. Brown, Randy		8967		40mm SKAT CS		10	10	10	
Ofc. Alcantar, Abel		9315		37mm SKAT CS		10	10	10	
Ofc. Au, Kenneth		9150		SMOKE					
CS Blast Inventory				Smoke Canister					
Serial Number	Issued to Ser #	Deployed?		Rec'd Back By Ser#	Smoke Triple Chaser		10	10	10
		Yes	No		Smoke Han Ball		10	10	10
S215857				8151	40mm SKAT Smoke		10	10	10
S215851				8151	37mm SKAT Smoke		0	0	0
S216531				8151	Flameless Tri Chamber Smoke		1	1	1
S215852				8151	CTS White Smoke		0	0	0
S216533				8151	40mm				
S215765				8151	37mm				
S216473				8151	40mm Direct Impact		25	25	25
S216532				8151	40mm Foam Baton		0	0	0
S215767				8151	40mm Launchers		1	1	1
S215765				8151	37mm Launchers		1	1	1
S216513				8151	Vest		0	0	0
S216536				8151	Backpacks		1	1	1
				8151	Notes				

Appendix D (Use of Force Level and Type Chart)

Use of Force (DGO K-03, p. 3): Any physical or mechanical intervention used by a member or employee to defend, control, overpower, restrain, or overcome the resistance of an individual.

Level 1 Force Type	
1	Lethal Firearm Discharge at a Person
2	Force Resulting in Death
3	Force Creating Substantial Risk of Causing Death
4	Intentional Strike to Head w/ Impact or Impromptu Impact Weapon – Regardless of Injury
5	Unintentional Firearm Discharge with Injury or as directed by the CID Commander
6	Force Results in SBI (Defined by DGO K-3) Other than Carotid Restraint
7	Use of Carotid Restraint, including Carotid Takedown, with Loss of Consciousness
8	Other: (Describe in Narrative)
Level 2 Force Type	
9	Personal Weapon Strikes to the Head or to a Restrained Subject
10	Use of Carotid Restraint, including Carotid Takedown, without Loss of Consciousness
27	Unintentional Firearm Discharge Not Resulting in Injury
30	OC or Other Chemical Agent Applied to a Restrained Subject
12	Impact/Impromptu Impact Weapon with Contact - Regardless of Injury
13	Any Use of Force Resulting in Injury Which Requires Treatment in a Hospital or Medical Facility Beyond What is Required by Basic First Aid (Other than a Level 1 Force Type)
14	Police Canine Bites Clothing, Skin, or Causes an Injury Requiring Emergency Medical Treatment (Other than First Aid) or Hospital Admittance
15	Other (Describe in Narrative)
31	Use of ECW Against a Restrained Subject
Level 3 Force Type	
11	ECW Probes Impact Clothing or Penetrate Skin, or ECW is used to Drive Stun
16	All Non-Carotid Takedowns on a Restrained Subject
16a	Personal Weapon Strikes Other Than Strikes to the Head or to a Restrained Subject
17	OC Applied to an Unrestrained Person
17a	Other Chemical Agent Deployed / Applied to an Unrestrained Person
18	ECW Probes Fired at Subject but Miss
19	Non-Striking Use of Baton Against a Person (e.g. prying limbs, moving or controlling a person)
20	Attempted Impact Weapon Strike, including SIM, which Misses and where No Contact is Made
Level 4 Force Type	
22	Pointing a Firearm at a Person
23	Weaponless Defense Technique applied to a vulnerable area for the purpose of inducing pain, excluding strikes (e.g., hair grab, pressure to mastoid, trapezius grab)
24	On-Duty Firearm Discharge to Dispatch an Injured Animal
29	All Non-Carotid Takedowns, Except on a Restrained Subject
25	A Weaponless Defense Technique Control Hold is applied for the purpose of inducing pain, including the Twist lock; Arm-bar; Bent-wrist; or Arm-bar Hammerlock.
26	A level 3 use of force incident meeting the criteria to be reported as a Level 4 AND reviewed and approved by supervisor or commander. (Indicate the Level 3 force type used in the Narrative.)
28	Canine deployment – suspect located by canine but no bite occurs OR canine makes non-biting physical contact with no injury beyond first aid
32	Any Use of Force, as Defined in DGO K-03, to: <ul style="list-style-type: none"> · Overcome Resistance of a Person During an Arrest or a Detention; or · Defend any Individual from Combative Action by Another Person And which is not categorized in reporting types 1-31.

UPDATED ON 7/27

(Major changes from earlier version highlighted in yellow)



Reimagining Public Safety

Operationalizing the Oakland City Council's Commitment to Enhancing Public Safety Through More Appropriate, Efficient & Equitable Allocation of Resources

Submitted for Council and Community Review/Feedback By
Councilmembers Loren Taylor and Nikki Fortunato Bas

CONTENTS

- Background/ Context
- Operationalizing The Taskforce
- How You Can Get Involved
- Next Steps



Background/ Context

The Problem: Our Public Safety System Doesn't Work for All

- **INADEQUATE SERVICE LEVELS**
 - Current Response Times and Service Levels are inadequate
 - Many residents feel less safe in the presence of OPD
- **INEQUITABLE OUTCOMES**
 - Oakland scored 17.3 of 100 on equity scorecard for Public Safety
- **INAPPROPRIATE RESPONSE FOR MANY SITUATIONS**
 - Police and Community members agree that many of the calls police respond to are best answered by an alternative response team (e.g., homelessness, mental health, etc.)
- **INESCAPABLE PAST**
 - After 17 years under the Negotiated Settlement Agreement, OPD still has 7 of 51 tasks that are in complete
 - Police Commission is helping improve accountability, but must continue to be supported
- **INEFFICIENT SPENDING**
 - Significant investment is being made into less effective Punitive Enforcement versus more effective Community Empowerment & Crime Prevention

Oakland's Equity Scores Related To Public Safety

Topics	Scores	Indicators	Scores
Incarceration	1.0	Adult Felony Arrests	1
		Jail Incarceration	1
		Prison Incarceration	1
Law Enforcement	18.3	Police Response Times	48
		Stops	6
		Use of Force	1
Staffing	48.3	Representation	45
		Attrition from Academy	63
		Attrition from Field Training	37
Community Stressors	1.7	Domestic Violence	3
		Homicides	1
		Juvenile Felony Arrests	1

SOURCE: Oakland's 2018 Equity Indicators Report
 (<https://cao-94612.s3.amazonaws.com/documents/2018-Equity-Indicators-Full-Report.pdf>)

Oakland City Council Is Initiating A Taskforce To Reimagine Public Safety

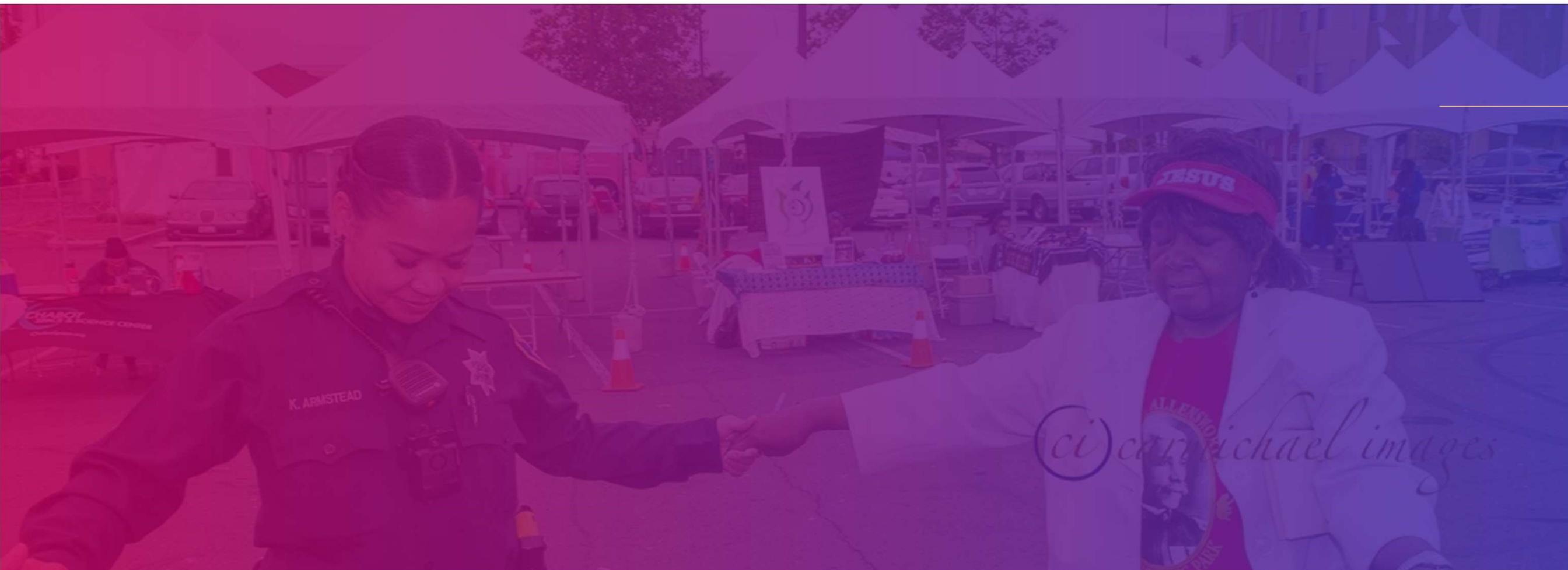
Taskforce Purpose & Goals

The purpose of the reimagining public safety taskforce is to rapidly reimagine and reconstruct the public safety system in Oakland by developing a recommendation for Council consideration to increase community safety through alternative responses to calls for assistance, and investments in programs that address the root causes of violence and crime (such as health services, housing, jobs, etc), with a goal of a 50% reduction in the OPD General Purpose Fund (GFP) budget allocation.

Other Complementary Efforts Outside of Taskforce's Scope

How do we stop negative, deadly, and inequitable outcomes that result from police interactions (e.g., use of force, abuse of power, loss of life, etc.)?

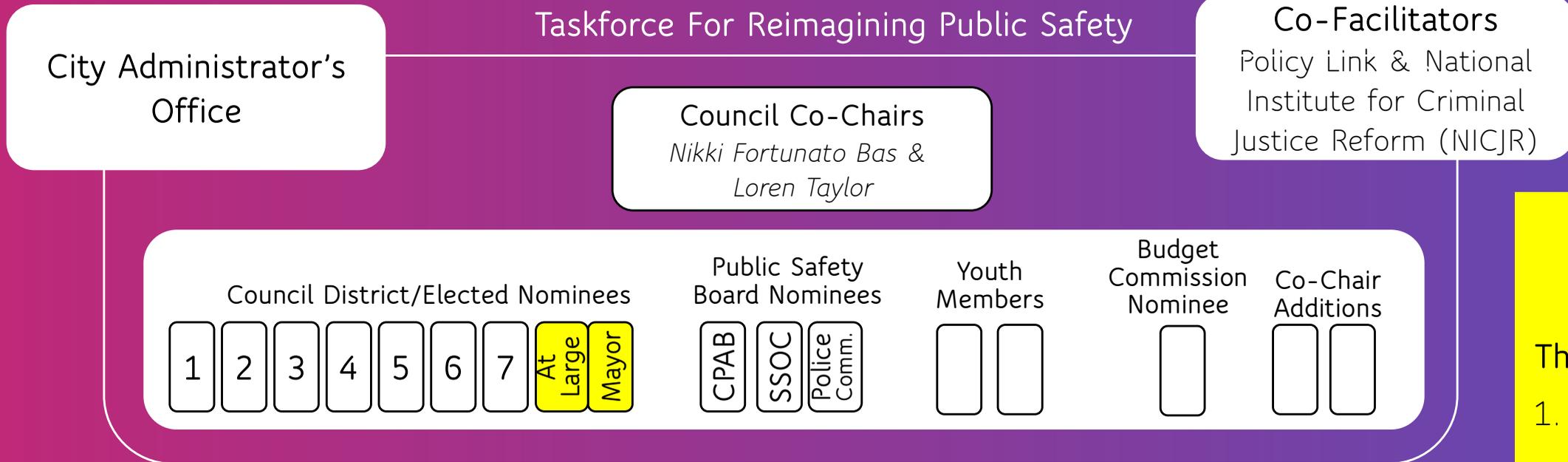
1. Addressing State policies and legislation to improve Police Officer Transparency & Accountability (including POBAR) - State Legislators
2. Enhancing Oversight & Accountability for Police Officer Misconduct - Oakland Police Commission
3. Establishing Alternative Response Models to Armed Law Enforcement - MACRO Working Group, Alameda County Health Department, and Other Community Based Organizations
4. Increasing investment into prevention and community empowerment - Department of Violence Prevention, Human Services Department, Oakland Parks, Rec, and Youth Development, OFCY Partners, and other Community Based Organizations
5. Improved selection and training of first responders - Oakland Police Department Leadership, Others



Operationalizing The Taskforce

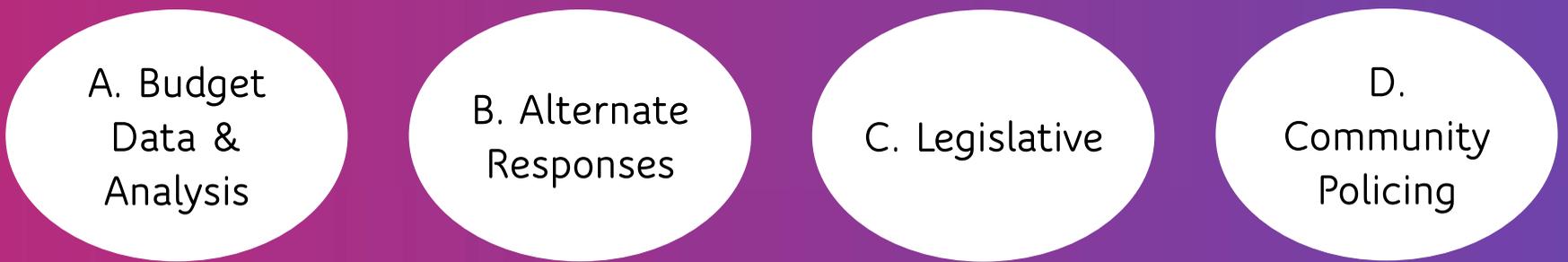
Proposed Team/Advisory Group Structure

Taskforce For Reimagining Public Safety



- ### Critical Partnerships Through Process
1. Alameda County
 2. Oakland Unified School District
 3. Others - TBD

Advisory Boards



Taskforce Membership

KNOWLEDGE, EXPERIENCE, & EXPERTISE NEEDED ON TASKFORCE

- Active Members of Oakland Community (Required of All)
- Committed to the Goals and Success of The Taskforce (Required of All)
- Representation from Impacted Communities
 - Formerly incarcerated individuals
 - Victims of violent crime and their family members
 - Immigrant community
 - From Community Impacted by police violence
 - Historically underrepresented populations
- Health/ Public Health Expertise
- City of Oakland labor/union representation
- Law Enforcement Operation/Budget Knowledge

	Who Nominates?	Additional Criteria	Total Positions
1	Each Councilmember (Incl. At-Large & Mayor)	One representative from each district	9
2	Each of three public safety related citizen commissions <ul style="list-style-type: none"> • Community Policing Advisory Board (CPAB) • Safety Services Oversight Committee (SSOC) • Police Commission 	Knowledge of Oakland's Public Safety System	3
3	Budget Advisory Commission	Knowledge and Familiarity with Oakland City Budget	1
4	Youth Advisory Commission	Youth Voice (Ages 13-21)	2
5	Taskforce Co-Chairs (Bas & Taylor)	Knowledge/expertise/ experience not already represented by other nominees	2
TOTAL MEMBERS			17

Taskforce Member Responsibilities

Active Membership & Participation Required of Selected Taskforce Members

- *Thorough preparation for and active participation in all taskforce meetings (1-2 meetings per month)*
- *Active participation in at least one Advisory Board (Each Advisory Board to be co-chaired by a taskforce member)*
- *Participate in and support various community engagement efforts*
- *Other responsibilities – to be determined*

NOTE: Members are expected to be fully committed and prioritize participation on this taskforce. As such, there will be no alternate members, and no delegation of voting rights.

Facilitator Selection

Selection Criteria:

- **Facilitator that builds confidence in the process** - Facilitator who has the experience and values to advance the goal of shifting policing resources from enforcement and punishment to prevention and wellness; who values transparency and accountability; and who is able to engender the trust and confidence of diverse stakeholders from those who have been impacted by police violence to law enforcement.
- **Oakland Knowledge and History** - with knowledge/ experience/ relationships here that will be leveraged to ensure greater impact
- **Proven History of Deep Community Engagement/ Collaboration** - Experience/expertise leading difficult conversations and engaging large, broad, and diverse stakeholder groups
- **Open to Something Novel** - someone who is not stuck in one way of thinking, but instead open to new possibilities to come out of the process. Analysis around why punitive policing and incarceration is not always the answer and a belief that investing in root causes rather than just police will achieve safety. Working knowledge of alternative models as well as a grounding in transformative justice.
- **Public Safety System Knowledge** - knowledge of the history of policing in Oakland, but not a current sworn officer

Recommended Co-Facilitators

- **National Institute of Criminal Justice Reform** - David Muhammad (CEO)
- **PolicyLink** - Michael McAfee (CEO), Anand Subramanian (Managing Director)

New Slide

Advisory Board – Proposed Scope

A. Budget Data & Analysis

To oversee and conduct data analysis where needed to inform taskforce decision-making process, and analysis of other Advisory Boards

To include, but not be limited to calls for service, overtime, budget and appropriate staffing levels

B. Alternate Responses

To research and develop perspectives/ on alternate responses to policing that should be considered in Oakland with a view of achieving transformational justice

To include, but not be limited to:
Homelessness, Mental Health, Quality of Life Issues/disturbances, as well as civilianization.

C. Legislative

To review, analyze, and develop a perspective on relevant legislation that impacts the extent to which, and in what ways proposals can be adopted/ implemented

To include, but not be limited to: State Law, Oakland Measure Z, The Negotiated Settlement Agreement, the OPOA Contract

D. Community Policing

To develop a perspective on how we will design community engagement and participation into the reimagined public safety system

To leverage the knowledge of the CPAB and include a review of the NSC/ NCPC system. Also, to include those areas that remain in-scope for police and for those areas that are shifted to alternate response models.

Advisory Board – Proposed Structure & Responsibilities

Proposed Structure*

- Up to 35 members for each Advisory Board
- Led by Co-chairs (At least one co-chair is proposed to be a taskforce member)
- Co-chairs to be guided by one of the Taskforce’s co-facilitators, with logistical support from City Administration.
- Monthly meetings will be publicly accessible for viewing/ observation
- Technology to be used to conduct virtual meetings and gather feedback/comments from taskforce members before, during, and after meetings

Proposed Advisory Board Member Responsibilities

- Commit to goals and success of the taskforce
- Commit to continuity – participation in all Advisory Board meetings
- Commit to community engagement – Where possible serve as an information conduit between Taskforce/ Advisory Board and the broader Oakland Community

Key Activities & Timeline

Date	Deliverable
July 28, 2020	<ul style="list-style-type: none"> Council vote on authorization of Taskforce
August 31, 2020	<ul style="list-style-type: none"> Deadline for submitting nominees to co-chairs (Deadline for Public Boards/Commissions may adjust based on meeting schedule)
Week of September 14, 2020	<ul style="list-style-type: none"> Kickoff of Taskforce
September 29, 2020	<ul style="list-style-type: none"> Introduction of Task Force to Joint Meeting of Community Policing Advisory Board (CPAB), the Public Safety Services Oversight Commission (SSOC) and the Police Commission
December 31, 2020	<ul style="list-style-type: none"> Draft Task Force Recommendations Presented to City Council, after discussion at Public Safety Committee
March 31, 2021	<ul style="list-style-type: none"> Final Task Force Recommendations Presented to City Council, after discussion at Public Safety Committee
June 30, 2021	<ul style="list-style-type: none"> Final Day for City Council Adoption of FY2021-2023 Budget

Reimagining Public Safety

Community Engagement To Occur Throughout Process and To Include:

- Open Meetings
- Town Halls
- Open Data Access
- Citywide Surveys
- Quarterly Updates/ Newsletters
- Other?

DRAFT FOR REVIEW



Moving Forward

- Interest in participating as member of the Taskforce or the Advisory Board?
- Interest in staying informed on the latest developments related to the taskforce and effort to reimagine public safety?

Email: ReimagineSafety@oaklandca.gov

COMMISSION DRAFT 8-18-20

CHIEF OF POLICE



SALARY RANGE

\$_____ Monthly
\$_____ Annually

CLOSING DATE

SEPTEMBER 11, 2020

CHIEF OF POLICE JOB ANNOUNCEMENT

The Chief of Police (the “Chief”) serves as the Chief Executive Officer of the Oakland Police Department (“OPD” or the “Department”) and is expected during the next chapter of the Department’s history to fully and finally effect long sought transformational change of policing in Oakland. In addition to holding direct responsibility for the administration and general conduct of all OPD community policing, law enforcement, and holistic crime prevention activities in Oakland, OPD’s next Chief will assist the City of Oakland (the “City”) in reimagining the role of OPD in public safety. There is broad community support to replace the overbroad authority and jurisdiction of OPD, defund the aspects of OPD that are inconsistent with its proper role, and re-invest City resources and City authority into modern, community-driven programs and initiatives that better support the full spectrum of needs of our residents. The Chief will champion these efforts.

The Chief of Police is an at-will management-level position. The Chief is tasked with direct oversight of OPD program planning, fiscal management, administration/operation, and policy development.

The next Chief must be a reform-minded leader, able to rebuild trust and nurture legitimacy by actively seeking to modernize the policing model, embracing and advancing the principles of procedural justice. Moreover, the Chief will demonstrate a deep and earnest commitment to transforming OPD’s culture to embrace guardianship, rather than a warrior mindset.

The next Chief will assist the City in its efforts to replace the current iteration of OPD’s policing model by reallocating funds from OPD to community programs and initiatives that support the needs of our residents. The new OPD will support the City’s efforts to steer funds, traditionally managed by OPD, into social services better suited to mitigate problems. This will demonstrate OPD’s willingness to address impactful systemic issues

COMMISSION DRAFT 8-18-20

and to collaborate with the appropriate actors and agencies to help address core issues of health and safety, poverty, and education.

The next Chief will promote de-escalation and disengagement tactics and create a less militarized police force. Socio-economic matters that currently fall to OPD to resolve will instead be addressed by social services. This will result in fewer encounters between people and OPD Officers that end in fatalities, violence, or the violation of civil rights.

The next Chief must promote deep, structural institutional reforms, and foster a culture of self-examination and constant improvement within the Department, including an ability for officers to report misconduct safely. The Chief will be expected to have exceptional communication skills, as well as exceptional cultural sensitivity, in order to respond to wide-sweeping concerns raised by an informed and engaged public, the Mayor, the City Council, and the Police Commission.

KEY INITIATIVES AND PRIORITIES

The Chief is responsible for law enforcement and public safety initiatives in the City of Oakland, in partnership and close collaboration with the Police Commission, the City Administrator, other City departments and outside agencies, as appropriate. The Chief should be committed to delivering quality policing services to all residents in a fair and equitable way, enriching the quality of life for Oakland residents and supporting OPD employees. Specific initiatives and priorities include:

- Delivering safety and crime prevention in Oakland, prioritizing violent crimes and serious felonies;
- Rebuilding the trust between Oakland residents and OPD, and building a residents-first relationship in which all residents feel safe, protected, and empowered;
- Developing policies and policy materials to address and eradicate the Department's role in racial profiling, implicit bias, and structural racism, thereby helping to dismantle mechanisms of discrimination, oppression, and violence;
- Cultivating positive community relations through sustained, in-person interaction with all of Oakland's diverse neighborhoods and civic and community groups;
- Promoting policies and rules that support the mental and emotional health and well-being of OPD's officers and civilian staff;
- Holding all OPD employees accountable in their public interactions and in representing the City, as well as ensuring that all OPD Officers perform policing responsibilities in a fair, equitable, and procedurally just manner;

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- Performing police department director duties including preparing and administering a new, smaller budget;
- Planning, directing, supervising, and coordinating the activities of OPD personnel in serving the public, preserving order, protecting life and property, and enforcing laws;
- Developing within the Department a strong internal culture of transparency, integrity, professionalism, and trust so that sworn and non-sworn employees feel more invested and comfortable to come to leadership with questions, concerns and ideas;
- Stressing integrity as a core value; reviewing employee performance evaluations and taking appropriate disciplinary action where necessary;
- Forging effective professional relationships with the City departments as well as with other local, state, and federal public safety officials and organizations;
- Fostering a collaborative and innovative Department that effectively engages the public, the Police Commission, the Mayor, City leaders, City departments, and other stakeholders on law enforcement issues and concerns, as well as the development of innovative municipal law enforcement policies;
- Crafting and implementing the most modern, progressive police management methods and formulating and enforcing rules, procedures, and policies for efficient Department training and operation, thereby promoting fair, principled, and accountable policing;
- Directing and participating in the development of goals, policies, and priorities and implementing strategic plans, as required tasks of the Court-overseen Negotiated Settlement Agreement in *Delphine Allen, et al. v. City of Oakland, et al.*, addressing police reforms in several areas, including internal affairs, supervision of officers, police use of force, training, personnel practices, and community policing; and
- Achieving transformational change and developing and mentoring a capable, diverse leadership team for the Department.

IDEAL CANDIDATE

The ideal candidate will be a reform-minded leader who conveys an effective command presence, and has outstanding management skills. The ideal candidate will be capable of inspiring trust and confidence with all of Oakland's diverse communities, as well as earning the respect and confidence of both sworn and civilian employees.

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The next Chief of Police will be well-versed in community-oriented policing and open to creative methods of problem solving; have a proven track record of being accessible and transparent; and for building partnerships between the Department and the community to address crime and quality of life challenges.

The Chief will be a communicative, confident, collaborative, and decisive leader with sensitivity, political acumen, good judgment, astute environmental awareness, strong professional presence, and an inspiring demeanor for OPD to move forward.

The next Chief of Police of the new Oakland Police Department will lead guardians, not warriors.

The ideal candidate will:

- Possess a passion for public service and public safety for all residents of Oakland;
- Be experienced in leading a police department, or have the demonstrated passion for and knowledge of leadership through the supervision of others, where significant crime reduction has occurred;
- Exhibit exceptional leadership, people skills, and cultural competencies;
- Exhibit the ability to work with and establish relationships with a wide range of diverse stakeholders and communities across the City of Oakland, as well strategic partners, officials, colleagues, and the media;
- Have demonstrated the ability to hold others to values characterized by a commitment to integrity, honesty, transparency, humility, proactivity, innovation, equity, compassion, service excellence, and responsive leadership;
- Have extensive knowledge of large, complex urban environments and a successful track record of equitably serving and working with all spectrums of multi-racial, multicultural, and socioeconomically diverse communities;
- Exhibit outstanding communication skills; being hands-on, open, and receptive to working with people to create and sustain an environment of trust and respect;
- Possess political savvy, technological savvy, and the willingness to receive constructive criticism;
- Demonstrate the ability to make decisions based on facts and merit, while maintaining flexibility; and

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- Display a demonstrated commitment to community-oriented policing and problem solving, staff development, and morale building to set a positive tone within the Department.

REQUIREMENTS

Education – This position requires a bachelor’s degree from an accredited college or university. It is desirable that a candidate also possess a master’s degree in a related field.

Experience – This position requires a minimum of 10 continuous years of experience in municipal law enforcement, of which, 5 years of service shall be at or above the Police Captain/Commander level or the equivalent.

POST Background Required – The selected candidate will also be required to successfully pass a qualifying medical, psychological, and extensive background screening procedure to be coordinated by the City of Oakland and consistent with California POST regulations.

LICENSE OR CERTIFICATE / OTHER REQUIREMENTS

The incumbent in this position is expected to operate automotive vehicles in the performance of assigned duties. An individual appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment.

HOW TO APPLY

To apply for this position, please complete a City of Oakland application on the City’s website and also submit a cover letter, contact information for three references, and resume, electronically, to the City of Oakland Police Commission Selection Committee c/o Chair Regina Jackson (RJackson@oaklandcommission.org). Applications (including cover letter and resume) must be received by 11:59 p.m. on Friday, September 11, 2020, to be considered.



Timeline for Chief of Police Search

<u>Date</u>	<u>Action</u>
August 18, 2020	Committee meeting to present job description and process to public.
August 27, 2020	Police Commission vote to approve job description.
August 28, 2020	Job description formally goes public.
September 11, 2020	Deadline for applications.
September 15, 2020	Committee meeting to discuss and rank applications.
September 16, 17 and 18, 2020	Conduct background research and due diligence.
September 21, 22 and 23, 2020	Conduct interviews and re-interviews.
September 24, 2020	Present names to Police Commission in closed session.
September 25, 2020	Present names to Mayor for selection.

The March 11, 2018 Shooting of Joshua Pawlik
by Oakland Police Officers:
A Report of the Monitor/Compliance Director

Chief (ret.) Robert S. Warshaw
Monitor/Compliance Director

August 17, 2020

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Section 1: Introduction

In the United States, police accountability, particularly when deadly force is used, has a long and pain-filled history. The March 2018 death of Joshua Pawlik at the hands of the Oakland Police Department is now part of that history. Mr. Pawlik's death is marked by failures of policy, planning, supervision, City Hall oversight, and the Department's ability to critically examine itself. Most of all, it is marked by the failure to understand and appreciate the humanity that we all shared with Joshua Pawlik, a young man who died in a hail of 22 bullets fired by four officers as he gained consciousness, with a handgun by his side, in a residential neighborhood of Oakland. One officer fired seven times; another, six times; another, five times; and another, four times – all in a total of 2.23 seconds.

Our shared humanity should have ensured, at the least, that the Oakland Police Department would have taken better care to avoid the death of Mr. Pawlik. Failing that, the Department should have conducted a more thorough and honest review of this event to provide a foundation for reform. Instead, for Joshua Pawlik, for the Police Department, and for the Oakland community, there has been only a tragic litany of failures.

This report will be read against the background of recent killings by police across the country and the widespread demonstrations that have followed. Although there are differences across these events, the nature of these deaths provide an important context from which to examine the death of Mr. Pawlik. Deaths of the disenfranchised – be they people of color, those affected by mental illness, or those experiencing homelessness – at the hands of the police are a stain on our national character.

Only recently has this backdrop been available to the public. In 2015, *The Washington Post* began to log every fatal shooting by an on-duty police officer in the United States. The file now contains over 5,000 cases. Many academics and others have been surprised to see that each year, over 1,000 people die after being shot by police. The importance of this issue cannot be overstated.

Since 2003, the Oakland Police Department has been under oversight as a result of *Delphine Allen et al. v. City of Oakland* (commonly known as the Riders case), a civil rights lawsuit filed in the United States District Court that began under Judge Thelton E. Henderson and is now overseen by Judge William H. Orrick. The City of Oakland and its Police Department continue to be monitored under the terms of a Negotiated Settlement Agreement (NSA). The NSA mandates the Department to achieve compliance with 51 requirements, or Tasks, relevant to Constitutional policing, data collection, and a variety of internal accountability processes. Under

the NSA, the Police Department has been monitored by an independent team of law enforcement and criminal justice specialists. Retired Chief Robert Warshaw has served as the Monitor since 2010; and in 2014, he assumed additional authorities as Compliance Director. Chief Warshaw and the Monitoring Team members assess compliance with the Tasks set forth in the NSA. When acting in his capacity as Compliance Director, Chief Warshaw has other authorities: among them, to require that the Oakland Police Department take those actions he deems necessary for the organization to achieve compliance with the requirements of the NSA.

The Oakland NSA is, in many ways, similar to Consent Decrees that are rooted in Section 14141 of Title 41 of the Violent Crime Control and Law Enforcement Act of 1994. The law prohibits police from engaging in “a pattern or practice” of conduct that deprives persons of “rights, privileges, or immunities secured under the Constitution or laws of the United States.” In Oakland, however, the underlying case was brought by private Plaintiffs’ attorneys – rather than the U.S. Department of Justice.

Police departments are empowered with extraordinary authorities – the greatest of which is the use of deadly force. There is no greater responsibility for an individual police officer, and those to whom officers are accountable, than ensuring that a use of force comports with policy requirements and with the law.

In this incident, the City of Oakland and the Oakland Police Department failed.

Organization of this Report

This report reviews the events surrounding Mr. Pawlik’s death on March 11, 2018, after a passerby reported the presence of an apparently unconscious man who may have had a weapon. We discuss the Oakland Police Department’s initial response to the incident; and the investigations, reviews, and reports that followed. These steps involved OPD and other components of City government, including OPD’s Criminal Investigations Division (CID), OPD’s Internal Affairs Division (IAD), the City of Oakland’s Community Police Review Agency (CPRA), and the City administration.

Following an officer-involved shooting in Oakland, both the Criminal Investigations Division and the Internal Affairs Division play crucial roles: The Criminal Investigations Division (CID) is responsible for investigating officers’ potential criminal conduct and forwarding a completed criminal investigation report to the Office of the Alameda County District Attorney, which ultimately makes prosecutorial decisions. The Internal Affairs Division (IAD) is responsible for determining whether or not officers violated Departmental policy.

In this report, we also review the Department's Executive Force Review Board (EFRB), which heard presentations from both CID and IAD, examined this incident, and provided recommendations to the Chief of Police. We provide commentary on the Chief's overall management of this incident and also consider the responses of other City officials.

For purposes of clarity, Sections 2-12 each begin with a statement of our conclusions based on the analysis of the material that is presented in the paragraphs that follow.

This report is not intended to serve as an exhaustive summary of everything that occurred during and following the incident. Rather, we identify the numerous individual, organizational, and systemic failures that occurred throughout the investigative phases, as well as the people and processes responsible for reviewing those investigations.

Section 2: The Death of Joshua Pawlik

Joshua Pawlik died when Oakland Police Department Rifle Officers fired 22 shots at him from behind a large, armored, bulletproof police vehicle known as a BearCat.

On March 11, 2018, at approximately 6:15 p.m., a man walking his dog on a residential street in the City of Oakland called 911 to report that he observed an unresponsive man, who was possibly holding a firearm, lying on the ground between two houses.

The first Oakland Police Department (OPD) officer, Officer Josef Phillips, arrived at 6:19 p.m. and located the man lying in the side yard between the two houses. Officer Phillips stepped onto the front porch of one of the residences to gain a better view. He then reported to the OPD Communications Division that he observed what appeared to be a semiautomatic handgun in the man's right hand; and that the man appeared to be either sleeping or unconscious, or possibly intoxicated or under the influence of narcotics. The man was later identified as Joshua Pawlik, a 31-year-old white man who was experiencing homelessness and living in San Francisco.

Several officers and at least two supervisors arrived and secured the scene, by blocking vehicle and pedestrian traffic and setting up a perimeter. Lieutenant Alan Yu also responded and assumed the role of incident commander. At approximately 6:29 p.m., Sergeant Frank Negrete, Officer Brandon Hraiz, and Officer William Berger arrived on the scene. All three were designated as Patrol Rifle Officers and arrived armed with their patrol rifles. Sergeant Negrete requested that a specialized armored police vehicle, the BearCat, be sent to the scene. Another Patrol Rifle Officer, Craig Tanaka, drove the BearCat to the scene.

Prior to the arrival of the BearCat, Sergeant Negrete assigned several officers to serve as a Designated Arrest Team (DAT), and the DAT and other officers remained behind police vehicles on the scene. Once the BearCat arrived, Officer Hraiz positioned himself in the turret of the vehicle. Sergeant Negrete, Officer Berger, and Officer Tanaka took positions of cover behind the passenger side of the BearCat. All were armed with patrol rifles. An OPD sergeant placed his body-worn camera, known as a Portable Digital Recording Device (PDRD), facing Mr. Pawlik, on the hood of the BearCat.

After a short time, according to the officers' statements, Mr. Pawlik appeared to awaken and began to move. Several officers shouted verbal commands at Mr. Pawlik. As Mr. Pawlik began to sit up, Sergeant Negrete, Officer Berger, Officer Hraiz, and Officer Tanaka all fired their AR-15 patrol rifles. They fired a total of 22 shots in 2.23 seconds, just *two minutes* after the BearCat arrived. In addition, Officer Phillips, the first officer on the scene, fired one less-than-lethal, drag-stabilized "beanbag" shotgun round at Mr. Pawlik. Officers approached and immediately handcuffed Mr. Pawlik, who was pronounced dead at the scene at approximately 7:13 p.m. That was just under one hour from the time the initial call came into the Oakland 911 emergency communications center, and 44 minutes after the Patrol Rifle Officers arrived on the scene.

A link to a video of this incident, as it was shown on the news, can be found at:

<https://www.youtube.com/watch?v=z3H3CgyXbdY>

Section 3: Our Initial Concerns

OPD's initial press releases and our early conversations with Chief Kirkpatrick and others raised serious concerns that the Department had concluded that the shooting was justified even before its investigations were complete.

In the early stages of all critical incidents, including officer-involved shootings, the long-standing practice has been that the Chief of Police and the Internal Affairs Division (IAD) Commander notify members of the Monitoring Team and provide them with information on the incident. On the evening of March 11, 2018, OPD's Chief at the time, Anne Kirkpatrick, called the Monitor to advise that there had been an officer-involved shooting that resulted in a death. The Chief told the Monitor that the subject had "pointed" a firearm at the officers, and she reported that the shooting "looks good." The Monitor strongly cautioned the Chief that she should not reach conclusions so early in the process. The following day, the then-Commander of IAD called Commander John Girvin of the Monitoring Team to provide an overview of the incident, during which he indicated that Mr. Pawlik "pointed" a firearm at officers, prompting officers to shoot Mr. Pawlik in self-defense.

Despite the similar phrasing used by the IAD Commander and Chief Kirkpatrick, there was no reference to "pointing" of the firearm in the Department's initial press releases related to this incident. The first press release, issued on March 12, 2018, indicated, "Uniformed Oakland police officers arrived on scene and observed the man was armed with a hand gun. Officers began giving verbal commands. The man did not comply with the officers [sic] commands and officers discharged their service weapon."

We were concerned that this press release implied that officers may have shot Mr. Pawlik for non-compliance with their commands. The Monitor shared this observation with Chief Kirkpatrick in a telephone conversation on March 13, 2018, during which she also expressed unease with the press release. However, the Department's second press release, issued on March 14, 2018, only added to our concern. The second press release stated, in part, "It was reported that Officers believed Pawlik's actions posed an immediate threat to the officers with the risk of

death or serious bodily harm. Multiple Officers discharged their service firearms, striking Pawlik.” We believed these press releases contained veiled attempts to articulate a justification for the shooting.

At this point, although we had yet to review any video footage of the incident, we were concerned that the parsing of words in these press releases indicated that the incident did not occur as initially described to us. Our first viewing of the available video verified these concerns.

Section 4: The Video Evidence

The Department failed to take advantage of the quality video it had of this incident. Specifically, the Department failed to challenge the involved officers’ claims of what occurred when it is clear that what the officers asserted was not supported by the video evidence. OPD hired two professional outside vendors to enhance the video, but relied on a deficient analysis conducted by an OPD sergeant.

Many police incidents are recorded on body-worn cameras where video quality is often mitigated by the physical movements of the officer. In contrast, this incident was recorded on a stationary camera that captured the actions of the involved officers and Mr. Pawlik in the moments before, and during, the use of force. An OPD sergeant had placed his body-worn camera, or PDRD, facing Mr. Pawlik, on the hood of the BearCat shortly after the vehicle arrived on the scene.

In this section, we provide an overview of the video evidence and OPD’s internal and external efforts to enhance it. The analyses of video were critical to our assessment of this shooting. OPD contracted with two outside vendors to enhance the quality of the video. At the request of

the Department, one of the vendors provided its analysis of what the video showed by responding to a series of questions posed by OPD. In addition, an OPD sergeant attempted to enhance the video and provided his interpretation of what the video showed.

OPD first contracted with Precision Simulations, Inc. (PSI) of Grass Valley, CA, to provide enhancements to the available video. The Internal Affairs Division (IAD) did not request that PSI provide any analysis with these enhancements, and PSI offered no opinions or analysis as to what the video showed.

PSI's video enhancement resulted in a cropped and enhanced version of the video that is approximately one-minute-and-30-seconds long, and begins one-minute-and-eight-seconds before officers fired the first shots. PSI also included a version zoomed to 200% magnification; a 10-second cropped and enhanced version, which captures just the actual shooting in slow motion; and a frame-by-frame breakdown. Among the three separate video enhancements, PSI's provided the clearest depictions of what occurred.

OPD also contracted with Imaging Forensics of Fountain Valley, CA, to provide an enhanced version of the video. Imaging Forensics delivered three products from the enhancement. The first is a three-minute video which begins approximately one-minute-and-47-seconds before the officers fired the first shots. The second is a 37-second enhanced version of the video, which begins approximately 30 seconds before the shots were fired. This version contains added notations regarding when the shots were fired; when it appears that Mr. Pawlik raised and lowered his head; and when it appears that Mr. Pawlik moved his left hand, left arm, and right arm. It also contains notations on the commands given by the officers on scene and when the shots were fired. Finally, Imaging Forensics delivered a 743-page document in which each page depicts a frame of the 37-second video, but without the notations or audio information.

After discussions with the Monitoring Team, OPD asked Imaging Forensics to address several specific issues. While it is not in dispute that Mr. Pawlik *had access* to a firearm with his right hand, Imaging Forensics was unable to discern if Mr. Pawlik had the firearm in his hand at the time he was shot. Similarly, Imaging Forensics was unable to determine the movement of Mr. Pawlik's right hand in the 30 seconds before the shooting. Imaging Forensics's report noted, "Because of the resolution, compression, low contrast light, distance from camera and the angle of view, small, subtle movements cannot be discerned. The right hand is not visible in the video prior to the shots being fired. There is some movement of the subject's head, and possibly his left arm and hand as well as his right arm during the 30 seconds prior to the first shot."

At the request of OPD's Criminal Investigations Division (CID), an OPD sergeant completed a third enhancement of the video. The sergeant was not assigned to any specialized video forensic unit. As noted in the sergeant's report, he identified video footage that he believed "possibly

captured images that would provide more detail.” He used forensic video software to decompress the video, reviewed the decompressed video footage frame-by-frame, and attempted to enhance the video by identifying areas of high contrast. He also took his own video footage of the scene, well after the incident, to create a “control video” that contained a vertical stick with six-inch spaces marked with lights starting at the bottom on the ground at the area where he believed Mr. Pawlik originally lay.

The sergeant concluded that just prior to the shooting, Mr. Pawlik attempted to sit up by “rocking.” The sergeant noted that there was not enough information to clearly see the gun or its exact movement, but he concluded that there was some “slight movement,” and he believed that the movement was in an upward direction.

The sergeant first briefed the Monitoring Team on his conclusions on July 9, 2018, during our monthly site visit, and he provided us with a draft of his report. During that meeting, he said that he concluded Mr. Pawlik’s gun moved about six inches vertically just prior to the shooting. That conclusion, however, is absent from the final version of his report, dated August 3, 2018. When we met again, on August 14, 2018, the sergeant cautioned that even with his video enhancements, the movement that he concluded took place was “not clear, not super clear,” and he added, “It’s not going to be like, oh, there it is.”

Chief Kirkpatrick apparently first viewed this sergeant’s briefing at the time the Monitoring Team received it. As noted in the Compliance Director’s Addendum to the Executive Force Review Board (EFRB) Report, issued on February 19, 2019, “In the aftermath of the sergeant’s presentation, the Chief discounted its usefulness, quality, and accompanying analysis. In fact, the Chief informed me [the Compliance Director] that the Department would not consider this analysis in the investigation of this case as she considered it substandard and an embarrassment. Nevertheless, it was prominently referenced in the IAD investigation, which was presented to the EFRB.” Though Chief Kirkpatrick had made her views known about the inadequacy of the sergeant’s analysis and expressed her embarrassment about it, she nonetheless allowed it to be used to support the conclusions of each investigation.

OPD has considerable experience viewing and interpreting police video, including video from PDRDs. The Department has generally had little problem reaching conclusions – even with suboptimal-quality videos. By contrast, the video of this incident was captured in daylight conditions from a stationary platform continuously focused on Mr. Pawlik. Despite this, IAD, CID, the Executive Force Review Board (EFRB), and ultimately Chief Kirkpatrick, allowed the involved officers’ assertions to go unchallenged even though their statements were not supported by what the video showed.

The Monitoring Team has reviewed all of the available video which captures this incident – in its raw and enhanced forms – dozens, if not hundreds, of times. It is clear that Mr. Pawlik was lying on the ground completely unresponsive for a significant period of time. When the BearCat arrived on the scene, Mr. Pawlik began to move.

Unlike the involved officers and investigators, we do not draw any conclusions regarding Mr. Pawlik's emotional state (e.g., anger, annoyance). In the video, Mr. Pawlik appeared disoriented. He attempted, with some difficulty, to sit up. He moved to a sitting position, using his right hand for support. Then he was shot. His right hand was clearly on the ground when the shooting started. It snapped up from the ground in reaction to his being shot. As he raised his right hand, its starting point is clear: It was on the ground. He appeared to use his right hand and arm for support as he struggled to sit up. It also appears from the video that, at the time of the shooting, Mr. Pawlik was looking straight ahead and not to his right, in the direction of the involved officers. This directly conflicts with some officers' assertions.

The involved officers contended that Mr. Pawlik raised and pointed the firearm in their direction. One officer estimated that he raised the firearm up to 14 inches. However, this is not supported by the video. As noted, the video does show Mr. Pawlik's right hand moving upward from the ground in reaction to being shot – that is, it starts from the ground. If Mr. Pawlik's hand was raised *before* the shooting, as several officers contended, it would have had to move *down* rapidly prior to it moving *up* rapidly. The video does not show that.

All of the video enhancements, including the discredited enhancement conducted by the sergeant, conclude that, at best, there may have been slight movement of Mr. Pawlik's right hand. In CID's presentation to the EFRB, the investigators noted, "Two separate analyses concluded that there is 'movement' from Pawlik's right arm or hand area prior to the officers discharging their firearms; however, the degree/amount of movement is not measurable." But this is inaccurate. Imaging Forensics noted that small, subtle movements cannot be discerned, and Mr. Pawlik's right hand is not visible in the video prior to the shots being fired.

Exhaustive reviews of the raw video footage, and extensive efforts to enhance it, do not support the involved officers' assertions about Mr. Pawlik's actions at the time of the shooting.

Standards of Proof

In this report, we discuss the Department's criminal (Criminal Investigations Division, or CID) and administrative (Internal Affairs Division, or IAD) investigations of this incident. It is important to recognize that criminal and administrative investigations have different requirements regarding standards of proof. The burden of proof in a criminal investigation is "beyond a reasonable doubt." For an administrative investigation, the burden of proof is much lower: It is a "preponderance of the evidence." This standard has been variously described as "more likely than not," or "a slight tipping of the scales," or "greater than 51%." In these investigations, there seemed to be confusion about these standards.

Section 5: The Criminal Investigations Division Investigation

The Criminal Investigations Division failed to conduct a thorough and competent investigation of the shooting of Joshua Pawlik. CID's work was replete with errors and inadequacies. Subject officers were not properly sequestered and their interviews were deficient. CID asked leading questions and did not investigate contradictory statements. CID command staff improperly inserted themselves into the process.

Best practices for the investigation of an officer-involved shooting (OIS) dictate that law enforcement agencies have clear policies and protocols in place to conduct fair and impartial investigations. The U.S. Department of Justice, through its Bureau of Justice Assistance, and other organizations such as the International Association of the Chiefs of Police and the Major

Cities Chiefs Association, have published relevant materials that have been available to the Oakland Police Department's senior leadership, many of whom have been regular participants in forums sponsored by these organizations.

At the time of the officer-involved shooting (OIS) of Mr. Pawlik, OPD did not have a specific OIS protocol. Departmental General Order (DGO) K-4, OPD's policy for the reporting and investigation of use of force, contains limited direction for the Department's response to Level 1 (most severe) incidents. Further, the Department's Criminal Investigations Division (CID) Policy and Procedure Manual devotes less than one page to "Critical Incident Protocols," and it primarily covers administrative directions for notifications and review of completed investigations. However, neither of these documents provides sufficient directives to fully address officer-involved shootings. After the shooting of Mr. Pawlik, in response to an inquiry from the Monitoring Team, OPD acknowledged the need for such a written protocol – though as of yet, the Department has not finalized such a directive.

Conditions of CID interviews

The fact that OPD did not have a specific written OIS protocol at the time of this incident contributed to CID's deficient investigation. To begin, CID's initial criminal interviews of the involved officers were conducted in the office of the then-Commander of CID. While OPD's facilities may not have had available a more appropriate place to conduct these types of interviews, the CID Commander's office is an unsuitable venue for interviewing, video-recording, and observation by Internal Affairs Division (IAD) personnel. As with any other criminal investigation, interviews should be conducted in a room designed for such purposes and equipped with both video-recording equipment and the ability for IAD or other appropriate personnel to monitor the interview from outside the interview room. The setting contributed to the disorganization and confusion in the process.

The CID sergeant with primary responsibility for the investigation conducted the interviews of each involved officer. A second CID sergeant, a CID lieutenant, the CID Commander, an attorney and an investigator from the District Attorney's Office, the subject officer's attorney, and an OPD employee responsible for recording the interviews were also in the room. With the exception of the employee operating the recording equipment, those present all appeared to actively participate in some part of the interview processes. The criminal investigators also noted that personnel from IAD were monitoring the interviews via telephone.

The presence and involvement of eight people in a criminal interview is excessive, and the active participation of command personnel in criminal interviews is inappropriate. These problems led to disruptions in the flow of the interviews, particularly when participants interrupted lines of questioning by the primary investigator to ask their own questions, or to seek clarification of something that had been said. As an example, five different people, including the CID Commander, asked questions of Officer Berger during the primary portion of his interview.

Inadequate sequestering of officers

As is common in OIS investigations, the subject officers were initially sequestered after the shooting to ensure that their recollections of the incident were not affected by other personnel, including the other subject officers. However, after the primary investigator interviewed the first two officers who used lethal force, and with agreement from the subject officers' counsel, the investigator postponed the interviews of the two remaining officers who had also used lethal force. Consequently, from that point on, the purpose of sequestration was nullified. The fifth involved officer, who had fired the beanbag round, was interviewed by other criminal investigators the night of the incident.

The reasons the two interviews were delayed were the lateness of the hour, and the decision by the primary investigator to conduct all of the subject officer interviews himself. We are concerned that these interviews appear to have been postponed without any consideration of the need to sequester the subject officers until they could be interviewed. There also is no documentation indicating that CID gave these officers verbal warnings not to discuss the case prior to their interviews. The interviews of the first two officers took less than one-and-one-half hours each. Despite the lateness of the hour, CID should have conducted the additional two interviews. Although we do not know if the non-sequestered officers had inappropriate conversations with anyone prior to their interviews, the possibility of that having occurred remains a concern.

Failure to challenge discrepancies among officers' statements

For the most part, the CID investigators accepted the officers' statements, even when their assertions contradicted other officers' statements. The investigators did not follow up to clarify these statements, attempt to resolve discrepancies, or challenge initial interview statements that were not supported by the facts of the investigation. While CID conducted follow-up criminal interviews with several of the *witness* officers to clarify what they had or had not observed, it

appears that, with the exception of the interview with Sergeant Negrete, CID did not request or conduct any second interviews with the involved officers. For a case of this importance, this was highly unusual.

The investigators did not initially have all of the information to challenge or seek clarification of some statements made by the subject officers. However, they *did* have that information after the completion of the initial interviews of both subject and witness officers. They also had the reviews of all the PDRD video, including from the PDRD that had been placed on the BearCat. CID's failure to conduct follow-up interviews of subject officers left unaddressed several critical discrepancies – particularly officers' statements on Mr. Pawlik's position just prior to and at the time of the shooting. Simply put, OPD had access to video evidence of what occurred, yet the Department made no effort to use it to challenge statements made by involved officers.

Ordinarily, the use of a single primary investigator to conduct the interviews of all subject officers provides opportunities to identify and assess any discrepancies in the statements of the officers. In this incident, there was no benefit derived from having the primary investigator conduct all of the subject officers' interviews, because he never addressed discrepancies between officers' statements during their initial interviews.

In the criminal interviews, investigative personnel consistently accepted the subject officers' statements as factual reports of what occurred – even when their statements were not supported by the other evidence. For example, when asked for examples of commands he heard at the scene, Officer Berger claimed that he heard, “Please (done) [sic] move. Get your hands up. Oakland Police.” It is clear from a review of the PDRD footage that one of the officers on the scene faintly used the word “police” – but it is unlikely that Mr. Pawlik was able to hear that. There was no loud declaration of “Oakland Police.” When asked how high off the ground the weapon was, Officer Berger responded, “a little over 14 inches.” His statement regarding the weapon's position is significantly different from those of other subject officers, one of whom described the weapon as being raised only a couple of inches. Despite these discrepancies, CID never made any attempt to clarify or reconcile any of the officers' statements regarding the position of Mr. Pawlik, or the weapon, at the time of the shooting. We found similar inconsistencies during other subject officers' interviews, and investigators failed to address these inconsistencies.

Leading and suggestive questions

During their interviews, CID investigators asked leading questions. As an example, during Officer Berger's initial interview, what was described in the transcript as an "unknown voice" asked, "And how long did the commands last until you --you believe you were forced to use lethal force? How much time since he is sitting up to you were forced to use lethal force? How much time went by?" A review of the recording suggests that in this instance, the unidentified voice belonged to the CID Commander, who asked numerous questions. In another subject officer's interview, the CID Commander asked, "[H]ow much time passed by till when you - - you - - were forced to use the - - you were forced to use the lethal force or use your force - - using the lethal force." In both cases, the Commander's questions suggested that not only was the lethal force justified, but that the officers had been compelled to use lethal force.

Other questions seemed to suggest a defense if the justification for the shooting was questioned – or they suggested that the questioner accepted, at face value, that the shooting was justified. One such example was, "Um, so this - this is, uh, a pretty serious incident, right, and there are going to be people who may look at this and go, you know what, hey those officers were behind an armored vehicle, right? And this - they could have just stayed behind there. What would you say to that?" Later, the CID Commander asked, "What would you say if somebody said, hey you know what? This person was just startled and woke up?" It is unacceptable for an interviewer to suggest a defense to an officer who is under investigation in any event – let alone in an officer-involved shooting.

We also found the same line of justification and defense questions in other subject officers' interviews. In one case, the questions were attributed to IAD, though we were able to establish, from a review of the recordings, that the questions were not asked by IAD, but by someone else who was present in the interview room. These types of questions are inappropriate, regardless of who asks them. Yet it is particularly disturbing that the CID Commander, in the presence of the primary investigators, would insert himself into the interview process and engage in this type of questioning. The CID Commander's doing so unquestioningly set a tone for his subordinate investigative personnel that these types of questions were acceptable.

After the initial criminal investigation interviews, each officer was allowed to view his own body-worn camera video. Yet CID did not ask additional clarifying questions after the officers' reviews. Instead, CID personnel merely asked them if they had anything they wished to add – and none of them did. That would have been the appropriate time for CID personnel to ask clarifying or probing questions, but they did not.

CID conducted only one follow-up interview with a subject officer who used lethal force in this incident. CID's follow-up interview of Sergeant Negrete occurred in August 2018, more than four months after the incident. By this time, investigators should have already reviewed all officers' interviews as well as all of the evidence, including the PDRD videos. In Sergeant Negrete's follow-up interview, investigators did ask some questions regarding his decision-making and supervision of the incident. However, they failed to use this opportunity to address inconsistencies among his and the other officers' statements and discrepancies with the PDRD video – inconsistencies and discrepancies about which by then they surely would have known. During the interview, the CID Commander again actively participated as an interviewer and asked questions regarding how Sergeant Negrete would respond if “some people” questioned what had occurred in this incident. The CID Commander's leading questions and his insertion into the investigative process were inappropriate.

Transcript issues

In addition to the serious problems with the criminal interviews, there were significant issues with the interview transcripts. There were numerous instances in the transcripts where the names of participants who asked questions during the interviews were either misidentified, listed only as “unidentified voice,” or noted inaccurately. All criminal investigations, and certainly investigations of this importance, must contain accurate information and documentation. In this investigation, transcripts were not reviewed for accuracy.

Conclusion of CID's investigation

CID's investigative report provided summaries of officers' interviews that contained information about what the officers said, instead of an investigative conclusion as to what had actually occurred. Yet we are most concerned with CID's failure to adequately investigate or even attempt to resolve discrepancies or to ask probative questions. Simply put, this was not a thorough or impartial investigation.

As CID's investigation moved forward, Chief Kirkpatrick expressed reservations about her role in approving it. In a meeting with the Monitoring Team and in the presence of Department personnel, she stated that, when the report was completed, she would be disinclined to either review or sign it, arguing that it would cause a conflict for her in future decisions related to this matter. The Monitor reminded her of her executive responsibilities as the Chief of Police to review the investigation.

CID concluded its investigation in October 2018. In the report, the investigator wrote, “All known evidence has been obtained during this investigation. This investigation was reviewed through the chain of command up to Chief Kirkpatrick for approval to submit to the Alameda County District Attorney’s Office for possible criminal charges.” Despite this assertion, there was not a full review, as it was the CID lieutenant, who participated in the interviews of the initial subject officers, that signed the report as the reviewing supervisor. In other words, the lieutenant approved his own work and that of the Criminal Investigations Division. There is no indication of approval by the CID Commander, nor any explanation why the CID Commander did not participate in the review and approval chain. The report also does not contain a signature of approval by the Deputy Chief for the Bureau of Investigations or the Assistant Chief. Therefore, contrary to what the primary investigator wrote, the CID investigation was not subject to a full chain of command review.

Forwarding to the District Attorney’s Office

The Alameda County District Attorney’s (DA) Officer-Involved Shooting (OIS) Team is authorized, by agreement with each local law enforcement agency in Alameda County, to conduct a separate, parallel investigation into officer-involved shooting incidents that lead to death. The District Attorney’s OIS Team typically responds to the scene of an officer-involved shooting incident, as it did in this event. It was evident from our reviews of OPD’s reports that the District Attorney’s Office also participated with CID investigators in their interviews of the subject officers.

On October 31, 2018, Chief Kirkpatrick approved CID’s investigation and signed the investigative report. Chief Kirkpatrick failed to question and correct the numerous deficiencies and omissions in the investigation prior to finalizing and forwarding the report to the District Attorney’s Office.

On March 6, 2019, the District Attorney issued a report on the shooting of Mr. Pawlik in which she declined to prosecute any of the involved officers. The report notes that the DA’s Office “focuses exclusively on the question of whether there is sufficient evidence to prove beyond a reasonable doubt that a law enforcement official committed a crime in connection with the shooting death.” The report states that the “OIS Team does not examine collateral issues such as whether law enforcement officials complied with internal policies, used appropriate tactics, or any issues that may give rise to civil liability.” The report continues, “[T]his report should not be interpreted as expressing any opinions on non-criminal matters.”

Section 6: The Internal Affairs Division (IAD) Investigation

The Internal Affairs Division's investigation was replete with failures. IAD's failure to expeditiously pursue the administrative investigation resulted in the loss of potentially valuable information. IAD investigators asked leading questions, provided information to the subject officer regarding what they believed the subject officer was trying to say, and failed to address many serious discrepancies and inconsistencies.

Unlike a criminal investigation of an officer-involved shooting, an administrative investigation conducted by OPD's Internal Affairs Division (IAD) is not intended to explore whether officers engaged in criminal conduct. Instead, it is intended to focus on the actions or inactions of officers based on the policies and procedures of the agency. The administrative investigation, therefore, should not be viewed as a continuation of the criminal investigation, but as a separate investigation into potential misconduct or policy violations by subject officers whether or not any criminal misconduct occurred. Best practices recommend that police agencies direct their investigators to conduct administrative interviews as soon as possible and without unnecessary delays.

In this incident, IAD personnel appropriately responded to the scene. They also monitored the initial criminal interviews of the subject officers telephonically.

The IAD investigators had the same information from the scene that the CID investigators had, including the raw video footage. IAD also monitored the initial interviews of subject officers. However, IAD investigators did not conduct their administrative interviews of the subject officers until August 2018, five months after the incident. Not surprisingly, during their administrative interviews, several officers attributed their inability to recall some information about the incident by noting that it had occurred five months prior. Well before August 2018, IAD investigators had the information they needed to conduct thorough interviews and address

any inconsistencies, discrepancies, or concerns they had. Although the analysis of the PDRD footage from the camera placed on the hood of the BearCat, conducted by OPD's vendor Imaging Forensics, was not completed until September 2018, IAD investigators did have the raw video footage, as well as the enhanced versions provided by OPD's vendor Precision Simulations, Inc. Those should have been sufficient for purposes of considering inconsistencies in officers' statements. IAD's failure to expeditiously pursue the administrative investigation could have resulted in the loss of potentially valuable information.

Suggesting responses to subject officers

As with the CID investigators, IAD investigators inappropriately made suggestions to elicit certain responses. This practice is inconsistent with OPD's Internal Affairs Division Policy and Procedure Manual. One example was in Sergeant Negrete's interview. At one point, the investigator said, "[O]kay it sounds like even, uh yourself, a longtime member of the swa—uh SWAT team, has used the vehicle many times, you didn't, uh, feel probably confident enough even in your own skills shooting through a porthole, where you felt that was appropriate thing to do."

In another example, the IAD investigator questioned Sergeant Negrete by stating that "a nay sayer [sic] might say, well how could he see everything if he's right there on his gun and--and he must be totally focused in on the guy and he just said that he didn't even know that a guy was standing right next to him for 30 seconds, boy it just sounds like he was so engaged in the threat that he- -he didn't know what was going on around him." Sergeant Negrete responded that he would say that he was "absolutely engaged in the threat." The practice of an IAD investigator querying a subject officer as to how he might respond to a hypothetical critic in these circumstances is wholly inappropriate. The internal investigatory process is not intended to create opportunities for officers to make exculpatory utterances for a later defense.

The credibility of an investigation is also mitigated when investigators provide both the questions and the answers to subject officers. IAD's use of leading questions, as well as its attempts to prompt a specific response, are most apparent in the interview of Officer Phillips, who was armed with the less-than-lethal shotgun during this OIS. In Officer Phillips's interview, IAD asked him why he did not "initially consider just walking up to the guy and disarming him yourself?" Officer Phillips responded, "Because I could clearly see that he was armed with the handgun, and I've never seen anybody, um, armed with a gun on duty with their – with their, uh actually holding." Officer Phillips continued, "[W]ith them actually holding it and gripping, uh, the weapon." The investigator then asked Officer Phillips, "It – it's – you didn't approach it

because that was the first time you saw an individual with a gun in his hand. An individual with a gun in his hand is dangerous, correct?” After Officer Phillips answered, “Yes,” the investigator continued, “[I]t’s a threat, correct?” After another affirmative response, the investigator said, “Okay. So did you fear for your safety?” Officer Phillips confirmed that he did.

In Officer Phillips’s interview, the investigator also said, “One might say, hey, boy, this guy was out cold, you know. Why didn’t you just walk right up and grab the gun? I mean it would have been simple. It – what threat is he posing? What would you say to that?” Officer Phillips responded, “And who is this asking?” One investigator responded, “it’s – it’s a hypothetical,” and another investigator responded, “Joe Citizen.” The second investigator continued by clarifying that he was referring to anyone who might “critique or criticize what you did.” The leading questions; attempts to elicit specific answers; and questions that are framed to provide a justification, should anyone ask, are completely inappropriate.

In another example, IAD asked Officer Phillips to explain a statement he made in his initial criminal interview, when he was asked if he thought that Mr. Pawlik knew that the police were there. The IAD investigator told Officer Phillips that in his CID interview, when asked by CID investigators if he believed that Mr. Pawlik had known police were on scene, he had responded that he “didn’t think so.” In his IAD interview, investigators asked Officer Phillips multiple questions about why he “didn’t think so,” and if it could just be that he did not know if Mr. Pawlik knew police were there. Even when Officer Phillips said that he did not believe that Mr. Pawlik appeared to be sleeping, the investigator said, “So did, just to clarify, uh, you weren’t real sure.” And then later, the investigator continued, “You – you’re saying you don’t know,” to which Officer Phillips responded “Uh, yes, sir.”

These are examples of the numerous inappropriate leading questions that attempted to elicit exculpatory responses from subject officers. The IAD Commander should have rejected the IAD investigators’ tactics or insisted that the interviews continue with an additional series of objective questions. Further, the IAD Commander should have refuted the factual value of the responses derived from leading questions.

Failure to address discrepancies

In its report, IAD documented only one discrepancy involving an officer’s statements or actions. Officer Hraiz claimed in his interview that he “assessed between each round fired,” and IAD explained that impossible claim as a “perception discrepancy based on the stress of the incident.” However, IAD failed to address far more critical discrepancies and inconsistencies in statements made by subject officers. These included: Mr. Pawlik’s state of consciousness as described by

witness and subject officers; the degree to which Mr. Pawlik was moving just prior to and at the time of the shooting; and how, and to what degree, Mr. Pawlik allegedly raised the gun just prior to the shooting.

The IAD investigation also identified other troubling issues but did not examine them closely. For example, during his interview, Lieutenant Yu asserted that the officers on the scene were prepared to deal with Mr. Pawlik prior to his awakening. Lieutenant Yu claimed that he confirmed this by asking, “[A]re we set?” to which he received an affirmative response. He said that he could not recall if he attempted this confirmation over the radio, or in person – or *who* provided the response. Lieutenant Yu attributed his limited recall to the incident having occurred five months prior. When the IAD investigator verified for him that this actually occurred *after* the BearCat arrived, Lieutenant Yu indicated that it had, and that he “did get a confirmation that it was a yes. We were good to go.” It appears from the transcript that Lieutenant Yu was referring to Sergeant Negrete as having responded “yes” to his question. He continued to explain that OPD attempted to “wake” Mr. Pawlik with announcements such as “Hey, Oakland Police Department. Do you - - whoever you on the street.” He referred to these announcements as “the usual - - like the announcements we make to announce to police presence - - and - - that we’re there.” Lieutenant Yu then said that almost immediately, “either after the announcements or during the announcements, the announcements changed to commands.” He explained this to mean that instead of announcing “Hey, Oakland Police Department,” officers began issuing commands to Mr. Pawlik, “things to the effect of drop the gun or uh, or – get your hands up.”

Subject officers said in their interviews that they were not all “in position” and ready to address the situation, but that Mr. Pawlik awoke unexpectedly, forcing them to do so. In his IAD interview, Sergeant Negrete said that he had not been able to brief the officer who arrived with the BearCat because “it went active.” He explained that to mean that Mr. Pawlik “woke up.” The statements by the subject officers are inconsistent with Lieutenant Yu’s statement that they were, in fact, ready to address Mr. Pawlik – and IAD did not explore these inconsistencies.

In another example of IAD’s failure to address critical investigative issues, in both his criminal and administrative interviews, Officer Phillips said that he believed that he had been the first officer to fire at Mr. Pawlik. In his IAD interview, Officer Phillips said that he fired after he saw Mr. Pawlik’s head and the gun move. When asked by IAD what he remembered specifically, he responded, “I remember his head coming up. Him looking around. Him putting his head back down, and then, if I’m not mistaken, his legs moved a little bit, and then, his right hand, which was gripping the handgun, uh, it appeared to be moving up a little bit, and his – I could see that his head was starting to come up, and that’s when I fired the bean bag round.” When asked if he had fired his less-lethal round before the other officers fired their lethal rounds, he responded,

“[T]o my recollection, I believe it was before.” He added, “I believe that I shot the bean bag round, and as I went to re-rack the round the person was already shot.” While it does not appear from our review of the PDRD footage that Officer Phillips did, in fact, fire first, IAD never identified, pursued, or challenged his statement as a discrepancy in its report.

Even with video evidence that did not support the subject officers’ statements, IAD investigators failed to identify or reconcile the discrepancies regarding the manner in which Mr. Pawlik purportedly raised the weapon, at whom he allegedly pointed it, and the alleged height at which the weapon was raised. In IAD’s interviews of subject officers who used lethal force, officers’ descriptions of the actions of Mr. Pawlik varied from his raising the gun from a couple of inches to his raising the gun as much as 10 or 14 inches. Officer Hraiz, who was in an elevated position in the turret of the BearCat, said that Mr. Pawlik pointed the gun directly at him. He said, “[I]t looked like the gun was being pointed, barrel, it looked like I was looking right down the barrel.” From Officer Berger’s position on the ground and to the side of the BearCat, he too said that the gun was pointed directly at him. Sergeant Negrete also said that the weapon was pointed directly at him, and said, “I remember looking down straight at the barrel of his pistol,” and then added later, “It looked like that he was pointing it directly at me.” Officer Tanaka described the actions of Mr. Pawlik as, “He raised the firearm to, like, a contact ready, uh.” When asked to clarify what he meant by “contact ready,” Officer Tanaka said, “Uh, where he would be pointing the gun directly at us.”

During their interviews, subject officers described their observations of Mr. Pawlik just prior to the shooting as “alert and awake;” “appeared agitated as if the officers were bothering him;” “appeared agitated and upset;” and “appearing like he knew what was going on.” Subject officers also described him as “annoyed, bothered, analyzing the situation;” “scanning from side to side;” and “purposefully and intentionally pointing his weapon at officers.” Officer Phillips said that prior to firing the beanbag round, Mr. Pawlik appeared “to look like he was initially trying to figure out what was going on,” and then described him as “kinda waking up.”

In addition to the subject officers, IAD identified five additional officers on scene who were apparently able to observe Mr. Pawlik in the seconds prior to the shooting. These witness officers described Mr. Pawlik as “having a dazed look;” “appearing drowsy;” “like anyone waking up from a sudden loud noise;” “startled from a deep sleep, extremely drunk or passed out;” “not really getting it in regards to commands;” and “like he was under the influence and did not appear lucid, or unconscious.” While in their interviews, these witness officers said that they had looked away, or could not directly see Mr. Pawlik’s face or hands at the exact moment of the shooting. These observations *contrasted* with the subject officers’ statements – and IAD should have further explored these discrepancies.

Intent, Means, Opportunity, and Ability

IAD considered the “intent,” “means,” “opportunity,” and “ability” of Mr. Pawlik in its investigation, and circuitously reached conclusions on these elements. However, IAD never established that Mr. Pawlik knew what was occurring or understood the officers’ commands. To support that the severity of Mr. Pawlik’s behavior justified the officers’ actions, IAD employed a variety of arguments, including that Mr. Pawlik had himself committed a crime, in that he “was in possession of a loaded firearm in a public place” and that he “ignored the officers’ commands.” IAD investigators, however, had the benefit of the best evidence in this case: the PDRD footage from the camera placed on the hood of the BearCat. Yet the IAD investigators did not pursue or challenge any line of questioning regarding what the officers said to justify their actions.

IAD’s findings

IAD sustained only *one* violation against an officer in its investigation of the shooting of Mr. Pawlik. IAD concluded that Sergeant Negrete was “singularly focused on Pawlik and lost effective control of his DAT in the crucial half-minute leading to the shooting,” and sustained him for Manual of Rules violation 285.00-2, Supervisor Responsibilities. Interestingly, this finding is inconsistent with IAD’s determination that “the involved member’s actions leading up to the use of force did not aggravate the situation, or make the use of force more likely to occur.”

It is clear that officers’ decisions made in the more than 40 minutes prior to this shooting – including a lack of appropriate contingency planning, and failure to appropriately manage the Designated Arrest Team – were critical factors in the tragic outcome. Nonetheless, IAD’s report notes, “[T]he actions also did not create the circumstances that lead to, or contributed to the use of force.”

IAD failed to identify and address numerous discrepancies and inconsistencies in officers’ statements; failed to adequately consider the PDRD footage captured from the hood of the BearCat; and in so doing, failed to support its investigative findings. The IAD Force Investigation Team Commander and the IAD Commander then failed to address the serious deficiencies and omissions in this investigation prior to allowing it to be finalized and forwarded to the Executive Force Review Board.

Section 7: The Executive Force Review Board (EFRB) Process

OPD's Executive Force Review Board (EFRB) failed in its primary responsibility to conduct a detailed review of the shooting - and in doing so, it compounded the numerous failures associated with this entire matter. Like CID and IAD, the EFRB accepted what the officers asserted at face value and without regard for any inconsistencies with available video evidence.

Departmental General Order K-4.1 (Force Review Boards) requires that an Executive Force Review Board (EFRB) be convened "to analyze and assess the factual circumstances during and proximate to all...Level 1 UOF incidents and investigations" and to "[e]stablish concluding recommendations to the COP from those circumstances." Negotiated Settlement Agreement (NSA) Task 30 (Executive Force Review Boards) and Departmental policies place the burden on OPD to convene EFRBs consisting of high-ranking OPD personnel to review Level 1 (most severe) uses of force.

External EFRB

As the criminal and IAD investigations neared conclusion in the fall of 2018, Chief Kirkpatrick and the Monitor discussed the prospect of establishing an EFRB comprised of non-OPD personnel. While the Monitor initially thought that the concept had some merit, as OPD's plans progressed, Chief Kirkpatrick's interactions with the Board members proposed by the Department became problematic. Specifically, prior to the convening of the Board, Chief Kirkpatrick had conversations with the proposed external Board Chair, a retired U.S. Magistrate Judge, in which the Chief apparently discussed her own position on the justification of the deadly force used by the officers. When, on October 17, 2018, the Chief informed the Monitor that she had had conversations with the retired Magistrate, the Chief suggested that the Monitor might wish to talk to the retired Magistrate directly. When the Monitor spoke with the retired

Magistrate, she confirmed that she had had conversations with the Chief, and she expressed concerns to the Monitor about the appropriateness of such discussions prior to the convening of the Board. The retired Magistrate told the Monitor that Chief Kirkpatrick had told her that the Chief was personally “fifty-fifty” on the shooting. She expressed concern that her participation could make it “murky,” and she offered to withdraw from consideration.

Chief Kirkpatrick advised the Monitor that she had also spoken with the other proposed external Board members. In addition, the Monitor had concerns with the special training and investigative materials the Chief was planning to give to the panel, and the proposed compensation for each external board member.

For these reasons, it became clear that the idea of an outside board – one whose members had already heard the Chief’s opinions of the case – had become inappropriate. Though an EFRB comprised of persons external to the Department was perhaps a progressive and innovative idea, it was tarnished by Chief Kirkpatrick’s contacts with its potential members. This raised serious ethical questions. The Monitor called the City Administrator to inform her that the manner in which the Chief had briefed the retired Magistrate and others compromised the integrity of the process, and that the City would be ill-advised to proceed. Ultimately, and in consideration of certain legally defined time considerations, the Monitor determined that the EFRB should proceed in its customary manner.

Convening of the EFRB

OPD convened an EFRB, chaired by a Deputy Chief, and with two captains as voting members. The Board met on November 28 and 29, 2018, and on January 8, 2019. In addition to the Department personnel who regularly support the Board’s activities, the meetings were attended by the then-Chair of the City’s Police Commission and members of the Monitoring Team. The retired Magistrate who was initially slated to serve as the Chair of the outside EFRB also observed the proceedings.

The shortcomings with both the CID and IAD investigations carried into their presentations to the EFRB. Neither CID nor IAD rectified their investigations’ serious omissions, and both presentations relied heavily on conclusions that were not supported by the facts. Both CID and IAD took what the involved officers asserted at face value, and without regard for any inconsistencies with available video evidence. Unfortunately, the Board, for the most part, adopted the same stance. Additionally, the Board also relied on the discredited internal video analysis that was completed by an OPD sergeant and was criticized by Chief Kirkpatrick as an “embarrassment” when it was first presented.

In addition to the many flaws in IAD's presentation to the Board, it was delivered at breakneck speed. The investigator read nearly non-stop from densely packed PowerPoint slides. At the presentation's conclusion, Board members asked some probing questions of the investigator, but inexplicably failed to explore apparent inconsistencies.

During the questioning, the IAD investigator said that he had hoped that the video evidence would either prove or disprove what the officers had asserted. According to the investigator, when he determined that none of the three video analyses conclusively supported the officers' assertions, *IAD had to defer to what the officers claimed.*

The IAD investigator's logic and conclusions were troubling for several reasons. First, the video was only analyzed twice; and one analysis, completed by an OPD sergeant, should have been discounted because the Chief had already acknowledged that its quality was inferior and an "embarrassment."

Second, the video did not support what the officers asserted. The IAD investigator, both in his investigation and in his presentation to the EFRB, failed to explore the inconsistencies between the video and the officers' statements. He was certainly not compelled to defer to the officers' statements; he simply chose to. In other words, it was the position of IAD, that absent proof to the contrary, officers involved in a deadly shooting were deserving of the benefit of the doubt. This kind of thinking – deferring to officers' accounts, by default – must be rejected. It is at the core of the community's historical distrust of OPD – and nationally, of policing in general.

Third, when the IAD investigator could not answer questions with specificity, he indicated that some content in officers' answers was "implied." That is, the investigator made assumptions regarding the officers' views. During questioning by the Board, the investigator even posited that there had to be "implied intent" on the part of Mr. Pawlik. In analyzing justification for any use of force, the intent of the subject is one of the factors to be considered, as demonstrated by his actions or words. However, "implied intent" appears to be a contrived standard which has no basis in an analysis of justification.

The assertions of the patrol procedures subject matter expert (SME) who appeared before the EFRB regarding the BearCat were also troubling. This SME, who made his presentation prior to the BearCat SME, presented an illogical argument regarding the value of the cover afforded by the armored vehicle. In essence, the SME's position was that as long as *any* part of an officer is exposed from behind the BearCat, the threat is the same as if the armored vehicle was not there at all, and that the officer should react accordingly. According to the EFRB Report, "The Board asked how this guidance about protecting oneself would apply if the officers were behind cover

and/or concealment. [The SME] replied that the training is still that officers must protect themselves and other officers; while cover and concealment might lower the risk of being struck if the subject opens fire, they do not entirely negate it.”

The BearCat was described by another SME who appeared before the EFRB as a “large piece of cover that we can manipulate wherever we need it.” It is indisputable that this vehicle could have created a significant barrier between the officers and Mr. Pawlik; yet officers did not fully exploit this option. *Any* barrier can diminish the prospect of harm to a police officer: a key component of any analysis of force justification. The SME asserted that *any* exposure was tantamount to full exposure; and unfortunately, the Board adopted this flawed position in its analysis of the justification. According to the EFRB Report, “While the officers were behind a piece of cover, subject matter expert... testified that a piece of cover may lower, but does not entirely negate, the chance of an officer being struck by a round, and that officers are trained accordingly.” However, in the EFRB’s discussion of supervision and tactics, some members of the Board appeared to discount this position.

In the end, the Board voted twice on the appropriateness of each use of force: first, on November 29, 2018; and second, on January 8, 2019. On November 29, 2018, when the Deputy Chief asked if there was any discussion regarding the vote on the first officer to be considered, specifically Sergeant Negrete, one of the captains said “no,” but also noted that he felt uncomfortable because there were others in the room – which we presume was a reference to either a member of the Monitoring Team or the Police Commission. We found this comment troubling from an agency that has consistently asserted it values transparency. The remaining votes were held only one to two minutes apart, also without any substantive discussion. On November 29, 2018, the Board’s discussion and vote on the officer-involved shooting of Joshua Pawlik took only 10 minutes – from 1:41 p.m. to 1:51 p.m.

After these votes, the Board members determined that they needed additional information before they could reach a conclusion on the allegations related to supervisory responsibility and accountability. They directed IAD to conduct further investigation and analysis of these issues, and decided that the Board should reconvene for yet another day.

The Board members voted again on the uses of force when they reconvened on January 8, 2019. This time, their discussions were only slightly more substantive. For example, when they referred to specific slides in IAD's PowerPoint presentation, the members generally accepted the information at face value. The captain who expressed discomfort with the first vote indicated that to the "naked eye," he did not see the gun move, and noted that the video, as viewed on YouTube, did not look good. While this is the closest the Board ever came to noting inconsistencies between the officers' statements and the video, it nonetheless did not factor into the Board's ultimate finding.

The summary of the Board's deliberations regarding force in the EFRB Report largely consists of material copied from the officers' statements. The Report also appears to have been premised on some information that had no factual basis. For example, the Report indicates,

"All four of the officers who shot Pawlik gave statements attesting to the fact that Pawlik pointed the handgun at the officers (a violation of Penal Code §417(c)), as did Officer Philips. All of the officers were found credible by IAD, and the Board discussed that no evidence contradicts the officers' statements that Pawlik raised the gun and that it was pointed in their direction after failing to comply with commands to drop the gun. The Board noted that the video forensic analysis presented by CID and IAD confirmed that Pawlik lifted the handgun up and pointed it towards the officers, after he had been told to drop the gun."

As noted throughout this report, the video evidence does not support the officers' statements, and there is no video forensic analysis that confirms that Mr. Pawlik lifted and pointed the handgun at officers – yet the EFRB, in its report of its findings, said that he did.

Further, not even OPD's own discredited analysis makes such a definitive conclusion. Yet according to the EFRB Report, "The Board noted that all the involved officers reported seeing Pawlik raise the handgun and point it towards them, but that the un-enhanced PDRD video of Pawlik's movements was not clear enough to discern whether this occurred. However, the OPD video forensic analyses showed Pawlik's arm and body moving in a manner consistent with him pointing the handgun at the officers." And later, the Report continues, "...Pawlik made a sudden movement which was captured on [a sergeant's] PDRD and appeared to be Pawlik attempting to sit or get up. Video forensic analyses showed further evidence that Pawlik's hand, containing the handgun, was moving upwards from the ground..." However, none of the video analyses is as definitive as asserted in the EFRB Report.

In another example of the Board's failure to question the veracity of the involved officers' statements, the Board members appeared to accept, without question, at least three officers' stated ability to see Mr. Pawlik's face clearly and interpret his emotions. In analyzing Mr. Pawlik's intent for the individual uses of force, the Board noted, "As officers continued to give commands to drop the gun, Officer Berger reported that Pawlik sat up and appeared 'agitated', as if the officers were bothering him." In another example, the Board noted, "As officers continued to give commands to drop the gun, Officer Hraiz reported that Pawlik appeared 'agitated' and 'upset', and appeared to know what was going on around him as he glanced back and forth between the officers." And finally, the Board noted, "Officer Tanaka reported that Pawlik was frowning and appeared 'irritated', but appeared to understand the situation."

The Board, as was the case in the CID and IAD investigations, never questioned these characterizations by the officers, but nonetheless accepted them. None of the officers' rifle scopes contained magnification, and officers needed binoculars to ascertain the details of the gun near Mr. Pawlik's hand. Yet the Board accepted at face value the officers' assertions that, at the time of the shooting, they were able to discern Mr. Pawlik's facial expressions and decipher their meaning. At the time the shots were fired, however, it does not appear that Mr. Pawlik was even looking at the officers. No investigating body, including CID and IAD, or reviewers of the investigations – including the EFRB and the Chief of Police – noted any skepticism regarding the obvious similarities of the officers' accounts.

The Board spent a considerable amount of time discussing supervisory issues associated with this incident. That discussion consumed much more time than was devoted to discussing the actual uses of force. The Board's initial inability to reach a conclusion on the supervisory issues necessitated an adjournment and referral to IAD for additional work.

We concurred with the Board's determinations in finding fault with the supervisory actions of Lieutenant Yu and Sergeant Negrete. However, the Board members' votes on the use of force contrasted with many of their statements during their deliberations. The Deputy Chief was the most outspoken in his criticisms of the supervisors on the scene, and in particular, Sergeant Negrete. He indicated that Sergeant Negrete "acted with gross negligence," and that Sergeant Negrete took control in a manner that was problematic and led to the eventual outcome of this event. He described Sergeant Negrete's decisions as "outrageous," and indicated that Sergeant Negrete did not consider the importance of the preservation of life. The Deputy Chief expressed dismay that the officers did not, in fact, use the BearCat as cover – but instead used it as a platform from which to shoot.

The Deputy Chief clearly recognized the value of the cover afforded by the BearCat. Yet, the Board completely discounted this in its analysis of the use of force. At one point, apparently taking into account the cover available and the superior firepower possessed by OPD officers, the Deputy Chief noted that the officers were not going to be “outshot.” He said that the mere fact that Mr. Pawlik rose up “does not cross the threshold.” While this occurred during the discussions relevant to supervisory accountability, these opinions were not consistent with the Board’s votes on the force itself.

On the other hand, one of the captains placed the entire blame for the shooting on Mr. Pawlik. He reiterated throughout the discussion that, in his view, the outcome was determined by Mr. Pawlik and not the officers. The EFRB Report captures some of the exchange between the captain and the Deputy Chief, but it does not do justice to the tension in the discussion. The Deputy Chief appeared to be uncomfortable and troubled by the positions the captain was taking. We share his dismay.

We disagreed with the Board’s findings with respect to the uses of force. During its deliberations, the Board did not review any of the available iterations of the video; and there was no extensive discussion of the video evidence. As we have seen in other cases, there was some useful and insightful discussion regarding the non-force-related allegations, and some Board members were highly critical of the officers’ actions that preceded the use of force. Nonetheless, the Board did not give that same thoughtful consideration to the use of force analysis. The Board failed in its primary responsibility, and its final EFRB Report compounded the tragedy of the March 11, 2018 event.

Section 8: The Community Policing Review Agency (CPRA) Investigation

Instead of conducting a thorough, independent investigation, the Community Policing Review Agency (CPRA) simply reviewed OPD's investigation and rewrote it, leaving the same questions and concerns unresolved. Following this case, the Police Commission brought in new leadership to the CPRA.

The Community Police Review Agency (CPRA) is a component of the Police Commission of the City of Oakland, and is independent of the Police Department. The CPRA is responsible for investigating misconduct complaints brought directly by community members or falling within certain categories – including uses of force. On April 22, 2019, the CPRA submitted its two-part Report of Investigation (ROI) on the shooting of Mr. Pawlik. The CPRA's mandate gave the agency the authority to initiate its own investigation shortly after the incident. The CPRA investigator noted, however, that when the case was assigned in July 2018, the CPRA only received the PDRD footage and scene photos. The investigator claimed that it was not until January 2019, three months after the fact, when OPD advised the CPRA that the criminal investigation had been completed, that the CPRA was able to obtain the remainder of OPD's materials and initiate a full investigation. It is unclear why this delay occurred, since Chief Kirkpatrick approved the CID investigation on October 31, 2018; and the Chief had reported to the Police Commission that the criminal investigation had been forwarded to the Alameda County District Attorney's Office on November 7, 2018, and to OPD's Internal Affairs Division (IAD) on November 9, 2018. For the CPRA to be effective, it must receive investigative materials in a timely manner.

The CPRA's responsibility was to conduct an independent *administrative* investigation into any policy violations by OPD personnel – not to identify or address potential *criminal* misconduct. The burden of proof in an administrative misconduct investigation is the preponderance of evidence; and while CPRA acknowledged this, its analysis does not display an understanding of that standard. Much of CPRA's report addressed legal arguments more relevant to criminal behavior than to administrative misconduct.

The CPRA criticized IAD's investigation as inadequate, but it took no other action. In its report, CPRA wrote, "Unfortunately, there were important details to be elicited at the time of the initial interviews of the officers immediately following the incident, yet these topics were not thoroughly explored through questioning to the satisfaction of the CPRA Investigator. The officers should have been asked to describe in complete detail what they saw, how Mr. Pawlik was holding the gun before and at the time of the shooting, the angle of his right arm at all times, if the placement of the gun changed from when Mr. Pawlik was sleeping with it to when he allegedly lifted it up, exactly how far he lifted it up, the angles of the gun as it moved in more detail, any problems seeing the gun, the movement of the gun as he was shot, and the location of the gun after the shooting." Despite this assessment, the CPRA did nothing to address or rectify the deficiencies it identified in OPD's investigation. Although the CPRA investigator questioned the credibility and truthfulness of some of the involved officers, the investigator conducted only one independent interview and made no attempt to resolve the inconsistencies the CPRA found in OPD's investigation.

The CPRA investigator simply reviewed OPD's investigation and left the same questions and concerns unresolved. The then-Director of CPRA, who also failed to identify and address the discrepancies in the report, approved the investigation. The Police Commission was highly critical of the work of the CPRA in this investigation, and has since readjusted its personnel assignments and brought new leadership to the helm of the CPRA.

Even after identifying numerous concerns with IAD's investigation, and documenting its insufficiency, the CPRA still relied on it to arrive at its findings when it exonerated all subject officers for the use of force. By OPD's definition, which is also used by the CPRA, the standard for a finding of exoneration is "The investigation clearly established that the actions of the police officer that formed the basis of the complaint are not violations of law or departmental policy." The CPRA sustained findings against Sergeant Negrete for failure to properly supervise this incident and against Lieutenant Yu for failure to properly supervise – but recommended no other sustained findings. In the shooting death of Joshua Pawlik, the CPRA failed as an investigative agency.

Section 9: Developments Following the Executive Force Review Board

Following the EFRB, our Team met with the Chief of Police to share our assessment and observations. A few days later, the Chief issued an addendum to the EFRB Report. The Chief's addendum was primarily focused on legal issues, and not the application of relevant Departmental policies - as was her charge.

As outlined in OPD Departmental General Order (DGO) K-4.1 (Force Review and Executive Force Review Boards), the EFRB provides recommended findings to the Chief of Police. The Chief has the responsibility to determine the final disposition of each recommendation. The policy requires that if the Chief "does not concur with any of the Board's findings or recommendations, the basis for such disagreement shall be documented as addenda to the report."

Meeting with the Chief

The Executive Force Review Board submitted its report to Chief Kirkpatrick at the end of January 2019. Prior to the Chief's final determination, we met with the Chief to provide her with our assessment based on our review of the material we had received up until that point, as well as our observations of the EFRB and its deliberations. On February 5, 2019, the Monitor, the Deputy Monitor, and another member of the Monitoring Team met with Chief Kirkpatrick and an attorney from the Office of the City Attorney who was at that time assigned to the Police Department.

During our meeting, we reiterated that we had been concerned with this case since the evening it occurred. The Monitor recounted his conversation with the Chief on the evening of March 11, 2018, when she had told him that the shooting "looks good." The Monitor reminded the Chief that he had cautioned her about committing to such a conclusion so early. We also noted our concern with the Department's two initial press releases regarding the incident, which appeared

to show a predisposition to find that the use of force was justified. We reminded the Chief of our conversation regarding the video analysis completed by an OPD sergeant. She had told us that she considered it an “embarrassment;” and we expressed dismay that CID, IAD, and the EFRB relied on that analysis in coming to their conclusions.

We also noted that the Chief had told the Monitor that she had shared the video with the Mayor in the fall of 2018, and that, according to the Chief, the Mayor had no follow-up questions, commentary, or direction. The Chief’s silence on this point during our meeting suggested to us that this was accurate. We also expressed disappointment that one of the EFRB members – who was formerly the Commander of the Department’s Office of Inspector General – placed the entire blame for the outcome of this incident on the deceased, Mr. Pawlik. We told the Chief that we found the captain’s statements reminiscent of troubling attitudes and values historically attributed to OPD and police departments nationally.

We reminded the Chief that, regarding body-worn camera footage, OPD had video of the event that was not plagued by either sudden movements or obscurities. We shared our views with the Chief as to how the video might inform her thinking. We contrasted the video (in both its raw and enhanced forms) with the involved officers’ assertions about what occurred – and we elaborated on the obvious discrepancies between the two. We noted that no investigating entity within OPD ever explored or resolved these discrepancies.

We also shared some of our observations from the EFRB and the apparent disconnect between some of the highly critical comments made by some Board members, including the Chair, and the members’ votes on the force itself.

In our meeting, Chief Kirkpatrick indicated that, for her, the most compelling evidence was that it appeared that all five officers fired at “pretty much the same time.” She concluded that they all must have perceived the same threat and reacted to it at the same time, and therefore, the threat must have been real. We raised the prospect of “sympathetic fire” – that is, one or more officers firing in reaction to hearing other officers fire, rather than in reaction to a threat. During one of our Team’s many conversations with IAD concerning its ongoing investigation, we had suggested that investigators explore that possibility, and IAD assured us that it would. Yet, we noted that IAD’s investigation did not include any examination of this issue despite the Chief’s assertions that IAD investigated the possibility. In fact, after our meeting but before she rendered her decisions on the case, on February 7, 2019, IAD produced an Internal Affairs Case Update addressing this issue, which would not have been necessary if the initial investigation had been comprehensive.

Chief's findings

Three days after our meeting, on February 8, 2019, Chief Kirkpatrick signed the EFRB Report and indicated in a handwritten note, "I agree in part and disagree in part. My findings are attached along with an addendum." Chief Kirkpatrick, concurring with the EFRB, determined that each use of force was within law and policy. Similarly, she concurred with the EFRB in its Sustained finding for Lieutenant Yu for a violation of Manual of Rules (MOR) 234.00-2, for failure to fulfill his command responsibilities.

Chief Kirkpatrick disagreed with the EFRB on two findings. She determined that the finding for MOR 314.39-2, Performance of Duty-General, regarding Officer Tanaka's self-deployment of his patrol rifle was Not Sustained, whereas the EFRB had sustained this violation. She reached a lesser finding of Sustained for the violation of MOR 285.00-2, Failure to Supervise, for Sergeant Negrete. The Board had reached a finding of Sustained for the more serious Class I MOR violation.

Consistent with what she had said in our February 5, 2019 meeting, Chief Kirkpatrick wrote in her addendum, "The most compelling evidence of a reasonably perceived threat was that the five officers shot almost simultaneously at Mr. Pawlik, with all shots fired within 2.23 seconds. I find this evidence persuasive and corroborative of the officers' statements regarding their perceptions of an immediate threat. In other words, the evidence supports that this was not the perception of just one officer, with sympathetic fire trailing the initial shot after a delay; this was the perception of multiple officers. The evidence shows the individual shots occurred too closely together to be sympathetic fire."

Chief Kirkpatrick's analysis on sympathetic fire relied heavily on the Internal Affairs Case Update assembled after our meeting on this issue, and after she received the EFRB Report. The Department did not even consider the possibility of sympathetic fire in any of its investigations or deliberations – a significant organizational omission. Chief Kirkpatrick accepted, without question, that five individuals can react simultaneously to a perceived visual cue, a slight movement by Mr. Pawlik, but dismissed the possibility that they can react similarly to an audio cue, the sound of gunfire from other officers.

We disagreed with Chief Kirkpatrick’s characterization of the available video evidence when she wrote, “The video analysis was inconclusive regarding the specific movement of Pawlik’s lower arm, hand and the gun just prior to the shooting. However, it is not inconsistent with the officers’ statements that Pawlik looked at the officers, raised his arm and pointed the gun toward them.” In fact, no video enhancement or analysis – even the Department’s own discredited video analysis – supports the officers’ statements, even under the preponderance of evidence standard which applied to this case.

Chief Kirkpatrick was responsible for reviewing this case in her role as the chief executive of the Department. Accordingly, with the responsibility for assessing her officers’ actions, she was required to consider Departmental policies, her own professional expectations, and community values. The standard for administrative investigations is “preponderance of evidence,” but the Chief’s document focused more on legal considerations more typically found in criminal investigations rather than administrative investigations intended to determine compliance with Departmental policies.

Compliance Director’s addendum

The Monitor, acting in his capacity as Compliance Director, disagreed with Chief Kirkpatrick’s findings. On February 19, 2019, he issued an addendum to the EFRB Report. It reviewed the deficiencies in the report and overturned Chief Kirkpatrick’s conclusions. As noted in the Compliance Director’s addendum,

An essential part of any investigation is the resolution of discrepancies. IAD and CID are required to do this by Department policy, by the Negotiated Settlement Agreement (NSA), and by responsible police practices. However, in the matter at hand, the investigators – both in their questioning and analysis – failed to address the inconsistencies between officers’ statements and the video evidence. The involved officers’ descriptions of Mr. Pawlik’s movement of his right hand range from a few inches to two feet. In both the CID and IAD investigations, the Department failed to challenge the officers on these inconsistencies. In addition, the questioning in both investigations was deficient, non-invasive, and replete with leading questions that served as attempts to support the justification of the officers’ actions.

Likewise, despite having access to the officers’ statements and all versions of the video, the EFRB members did not address the apparent discrepancies between the statements and the video. With respect to the uses of force, the EFRB members

appeared to accept IAD's recommendations at face value. The board was duty-bound to resolve those discrepancies if IAD did not. However, the board failed to do so.

The Compliance Director concurred with the Deputy Chief who served as the EFRB Chair in his assessment that Sergeant Negrete's conduct constituted gross dereliction of duty. The Deputy Chief had cited multiple failures on the part of Sergeant Negrete, as outlined in the EFRB Report and subsequently in our addendum. The most important point that the Deputy Chief made is that the outcome of this incident was so severe that it needed to be considered when determining whether Sergeant Negrete's conduct rose to the level of gross negligence.

The Compliance Director's final determinations were as follows:

- Sergeant Negrete, Officer Berger, Officer Hraiz, and Officer Tanaka; Allegation: Violation of MOR 370.27-1 (Level 1) Use of Force – Sustained.
- Officer Phillips, Allegation: Violation of MOR 370.27-1 (Level 2) Use of Force – Sustained.
- Officer Tanaka, Allegation: Violation of MOR 314.39-2, Performance of Duty-General for failure to advise the Communications Division of his rifle deployment in violation of DGO K-06 – Sustained.
- Officer Tanaka, Allegation: Violation of MOR 314.39-2, Performance of Duty-General for self-deploying as lethal cover – Not Sustained.
- Lieutenant Yu, Allegation: Violation of MOR 234.00-2, Failure to fulfill his command responsibilities – Sustained.
- Sergeant Negrete, Allegation: Violation of MOR 285.00-1, Failure to Supervise – Sustained.

Convening of the Police Commission Discipline Committee

On April 22, 2019, the Community Police Review Agency (CPRA) submitted its investigative report on this incident, in which it found all uses of force to be Exonerated. Additionally, CPRA reached a finding of Not Sustained for the allegation that Officer Tanaka failed to notify the Communications Division of his rifle deployment. CPRA reached findings of Sustained for the supervision allegations for both Sergeant Negrete and Lieutenant Yu. In each case, CPRA recommended demotion as the resulting discipline.

On June 12, 2019, in the aftermath of CPRA's findings, the Compliance Director issued discipline determinations. For all officers using force, the Compliance Director recommended termination. This recommendation also included Sergeant Negrete's violation of MOR 285.00-1, Failure to Supervise; and Officer Tanaka's violation MOR 314.39-2 Performance of Duty-General, for his failure to advise the Communications Division of his rifle deployment. For Lieutenant Yu's violation of MOR 234.00-2, for failure to fulfill his command responsibilities, the Compliance Director recommended a five-day suspension.

Both the Oakland ballot measure (Measure LL) and the enabling legislation that established Oakland's Police Commission outline a process for resolving disagreements between OPD and the CPRA with respect to findings and recommended discipline in administrative investigations. In the matter of Joshua Pawlik, the Compliance Director's findings stood as those of the Department. The Chair of the Police Commission was, therefore, required to establish a three-member Discipline Committee to resolve the differences between the CPRA's and OPD's findings. The Discipline Committee convened, and issued its findings on July 9, 2019. The Discipline Committee reached Sustained findings for all uses of force; and in each case, recommended termination. The Discipline Committee further determined that Sergeant Negrete be Sustained for a violation of MOR 285.00-1, Failure to Supervise, and recommended termination. In addition, the Discipline Committee reached a finding of Sustained for Lieutenant Yu for MOR 234.00-2, for failure to fulfill his command responsibilities, and recommended demotion.

Skelly hearings

Pursuant to California law, prior to the imposition of sanctions, including a suspension of one day or greater, officers are entitled to a hearing, known as a *Skelly* hearing. Officers can participate in person or opt to respond in writing. In this case, the City of Oakland retained an outside hearing officer (*Skelly* officer) to provide an impartial review and render recommended findings and proposed discipline. The City selected as the *Skelly* officer, Michael Gennaco, Esq. Mr. Gennaco is a former federal prosecutor and former Chief of the Civil Rights Section at the U.S. Attorney's Office for the Central District of California. Mr. Gennaco also served as the Chief Attorney of the Office of Independent Review for Los Angeles County.

All involved officers declined to participate in an in-person *Skelly* hearing and instead provided written responses through their legal counsel.

Mr. Gennaco submitted his *Skelly* report on April 3, 2020, and reached findings based on his independent review of the evidence. He determined that Sergeant Negrete should be Sustained for the Class I violation of MOR 285.00-1, Failure to Supervise, agreeing with the Compliance Director's finding, and that of the EFRB. Mr. Gennaco wrote:

This Skelly officer finds the analysis of the EFRB sound. Most compelling in support of a finding of gross negligence and dereliction of duty was the articulation of the series of supervisory mistakes by Sergeant Negrete that left him and his team poorly prepared to address the challenges presented – and the consequential loss of life that emanated from those poor decisions. Moreover, by his unprompted statements to team members immediately after the incident (that the subject pointed a gun at them and that they had to use deadly force), Sergeant Negrete corrupted the investigative process before it could even begin by undermining the ability of each involved officer to relate their observations and actions free from outside influence.

Notably, Mr. Gennaco also determined that all officers should be Sustained for unreasonable use of force in violation of OPD's MOR and use of force policies. He wrote, "For this reviewer, the critical question was not limited to the 'split second' decision the officers made about whether to discharge their weapons when they perceived what they claimed was an immediate threat to them and others. Instead, the analysis also encompassed whether the involved officers performed reasonably after responding to the call and observing an individual apparently not conscious with a gun in his hand."

Mr. Gennaco further noted that responding officers "had resources and time to devise a coordinated response," and that they were able to "have the Bearcat armored vehicle summoned and deployed before Pawlik began to awaken." Yet they squandered that resource. Mr. Gennaco continued, "Despite having an armored vehicle on scene that was specifically designed to provide the greatest protection for officers from firearm rounds, the team chose to use the equipment as only partial cover. Specifically for reasons of tactical superiority and safety, the Bearcat is outfitted with ports and a turret from which officers, fully protected by the armored walls of the vehicle, could deploy their firearms. The Bearcat is one of the few devices where a safely positioned law enforcement officer could virtually negate the threat of a an [sic] armed subject – and even receive a firearm round – before needing to respond with deadly force. Yet the responding officers chose to forego this option and continue to place themselves in positions of vulnerability."

Lastly, Mr. Gennaco wrote, “The officers’ response in this case provided few opportunities for Mr. Pawlik to escape the application of deadly force and that response can be relevant –and in this reviewer’s view is highly relevant – to whether the use of force was reasonable in keeping with the dictates of Department policy.”

Mr. Gennaco’s discipline recommendations varied only slightly from those of the Police Commission’s Discipline Committee. He agreed with termination for all officers involved in the use of force. He recommended that Lieutenant Yu receive a five-day suspension rather than demotion. He also noted that the Discipline Committee failed to resolve a conflict between the Compliance Director’s finding for Officer Tanaka’s allegation of failure to advise the Communications Division of his rifle deployment, and the finding of the CPRA. The Compliance Director recommended a finding of Sustained; CPRA recommended that the finding be Not Sustained. Mr. Gennaco recommended that the Discipline Committee address this issue.

Discipline Committee’s findings

The Discipline Committee reconvened, and on May 4, 2020, it issued a memorandum to resolve these outstanding issues. The Discipline Committee reached a finding of Not Sustained for the charge against Officer Tanaka’s allegation that he failed to advise the Communications Division of his rifle deployment. With respect to Lieutenant Yu’s discipline, the Discipline Committee noted, “After further review and reconsideration of the evidence, and given the nature of the violation and the resultant consequences, the Committee has reconsidered its prior recommendation and determined that a suspension of five (5) days is warranted in this case.”

Section 10: The Role of the City Administration

City leadership was not actively engaged with the Chief regarding the Joshua Pawlik case. The Mayor did not provide the Chief with any direction or request any follow-up. The Mayor characterized the episode as “awful but lawful,” which trivialized an avoidable tragedy.

Chief Kirkpatrick advised the Monitor in the fall of 2018 that she had shown the Mayor the video of the shooting of Joshua Pawlik. The Chief said that she was not given any directions or follow-up requests from the Mayor. Based on our meetings and other interactions, we saw no evidence that suggested that the City Administrator had been briefed by the Department or shown the video of this event. The City Administrator did, from time to time, attend meetings that the Monitoring Team held with the Department about this episode.

As it pertains to the Negotiated Settlement Agreement, it is *the City* that is the named defendant. Police departments must be subject to oversight by the elected officials who bear responsibility for the conduct of the agencies they oversee and those whom they appoint to lead them. The measure to which the Oakland Police Department has been held to account by City leaders has become part of the public discourse. For far too long, the Department has functioned with a sense of autonomy, making few references to its accountability to City Hall.

The Mayor described the shooting of Mr. Pawlik to the Monitor as “awful but lawful.” The Mayor should have been more actively engaged and publicly vocal in expressing a concern. The Mayor should have insisted on regular briefings and questioned why the Chief had not placed the officers on administrative leave. Had she done that, the Chief might have been more dutiful and accountable to her superiors in her decision-making. Instead, during this investigative time period, the Chief appeared to be more fixated on the status of her contract with the City, and the prospects of the Mayor renewing it.

The Mayor knew about the seriousness of this shooting and did nothing. In the face of this, the Mayor opted to renew Chief Kirkpatrick's contract on or about November 8, 2018, two days after the Mayoral election, and three months before Chief Kirkpatrick's eventual vindication of the officers.

The Mayor terminated the Chief on February 18, 2020, nearly two years after the shooting of Mr. Pawlik.

Section 11: The Failures of Departmental Policy

Among the many problems exposed by this case is a significant deficit of policy relating to OPD's response to critical incidents. Even years after the shooting, several voids in policy remain.

While the individual failures here are numerous, this incident also brought to light failures of policies and procedures. For example, OPD has embraced the concept of Designated Arrest Teams (DATs) for years, and training on their use has been incorporated into both the basic Academy curriculum and ongoing in-service training. However, the Department does not currently have, and has never had, a formal policy governing the composition, roles, and use of DATs. Similarly, OPD has used armored vehicles, including the BearCat, for several years, but it has not had a policy governing their deployment and usage. The Department did not have any specific policies relevant to unresponsive and potentially armed persons.

In May 2019, at the insistence of the Monitoring Team and the Plaintiffs' attorneys in the NSA/*Allen* case, OPD began work on three Department Training Bulletins to address these topics. We discussed them during our monthly site visits and provided final approval after our October 2019 site visit. Yet, to this day, these critical Training Bulletins remain unpublished; and consequently, any training associated with these new policies remains undelivered. These are the types of organizational deficiencies for which we have consistently found the Department to be not in compliance with NSA requirements.

Both the criminal and administrative investigative processes for Level 1 uses of force, which include deadly force, are covered in general terms in Departmental General Order (DGO) K-4 (Reporting and Investigating the Use of Force). However, DGO K-4 does not provide specific direction to those tasked with conducting these investigations. At the insistence of the Monitoring Team, the IAD Commander and the Deputy Chief for the Bureau of Investigations both committed to updating their Policy and Procedure Manuals. Those documents would provide specific direction to personnel assigned to IAD and CID, and they would address the deficiencies that came to light as the EFRB reviewed the criminal and administrative investigations. We have made repeated inquiries, but the Department has yet to produce any updates.

OPD also does not have a clear policy on when it is appropriate to place officers involved in the use of deadly force on administrative leave or reassign them to non-patrol functions within the Department. Chief Kirkpatrick's litmus test for considering administrative leave or reassignment was premised on whether it was more likely than not that an involved officer would be terminated. That standard would require the Department to come to a conclusion on the justification of deadly force prior to the completion of criminal and administrative investigations. Administrative leave decisions based on "likely outcomes" are unacceptable.

Most law enforcement agencies have standardized policies for addressing the status of officers involved in a shooting. Mandatory time off that includes, but is not limited to, employee counseling services, is common. This is often followed by temporary re-assignment, which might include disarming the officer and limiting contact with the public. OPD must develop a policy to address these issues.

At the time of the shooting of Mr. Pawlik in March 2018, OPD did not have a specific OIS protocol. The Department's Criminal Investigations Division (CID) Policy and Procedure Manual devotes less than one page to "Critical Incident Protocols," and it primarily covers administrative directions for notifications and the review of completed investigations. The absence of a clear OIS protocol at the time of this incident contributed to CID's failure to conduct a fair, thorough, or impartial investigation. During our November 2019 site visit, we

inquired as to the status of the development of this protocol, and OPD advised that CID was still working on the OIS policy. More than two years after this event, however, the Department has yet to present even a draft of such a protocol.

IAD, as part of its investigation, identified the need for a written policy on the sequestration of the on-scene Commander. We concur, and OPD has acknowledged that the on-scene Commander was not sequestered at the scene, nor was he interviewed on the night of the incident.

Sequestering police personnel involved in an episode of this importance is a generally accepted practice. Senior Department personnel who arrived on the scene of this incident, and should have known better, failed to ensure this. It is one of the most basic of police investigative practices.

The need for cultural and behavioral change has been at the forefront of our concerns and those of the community. Leadership, as well as policy and training, are required to bring about organizational transformation. To this day, our concerns endure.

Section 12: The Role of the Chief of Police

The Chief of Police failed to adequately oversee the investigations into the officer-involved shooting of Joshua Pawlik. The Chief formulated her conclusions on the very night of the event and attempted to persuade the District Attorney's Office to render an expedited finding to support the Department's administrative vindication of the officers.

The chief of a police department bears the responsibility for managing all activities of the agency, including overseeing the investigations of officer-involved shootings. The ultimate responsibility for the management of the investigation into the shooting of Mr. Pawlik fell to the Chief. In the months following the incident, the Monitoring Team came to question both the Chief's willingness and ability to oversee the investigative responsibilities of the Department. Her reluctance to review and approve the criminal investigation was incongruous with the duties expected of a chief of police.

While the Chief often spoke of her open-mindedness, the Department's early press releases, presumably approved by the Chief, suggested otherwise. The first press release, issued the day after the incident, without the benefit of any investigative effort, suggested that officers shot Mr. Pawlik because he did not follow their commands. The second press release, issued two days later, commented that the actions of Mr. Pawlik "posed an immediate threat to the officers." Early on, the Monitor found it necessary to caution the Chief repeatedly about reaching conclusions in the absence of investigations and relying on anecdotal reports from persons who had been to the scene of the event.

In the aftermath of the shooting, we discussed at length with Chief Kirkpatrick the need to place the involved officers on administrative leave pending the outcome of, at least, the criminal investigation, if not also the IAD investigation. The Chief responded, on April 17, 2018, 37 days after the death of Mr. Pawlik, with a memorandum that read, in part,

...As a point of principle, I place people on administrative leave prior to the conclusion of an IA investigation when I have enough facts to indicate that it is more likely than not that the officer is going to be terminated and the risk is too great to leave them in the field until the IA is concluded.

...Before going further, I wish to reset the stage for the sequence of events. In doing so, I should note that while the facts in this memo represent my current understanding of the incident, the Department's administrative investigation is still in the beginning stages. Neither I nor anyone else involved in this process are presupposing the outcome of this investigation...At this stage, I do not think they are at risk of termination so administrative leave is not warranted.

...I find it compelling that so many people who have viewed this video – although all seem to have a similar reaction and response about the tactics and supervision concerns – none point to concerns with the shooting itself. At least 12 members of the sworn staff in CID, IA and the Executive team including [the Department's Deputy Director of the Bureau of Services] who, although not sworn, is highly competent and has been exposed to several OIS's in her career. I also know that at least two people in the DA's office saw the PDRD - the lead senior Assistant DA and the Chief Inspector and according to [the District Attorney] they did not relay any concerns about the shooting, although she underscored how early it is in the investigation. And lastly, [three Office of the City Attorney attorneys]...have all seen the video and they, too, did not think the shooting itself seemed to be out of policy.

...All of these factors at this stage of the investigation point to an assessment that an administrative leave is not warranted for the shooting officers at this time.

Chief Kirkpatrick's April 17, 2018 memorandum contains problematic assumptions and contradictions. While the Chief attempted to portray herself as objective and open-minded, her words said otherwise. The Chief wrote that the investigative process is "still in the beginning stages," and that "neither I nor anyone else involved in this process are presupposing the outcome of this investigation." However, in referring to the two supervisors, the Chief also wrote, "At this stage, I do not think they are at risk of termination so administrative leave is not warranted." The Chief made the same conclusion about the "shooting officers" – just over one month after the event, and prior to the completion of either the CID or IAD investigations, and nearly 10 months before her final decision of February 8, 2019.

According to the Chief's accounts, she also made several requests or inquiries of the District Attorney. We found these to be inappropriate. In addition to the Chief's references to the District Attorney in her April 17, 2018 memorandum, the Chief advised the Monitor that she had called the District Attorney to request a preliminary opinion on whether the shooting was justified. The Chief advised the Monitor that she was hoping to solicit from the District Attorney an early prosecutorial determination. According to the Chief, it was her hope that she might be able to make a more expeditious decision regarding the placement of the officers on administrative leave, as well as a finding as to their administrative culpability. It would still be months before both the criminal and administrative investigations were completed.

We found the Chief's solicitations to be highly inappropriate and irregular. She raised the issue of her communications with the District Attorney or the District Attorney's Office on several occasions with the Monitor. According to the Chief's April 17, 2018 memorandum, the District Attorney did not provide such a determination.

Initially, the Chief planned to not review the criminal investigation at all, asserting that her knowledge of its contents could mitigate her objectivity in her final administrative determinations relevant to the involved officers. This position was implausible and unprecedented. Choosing to not review the investigation would have been an abdication of her responsibilities as the Chief of Police. The Monitor informed her that, as the Chief, she was compelled to review and approve the investigation. Far too much time lapsed after this. Finally, the Monitor insisted that Chief Kirkpatrick review the investigation prior to forwarding it to the Office of the District Attorney. Chief Kirkpatrick approved the CID investigation on October 31, 2018.

Section 13: Summary of Significant Findings

Throughout this report, we have cited numerous issues that should be of concern to the City of Oakland and broader Oakland community. Below we have listed our most significant findings related to the investigations of the officer-involved shooting of Joshua Pawlik.

1. Mr. Pawlik was killed when Oakland Police Rifle Officers discharged 22 rounds at him in a time span of 2.23 seconds from near or behind an armored police vehicle that had arrived at the scene just two minutes before the shooting.
2. Chief Kirkpatrick prematurely assessed the shooting on the evening of its occurrence, when she told the Monitor that Mr. Pawlik had “pointed” a firearm at the officers, and that the shooting “looks good.” Her expressed predispositions of that evening never wavered, even as the investigations moved forward.
3. The Department attempted to provide a justification for the shooting through its initial press releases describing the incident.
4. Both the Department’s Criminal Investigations Division (CID) and its Internal Affairs Division (IAD) conducted incomplete and deficient investigations.
5. CID investigators and IAD investigators consistently accepted the involved officers’ accounts that Mr. Pawlik pointed his weapon at them – despite video evidence to the contrary.
6. CID and IAD investigators failed to use the video footage of the incident to challenge the officers’ statements.
7. The Chief accepted the flawed logic that, since the video neither proved nor disproved the officers’ statements, the officers’ versions had to be accepted as true.
8. The CID Commander improperly inserted himself into investigative interviews.
9. The CID investigation, which included leading questions from the CID Commander and others, failed to reconcile inconsistencies in the officers’ statements.
10. Chief Kirkpatrick inappropriately attempted to solicit an opinion from the District Attorney, who declined the request. The Chief also sought early opinions, prior to the completion of the investigations, from at least 15 others, including sworn and non-sworn personnel, in order to quickly vindicate the officers and avoid placing them on administrative leave.

11. Chief Kirkpatrick failed in her leadership role by seeking to avoid reviewing and approving the CID investigation before it was forwarded to the District Attorney's Office.
12. IAD investigators asked leading questions and improperly used hypothetical scenarios while ignoring inconsistencies with the video and discrepancies among officers' statements.
13. The IAD Commander and Chief Kirkpatrick did nothing to mitigate IAD's inappropriate investigative practices. Both bear responsibility for the deficiencies of the IAD investigation.
14. Chief Kirkpatrick acted improperly when, after considering the use of external personnel for the Executive Force Review Board (EFRB), she corrupted that very process by discussing her views of the shooting with prospective Board candidates.
15. The EFRB failed as the penultimate Department reviewer of the shooting when, like CID and IAD, it took what the officers asserted at face value, without challenge, and without regard for any inconsistencies that could have been resolved through a close examination of available video evidence.
16. The Community Policing Review Agency (CPRA), under its leadership at the time, did not properly investigate the shooting. Instead of conducting its own independent investigation, it simply repeated the findings of the IAD investigation in its report.
17. The Mayor's lack of engagement, even after viewing the video, provided tacit support for the Police Department's incompetence in this matter.
18. Now, more than two years after the death of Mr. Pawlik, the Department continues to struggle with policies relevant to the use of force and other issues.
19. The shooting of Mr. Pawlik exposed an appalling measure of incompetence, deception, and indifference. Too many persons charged with the responsibility of internal review and oversight quickly, and ultimately, described this tragedy as a "good" shooting and one that was consistent with law and policy. It was *not* a "good" shooting.
20. The five officers involved in the shooting of Joshua Pawlik were responsible for his death. Those who investigated, oversaw, and reviewed what followed in its aftermath compounded this tragedy – and for this, they bear responsibility.

Section 14: Conclusion

The 17th Century English poet John Donne wrote, “[A]ny man’s death diminishes me, because I am involved in mankind...” The question the poet did not answer is whether some deaths diminish us more than others. Joshua Pawlik’s death, as well as many others, mostly Black and Brown, who have died at the hands of the police, are to be counted among those that do. The brutality of Joshua Pawlik’s death; the incompetence and dishonesty in its aftermath; and the failure, thus far, for it to result in real change, debase us all.

Sadly, this is not just an Oakland story – but one that continues to afflict the nation, which reels in the wake of indefensible officer-involved shootings. In cities across the country, in every state, and internationally, people protest to end the debasement implicit in those deaths – but their struggle is not new. The history of our country is replete with commissions and studies intended to create blueprints to reform the criminal justice system and to hold to account law enforcement officers who use excessive force. Yet against that background, and alongside many efforts to professionalize policing, problems continue to loom large.

In 1996, the videotaped beating of Rodney King by police in Los Angeles led to riots and demands for change. More recently, the Black Lives Matter movement has lent its voice to people killed by police – among them Freddie Gray, Philando Castile, Walter Scott, Tamir Rice, Eric Garner, Breonna Taylor, George Floyd, Rayshard Brooks, Elijah McClain, and others. In Oakland, beatings, unlawful detentions, and the planting of evidence led to the 2003 Negotiated Settlement Agreement that continues to this day. In 2015, the death of Demouria Hogg at the hands of the Oakland Police, under circumstances similar to those that resulted in Mr. Pawlik’s death, is another example of a tragic and avoidable outcome.

It must be made clear that the burden for finding the path forward still rests principally with the City of Oakland and its Police Department. The death of Mr. Pawlik could have been avoided if the officers involved had responded differently. The officers had other options; the supervisors and commanders had authority to provide on-scene direction and oversight. They all failed.

In his report, the *Skelly* Officer in this case cited the multiple failures at the scene that shaped the conclusion of the event. “The critical question,” he noted, “was not limited to the ‘split second’ decision the officers made about whether to discharge their weapons when they perceived what they claimed was an immediate threat to them and others. Instead, the analysis also encompassed whether the involved officers performed reasonably after responding to the call and observing an individual apparently not conscious with a gun in his hand.”

The *Skelly* report documents specific failures, including officers' failure to individually justify their use of deadly force. The report continues, "...The mood of so many officers facing Mr. Pawlik with his gun in hand, waiting to see him move it, contributed to setting the response that took place. An alternate plan or any restraint was never discussed with the officers on scene who were facing Mr. Pawlik with their rifles despite the precariousness of the situation."

Later, the *Skelly* report recounts Sergeant Negrete's argument that, through his actions, Mr. Pawlik had dictated the officers' response. But in the view of the *Skelly* Officer, Negrete "misconstrues the whole point of planning, delegation, and articulation, which is to ensure that the subject is not able to dictate the response of law enforcement. A plan with contingencies on how to respond allows officers to dictate the outcome of the event."

While the *Skelly* Officer provided a critical assessment of the shooting event itself, this report extends that focus to the individual and institutional failures tied to that day. At the top of that list is what might best be described as the willful avoidance, by some, of nearly anything to do with the shooting of Mr. Pawlik.

Perhaps the most telling act of avoidance came from City Hall. According to Chief Kirkpatrick, in the fall of 2018, as the CID and IAD investigations were underway, the Chief showed the video of the shooting to the Mayor. According to the Chief, the viewing of the video was met with silence. The Mayor did not ask questions or provide direction. Although in more recent national events, the Mayor has been vocal, her steadfast silence in this matter was troubling. Her characterization of the death of Joshua Pawlik as "awful but lawful" was even more so.

In facing events like the one before us, one should hope – and, perhaps, expect – that the Chief of Police would serve as a champion for justice. At the minimum, one should expect a commitment to sound and ethical procedures. On these criteria, Chief Kirkpatrick fell short. Though the investigations had just begun, Chief Kirkpatrick prejudged the shooting as consistent with policy and law. In the process, she consistently referred to the opinions of others in lieu of her own. The Chief sought to restructure the EFRB review procedure in ways that ultimately seemed manipulative. When she was required to approve the criminal investigation, she hesitated, suggesting incorrectly that doing that would conflict with her responsibilities in the case.

Chief Kirkpatrick's actions aided an investigative process that distorted the review of the shooting. In her findings, she relied on a video analysis which was part of the EFRB Report but which she had earlier described as an "embarrassment." She allowed the officers' assertions to go unchallenged even though they were not supported by the video of the event. Significant among those assertions were the claims that Mr. Pawlik had not only raised his firearm but pointed it directly at each officer who used deadly force.

The Chief also accepted the argument that, because the video itself could not prove or disprove what the officers' reported, IAD had to accept and defer to the officers' statements. Those statements included seemingly impossibly observable details describing Mr. Pawlik's state as agitated, irritated, upset, and frowning.

It is often argued that the most powerful barrier to police reform is a corrosive police culture, which embodies unflagging mutual support within the ranks, implicit and explicit bias, and resistance to change. Some argue that one exit from that culture is through promotion into the command ranks. Chief Kirkpatrick often claimed that changing the police culture was her goal. Yet the Chief's own actions and those of the Department betrayed that stated goal.

The hallmarks of an unchecked police culture run throughout the investigations and decisions made in this case. The officers on the scene told uncannily similar stories – stories that were not supported by the video evidence – and stories with details that could not have been accurate. Officers claimed that Mr. Pawlik appeared agitated; he raised the gun; he pointed it at each officer; they looked right down the barrel of his weapon – yet detailed analyses of camera footage did not corroborate those details. Instead, investigators' leading questions aided officers in their descriptions of what happened. In too many instances, investigators' questions provided officers with foundations to defend their conduct.

One egregious demonstration of an infected police culture came from high in the ranks of the Police Department. A captain, whose duty on the EFRB panel was to probe the details of the shooting, asserted that Joshua Pawlik, alone, was responsible for each of the 22 shots that killed him. His colleagues on the EFRB failed to renounce such conclusions. The callous indifference to human life, as expressed by a police captain, can only serve to chill and harden new officers and future leaders of the Department who shall be called upon to make difficult decisions.

The Chief's failure to rein in this corrosive culture had implications beyond the Police Department. The Chief became the bridge between a police culture which sought to avoid accountability and a City Hall culture which opted to ignore its oversight responsibilities. In the end, reason came only from sources outside these cultures. It was the Monitor, acting in his capacity as Compliance Director, and the Police Commission's Disciplinary Committee that intervened. Absent these, no one would have been held to account for the death of Joshua Pawlik, and there would be no impetus for change.

There are important lessons to learn from this report. The Oakland Police Department must prevent officer-involved shootings like the one that killed Joshua Pawlik. The Department must have the courage, commitment, and cadre of leaders with an unwavering willingness to hold to

account those sworn to uphold the law. Most importantly, the City of Oakland and its Police Department must demonstrate that they can establish and maintain community trust in the absence of Court supervision and monitoring.

Understanding the facts of this shooting is critical to responding to it, and there are resources with which to help grasp the lessons. The first is the Negotiated Settlement Agreement itself. The provisions of the NSA set the conditions for Constitutional and effective policing, and provide direction toward best practices in the field. While the Department has made advances under the NSA, it has repeatedly fallen short in its supervision of officers, its ability to investigate itself and bring about change on its own. Those same deficiencies are the focus of this report.

There are also important resources that address reform from beyond the limits of Oakland's experience. The most recent comprehensive statement of a direction for police reform is the 2015 Final Report of the President's Task Force on 21st Century Policing. The Task Force was established to develop recommendations to build greater trust between law enforcement and citizens in the wake of the police killing of Michael Brown in Ferguson, Missouri on August 9, 2014. The report is organized around six main topics which it labels "pillars" of modern policing, the first of which is "Building Trust and Legitimacy." The document addresses a wide range of issues – from the need for clear and specific policies on the use of force, to the importance of principles of community policing.

Against the background of the Task Force's proposals for police reform, the City of Oakland's Police Commission was established in 2017 following a vote of broad public support. The Commission describes itself as a civilian-run "oversight board, authorized to oversee the policies, practices, and customs of the Oakland Police Department." The Oakland Police Commission is an important voice for police reform at a time when it is clearer than ever that a police department cannot function without the support of, and oversight by, the community it is presumed to serve.

While the death of Mr. Pawlik is an Oakland event, and one of many tragedies that have occurred at the hands of the Oakland Police, it is also an American story. It is part of a continuing history of shooting deaths at the hands of the police. To address this, the Oakland Police Department must be staffed with officers who have integrity, led by those who have courage, and overseen by officials who have both. By all of those criteria, the death of Joshua Pawlik, and the City of Oakland's response to it, are tragic failures.

On April 23, 2020, the Oakland City Council voted to pay the family of Joshua Pawlik \$1.4 million.

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Cases Associated with Public Demonstrations 5/29/20 – 6/1/20 (40 Cases Total)

Case #	Incident Date	Assigned Staff	180-day Goal	1-year Goal	Type* (604(f)(1) or Other)	Allegation(s)
20-0638	5/29/2020	N/A	11/25/2020	5/28/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Performance of Duty, Unintentional/Improper Search Seizure Arrest
20-0639	5/30/2020	N/A	11/26/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force
20-0640	5/30/2020	N/A	11/26/2020	5/29/2021	1 st Amendment Assembly	Performance of Duty, Service Related
20-0641	5/31/2020	N/A	11/27/2020	5/30/2021	1 st Amendment Assembly	Performance of Duty, Service Related
20-0642	5/30/2020	N/A	11/26/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Crowd Control
20-0643	5/30/2020	N/A	11/26/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force
20-0644	5/30/2020	N/A	11/26/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Crowd Control
20-0645	5/31/2020	N/A	11/27/2020	5/30/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Harassment and Discrimination, Care of Property, Unintentional/Improper Search Seizure Arrest
20-0646	6/1/2020	ED	11/28/2020	5/31/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Failure to Provide Serial Number, Performance of Duty
20-0647	5/31/2020	N/A	11/27/2020	5/30/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Failure to Provide Name and Serial Number
20-0648	6/1/2020	N/A	11/28/2020	5/31/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Care of Property, Department Property and Equipment
20-0652	5/30/2020	N/A	11/26/2020	5/29/2021	1 st Amendment Assembly	Crowd Control, Performance of Duty
20-0658	6/1/2020	N/A	11/28/2020	5/31/2021	Use of Force, 1 st Amendment Assembly	Unintentional/Improper Search Seizure Arrest, Use of Force, Performance of Duty, Failure to Provide Name and Serial Number
20-0659	6/1/2020	N/A	11/28/2020	5/31/2021	1 st Amendment Assembly	Crowd Control, Service Related
20-0660	6/1/2020	N/A	11/28/2020	5/31/2021	1 st Amendment Assembly	Conduct Toward Others, Demeanor
20-0661	6/1/2020	N/A	11/28/2020	5/31/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Unintentional/Improper Search Seizure Arrest, Performance of Duty

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Cases Associated with Public Demonstrations 5/29/20 – 6/1/20 (40 Cases Total)

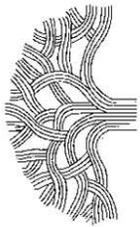
20-0662	6/1/2020	N/A	11/28/2020	5/31/2021	1st Amendment Assembly	Unintentional/Improper Search Seizure Arrest, Conduct Toward Others, Performance of Duty
20-0666	6/1/2020	N/A	11/28/2020	5/31/2021	1st Amendment Assembly	Unintentional/Improper Search Seizure Arrest, Care of Property, Harassment and Discrimination, Demeanor
20-0667	6/1/2020	N/A	11/28/2020	5/31/2021	Use of Force, 1st Amendment Assembly	Use of Force, Crowd Control, Demeanor
20-0668	6/1/2020	N/A	11/28/2020	5/31/2021	1st Amendment Assembly	Demeanor
20-0669	6/1/2020	N/A	11/28/2020	5/31/2021	1st Amendment Assembly	Conduct Toward Others, Demeanor
20-0670	5/20/2020	N/A	11/16/2020	5/19/2021	1st Amendment Assembly	Service Related
20-0675	6/3/2020	N/A	11/30/2020	6/2/2021	1st Amendment Assembly of Duty	Performance of Duty, Service Related
20-0677	6/2/2020	N/A	11/29/2020	6/1/2021	1st Amendment Assembly	Crowd Control, Service Related
20-0682	5/30/2020	N/A	11/26/2020	5/29/2021	1st Amendment Assembly	Service Related, Failure to Act
20-0683	5/30/2020	N/A	11/26/2020	5/29/2021	1st Amendment Assembly	Performance of Duty, Service Related
20-0685	6/1/2020	N/A	11/28/2020	5/31/2021	Use of Force, 1st Amendment Assembly	Use of Force, Crowd Control, Unintentional/Improper Search Seizure Arrest, Care of Property
20-0686	6/7/2020	N/A	12/4/2020	6/6/2021	1st Amendment Assembly	Care of Property, Obedience to Laws, Performance of Duty
20-0705	5/29/2020	N/A	11/25/2020	5/28/2021	Use of Force, 1st Amendment Assembly	Use of Force
20-0711	5/29/2020	N/A	11/25/2020	5/28/2021	Use of Force, 1st Amendment Assembly	Use of Force
20-0853	5/29/2020	N/A	7/6/2020	5/28/2021	Use of Force, 1st Amendment Assembly	Use of Force
20-0871	5/29/2020	N/A	6/10/2020	5/28/2021	Use of Force, 1st Amendment Assembly	Use of Force
20-0938	5/29/2020	N/A	6/3/2020	5/28/2021	Use of Force, 1st Amendment Assembly	Use of Force, Performance of Duty, Service Related
20-0957	6/1/2020	N/A	6/3/2020	5/29/2021	Use of Force, 1st Amendment Assembly	Use of Force, Crowd Control

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY

Cases Associated with Public Demonstrations 5/29/20 – 6/1/20 (40 Cases Total)

20-0958	6/1/2020	N/A	6/3/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force
20-0959	6/1/2020	N/A	6/3/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force
20-0960	6/1/2020	N/A	6/3/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Performance of Duty, Unintentional/ Improper Search Seizure Arrest
20-0961	6/1/2020	N/A	6/3/2020	5/29/2021	1 st Amendment Assembly	Unintentional/Improper Search Seizure Arrest
20-0962	6/1/2020	N/A	6/3/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force, Performance of Duty
20-0988	6/1/2020	N/A	6/2/2020	5/29/2021	Use of Force, 1 st Amendment Assembly	Use of Force

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.

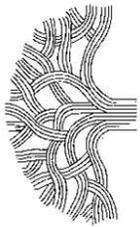


CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by 1-year Goal)

8/21/2020
 Page 1 of 2
 (Total Pending = 79)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0045	1/29/19	2/8/19	1/29/19	Investigator	AN	8/7/19	8/31/20	Other	1	1	5	Performance of Duty, Truthfulness
19-1068	9/30/19	10/2/19	10/2/19	Investigator	MM	3/30/20	9/29/20	Other	1	1	2	Performance of Duty
18-0335	4/4/18	4/12/18	4/4/18	Investigator	JS	10/4/18	10/1/20	Use of Force	1	1	2	Use of Taser; PDRD violation.
19-1091	10/4/19	10/9/19	10/4/19	Investigator	ED	4/6/20	10/2/20	Use of Force	1	3	9	Use of Force
19-1093	10/5/19	10/9/19	10/5/19	Investigator	AL	4/6/20	10/3/20	Use of Force	1	4	8	Performance of Duty
19-1123	10/10/19	10/15/19	10/11/19	Investigator	ED	4/12/20	10/9/20	Use of Force	1	8	27	Use of Force, demeanor, performance of duty
19-1169	10/17/19	10/22/19	10/17/19	Investigator	ED	4/19/20	10/15/20	Use of Force, Profiling	1	4	17	Use of force, false arrest, discrimination, Miranda violation, reports & bookings
19-1153	10/17/19	10/17/19	10/17/19	Investigator	MM	4/15/20	10/15/20	Profiling	1	2	6	Identity Profiling by Race or Ethnicity, Unintentional/Improper Search, seizure, or arrest, Performance of Duty
19-1311	11/14/19	11/26/19	11/14/19	Investigator	AL	5/24/20	11/13/20	Other	2	1	2	Performance of Duty
19-1320	11/24/19	11/26/19	11/24/19	Investigator	MM	5/24/19	11/22/20	Use of Force	1	2	4	Harassment and Discrimination, Use of Force,
19-1328	5/31/19	12/3/19	11/27/19	Investigator	MM	5/31/19	11/25/20	Other	1	3	2	Harassment and Discrimination, Performance of Duty, Truthfulness, Reports & Bookings
19-1390	12/8/19	12/13/19	12/12/19	Investigator	JS	6/10/20	12/7/20	Use of Force	1	1	3	Performance of Duty, Use of Force,
19-1391	12/13/19	12/19/19	12/13/19	Investigator	JS	6/14/20	12/11/20	Use of Force	1	2	4	Use of Force
19-1398	12/15/19	12/17/19	12/15/19	Investigator	AL	6/14/20	12/13/20	Use of Force	1	1	2	Use of Force, Performance of Duty
19-1440	12/24/19	12/27/19	12/24/19	Investigator	AL	6/24/20	12/22/20	Use of Force	1	4	6	Use of Force
20-0044	1/10/20	1/15/20	1/10/20	Investigator	JS	7/13/20	1/8/21	Other	1	3	3	Conduct towards others
20-0051	11/20/19	1/6/20	1/14/20	Investigator	JS	7/14/20	1/11/21	Other	1	1	1	Inaccurate report
20-0050	1/14/20	1/16/20	1/14/20	Investigator	ED	7/14/20	1/12/21	Use of Force	1	2	9	Use of force, false arrest, improper search, improper handcuffing, Miranda violation
20-0106	1/29/20	1/31/20	1/30/20	Investigator	ED	7/29/20	1/28/21	Use of Force	1	1	2	Use of Force
20-0161	2/10/20	2/13/20	2/9/20	Investigator	AL	8/11/20	2/7/21	Use of Force	1	1	1	Use of Force
20-0171	2/12/20	2/18/20	2/13/20	Investigator	MM	8/16/20	2/11/21	Use of Force	1	2	4	UOF, Improper Search or Seizure
20-0218	10/28/18	2/25/20	2/25/20	Investigator	JA	8/23/20	2/24/21	Other	1	2	2	Harassment and Discrimination/Race, Failure to Investigate
20-0270	11/18/19	3/2/20	2/25/20	Intake	CD	8/29/20	2/25/21	Other	2	1	1	Performance of Duty
20-0268	2/28/20	3/5/20	2/28/20	Intake	CD	9/1/20	2/26/21	Other	1	2	5	Performance of Duty/Harassment & Discrimination
20-0258	3/2/20	3/4/20	3/3/20	Intake	CD	8/31/20	3/2/21	Other	2	2	4	Performance of Duty
20-0274	3/4/20	3/4/20	3/5/20	Investigator	JS	8/29/20	3/4/21	Other	1	1	2	Bias, Performance of Duty
20-0313	3/14/20	3/17/20	3/15/20	Investigator	AN	9/13/20	3/15/21	Use of Force	1	4	7	Use of Force, False Arrest, Care of Property
20-0322	3/11/20	3/17/20	3/17/20	Investigator	MM	9/13/20	3/18/21	Use of Force	1	2	6	Unlawful Search or Seizure, Use of Force, Reports & Bookings, Performance of Duty, Demeanor
20-0385	3/29/20	3/30/20	3/30/20	Investigator	MM	9/26/20	3/29/21	Use of Force	1	1	1	Use of Force
20-0375	3/0/20	4/1/20	3/20/20	Intake	CD	9/28/20	3/29/21	Use of Force	1	2	4	Use of Force/Performance of Duty
20-0379	3/11/20	3/31/20	3/31/20	Investigator	AN	9/28/20	4/1/21	Other	2	1	3	Performance of Duty
20-0391	4/3/20	4/7/20	4/3/20	Intake	CD	10/4/20	4/2/21	Use of Force	1	3	3	Use of Force
20-0416	4/10/20	4/16/20	4/10/20	Intake	MB	10/13/20	4/10/21	Other	2	1	1	Demeanor
20-0426	2/16/19	4/14/20	4/14/20	Intake	CD	10/11/20	4/13/21	Other	2	1	1	Performance of Duty
20-0431	3/18/20	4/17/20	4/15/20	Intake	CD	10/14/20	4/14/21	Use of Force	1	1	1	Use of Force
20-0438	4/16/20	4/16/20	4/16/20	Investigator	AN	10/13/20	4/15/21	Use of Force	1	5	5	Use of Force
20-0423	4/14/20	4/17/20	4/16/20	Intake	CD	10/14/20	4/15/21	Use of Force	1	2	2	Use of Force
20-0455	4/21/20	4/23/20	4/21/20	Intake	CD	10/20/20	4/20/21	Other	1	2	2	Conduct towards others
20-0466	4/24/20	4/25/20	4/24/20	Investigator	ED	10/26/20	4/23/21	Use of Force, Profiling	1	9	26+	Use of Force, profiling/discrimination, improper detention and arrest, performance of duty
20-0471	4/26/20	4/29/20	4/26/20	Intake	CD	10/26/20	4/25/21	Other	1	1	2	Conduct towards other/Performance of Duty
20-0482	4/28/20	4/28/20	4/28/20	Investigator	AL	10/25/20	4/28/21	Other	2	6	12	Performance of Duty
20-0480	4/28/20	4/29/20	4/28/20	Intake	CD	10/26/20	4/28/21	Other	2	1	2	Performance of Duty
20-0498	5/1/20	5/6/20	5/1/20	Intake	CD	11/2/20	4/30/21	Other	1	1	2	Conduct Towards Others/Performance of Duty

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.

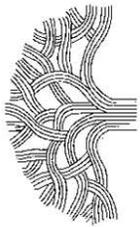


CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by 1-year Goal)

8/21/2020
 Page 2 of 2
 (Total Pending = 79)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0501	5/1/20	5/6/20	5/2/20	Intake	MB	11/2/20	5/2/21	Use of Force	1	1	1	Use of Force
20-0522	5/6/20	5/8/20	5/6/20	Intake	CD	11/4/20	5/5/21	Other	1	2	2	Service Complaint/Conduct towards others
20-0523	5/6/20	5/8/20	5/7/20	Intake	CD	11/4/20	5/6/21	Use of Force	1	1	1	Use of Force
20-0528	5/7/20	5/13/20	5/7/20	Intake	MB	11/9/20	5/7/21	Profiling	1	4	1	Profiling
20-0538	5/9/20	5/13/20	5/9/20	Intake	CD	11/9/20	5/8/21	Use of Force	1	2	2	Use of Force
20-0539	5/9/20	5/13/20	5/9/20	Intake	CD	11/9/20	5/8/21	Felony/Serious Misdemeanor	1	1	1	Obedience to laws
20-0544	5/6/20	5/13/20	5/8/20	Intake	MB	11/9/20	5/9/21	Profiling	1	3	3	Profiling
20-0547	5/11/20	5/13/20	5/11/20	Intake	CD	11/9/20	5/10/21	Use of Force	2	3	6	Use of Force/Performance of Duty
20-0548	5/11/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/11/21	Use of Force	1	1	1	Use of Force
20-0556	5/12/20	5/14/20	5/13/20	Intake	CD	11/10/20	5/12/21	Other	2	2	6	Conduct Toward Other/Performance of Duty
20-0546	5/5/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/12/21	Use of Force	1	1	3	Use of Force
20-0507	5/15/20	5/15/20	5/15/20	Intake	CD	11/11/20	5/14/21	Other	1	1	1	Conduct Toward Other
20-0579	5/15/20	5/15/20	5/15/20	Intake	CD	11/11/20	5/14/21	Other	1	1	1	Conduct towards others
20-0573	5/11/20	5/20/20	5/11/20	Investigator	JS	11/16/20	5/16/21	Use of Force	1	1	3	Use of Force
20-0581	5/17/20	5/20/20	5/17/20	Intake	CD	11/16/20	5/16/21	Other	1	2	2	Conduct towards others
20-0575	5/16/20	5/20/20	5/16/20	Intake	MB	11/16/20	5/17/21	Other	2	2	2	Performance of Duty
20-0589	5/19/20	5/21/20	5/19/20	Intake	CD	11/17/20	5/18/21	Other	1	1	1	Conduct towards others
20-0607	5/20/20	5/27/20	5/21/20	Intake	CD	11/23/20	5/21/21	Racial Profiling	1	2	3	Performance of Duty; Conduct Towards Others
20-0603	5/21/20	5/23/20	5/21/20	Intake	MB	11/23/20	5/21/21	Use of Force	1	1	1	Use of Force
20-0622	4/25/20	5/27/20	5/26/20	Intake	MB	11/23/20	5/27/21	Use of Force	1	1	1	Use of Force
20-0635	5/19/20	6/1/20	5/28/20	Intake	MB	11/28/20	5/29/21	Use of Force	1	1	3	Use of Force
20-0644	5/30/20	5/31/20	5/31/20	Intake	MB	11/27/20	5/30/21	Use of Force	1	1	2	Use of Force
20-0646	5/31/20	6/2/20	6/1/20	Investigator	ED	11/29/20	5/31/21	Use of Force	1	1	2	Use of force, failure to provide name and serial number
20-0598	5/20/20	6/2/20	5/20/20	Intake	MB	11/29/20	6/2/21	Other	1	1	1	Obedience to Laws
20-0648	6/1/20	6/2/20	6/1/20	Intake	MB	11/29/20	6/2/21	Use of Force	1	1	2	Use of Force
20-0721	6/13/20	6/17/20	6/13/20	Intake	CD	12/14/20	6/12/21	Use of Force	1	2	2	Use of Force
20-0727	6/3/20	6/17/20	6/16/20	Intake	CD	12/14/20	6/15/21	Other	1	2	2	Conduct towards others
20-0728	6/9/20	6/24/20	6/16/21	Intake	CD	12/21/20	6/16/21	Use of Force	1	1	6	Use of Force; Performance of Duty;
20-0805	6/26/20	7/1/20	6/26/20	Intake	CD	12/28/20	6/25/21	Other	1	2	2	Conduct towards others
20-0799	6/28/20	7/1/20	6/28/20	Intake	CD	12/28/20	6/27/21	Other	1	1	2	Conduct towards others
20-0800	6/27/20	7/1/20	6/28/20	Intake	CD	12/28/20	6/27/21	Use of Force	1	4	4	Use of Force
20-0879	7/11/20	7/15/20	7/11/20	Intake	CD	1/11/21	7/10/21	Use of Force	1	2	2	Performance of Duty; Use of Force
20-0877	7/12/20	7/15/20	7/12/20	Intake	CD	1/11/21	7/11/21	Use of Force	1	1	1	Use of Force
20-0882	7/13/20	7/15/20	7/13/20	Intake	CD	1/11/21	7/12/21	Use of Force	1	1	1	Use of Force
20-0918	7/17/20	7/22/20	7/17/20	Intake	CD	1/18/21	7/16/21	Other	1	1	1	Conduct towards others
20-0916	7/19/20	7/22/20	7/19/20	Intake	CD	1/18/21	7/18/21	Other	1	4	2	Performance of Duty; Conduct Towards Others

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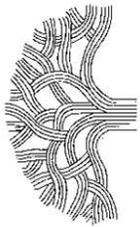


CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

8/21/2020
 Page 1 of 2
 (Total Pending = 79)

Case #	Incident Date	Rev'd CPRA	Rev'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
19-1093	10/5/19	10/9/19	10/5/19	Investigator	AL	4/6/20	10/3/20	Use of Force	1	4	8	Performance of Duty
19-1311	11/14/19	11/26/19	11/14/19	Investigator	AL	5/24/20	11/13/20	Other	2	1	2	Performance of Duty
19-1320	11/24/19	11/26/19	11/24/19	Investigator	AL	5/24/19	11/22/20	Use of Force	1	2	4	Harassment and Discrimination, Use of Force,
19-1398	12/15/19	12/17/19	12/15/19	Investigator	AL	6/14/20	12/13/20	Use of Force	1	1	2	Use of Force, Performance of Duty
19-1440	12/24/19	12/27/19	12/24/19	Investigator	AL	6/24/20	12/22/20	Use of Force	1	4	6	Use of Force
20-0161	2/10/20	2/13/20	2/8/20	Investigator	AL	8/11/20	2/7/21	Use of Force	1	1	1	Use of Force
20-0492	4/28/20	4/28/20	4/28/20	Investigator	AL	10/25/20	4/28/21	Other	2	6	12	Performance of Duty
20-0045	1/29/19	2/8/19	1/29/19	Investigator	AN	8/7/19	8/31/20	Other	1	1	5	Performance of Duty, Truthfulness
20-0313	3/14/20	3/17/20	3/15/20	Investigator	AN	9/13/20	3/15/21	Use of Force	1	4	7	Use of Force, False Arrest, Care of Property
20-0379	3/11/20	3/31/20	3/31/20	Investigator	AN	9/28/20	4/1/21	Other	2	1	3	Performance of Duty
20-0438	4/16/20	4/16/20	4/16/20	Investigator	AN	10/13/20	4/15/21	Use of Force	1	5	5	Use of Force
19-1091	10/4/19	10/8/19	10/4/19	Investigator	ED	4/6/20	10/2/20	Use of Force	1	3	9	Use of Force
19-1123	10/10/19	10/15/19	10/11/19	Investigator	ED	4/12/20	10/9/20	Use of Force	1	8	27	Use of Force, demeanor, performance of duty
19-1169	10/17/19	10/22/19	10/17/19	Investigator	ED	4/19/20	10/15/20	Use of Force, Profiling	1	4	17	Use of force, false arrest, discrimination, Miranda violation, reports & bookings
20-0050	1/14/20	1/16/20	1/14/20	Investigator	ED	7/14/20	1/12/21	Use of Force	1	2	9	Use of force false arrest, improper search, improper handcuffing, Miranda violation
20-0106	1/29/20	1/31/20	1/30/20	Investigator	ED	7/29/20	1/28/21	Use of Force	1	1	2	Use of Force
20-0466	4/24/20	4/25/20	4/24/20	Investigator	ED	10/26/20	4/23/21	Use of Force, Profiling	1	9	26+	Use of Force, profiling/discrimination, improper detention and arrest, performance of duty
20-0646	5/31/20	6/2/20	6/1/20	Investigator	ED	11/29/20	5/31/21	Use of Force	1	1	2	Use of force, failure to provide name and serial number
20-0218	10/28/18	2/25/20	2/25/20	Investigator	JA	8/23/20	2/24/21	Other	1	2	2	Harassment and Discrimination/Race, Failure to Investigate
19-0335	4/4/18	4/12/18	4/4/18	Investigator	JS	10/4/18	10/1/20	Use of Force	1	1	2	Use of Taser, PDRD violation.
19-1390	12/8/19	12/13/19	12/12/19	Investigator	JS	6/10/20	12/7/20	Use of Force	1	1	3	Performance of Duty, Use of Force,
19-1391	12/13/19	12/19/19	12/13/19	Investigator	JS	6/14/20	12/11/20	Use of Force	1	2	4	Use of Force
20-0044	1/10/20	1/15/20	1/10/20	Investigator	JS	7/13/20	1/8/21	Other	1	3	3	Conduct towards others
20-0051	1/20/19	1/6/20	1/14/20	Investigator	JS	7/14/20	1/11/21	Other	1	1	1	Inaccurate report
20-0274	3/4/20	3/4/20	3/5/20	Investigator	JS	8/29/20	3/4/21	Other	1	1	2	Bias, Performance of Duty
20-0573	5/11/20	5/20/20	5/11/20	Investigator	JS	11/16/20	5/16/21	Use of Force	1	1	3	Use of Force
19-1068	9/30/19	10/2/19	10/2/19	Investigator	MM	3/30/20	9/29/20	Other	1	1	2	Performance of Duty
19-1153	10/17/19	10/17/19	10/17/19	Investigator	MM	4/15/20	10/15/20	Profiling	1	2	6	Identify Profiling by Race or Ethnicity, Unintentional/Improper Search, seizure, or arrest, Performance of Duty
19-1328	5/31/19	12/3/19	11/27/19	Investigator	MM	5/31/19	11/25/20	Other	1	3	2	Harassment and Discrimination, Performance of Duty;
20-0171	2/12/20	2/18/20	2/13/20	Investigator	MM	8/16/20	2/11/21	Use of Force	1	2	4	UOF: Improper Search or Seizure
20-0322	3/11/20	3/17/20	3/17/20	Investigator	MM	9/13/20	3/18/21	Use of Force	1	2	6	Unlawful Search or Seizure, Use of Force, Reports & Bookings, Performance of Duty; Demeanor
20-0385	3/29/20	3/30/20	3/30/20	Investigator	MM	9/26/20	3/29/21	Use of Force	1	1	1	Use of Force
20-0258	3/2/20	3/4/20	3/3/20	Intake	CD	8/31/20	3/2/21	Other	2	2	4	Performance of Duty
20-0268	2/28/20	3/5/20	2/28/20	Intake	CD	9/1/20	2/26/21	Other	1	2	5	Performance of Duty/Harassment & Discrimination
20-0270	11/18/19	3/2/20	2/25/20	Intake	CD	8/28/20	2/25/21	Other	2	1	1	Performance of Duty
20-0375	3/0/20	4/1/20	3/20/20	Intake	CD	9/28/20	3/29/21	Use of Force	1	2	4	Use of Force/Performance of Duty
20-0391	4/3/20	4/7/20	4/3/20	Intake	CD	10/4/20	4/2/21	Use of Force	1	3	3	Use of Force
20-0423	4/14/20	4/17/20	4/16/20	Intake	CD	10/14/20	4/15/21	Use of Force	1	2	2	Use of Force
20-0426	2/16/19	4/14/20	4/14/20	Intake	CD	10/11/20	4/13/21	Other	2	1	1	Performance of Duty
20-0431	3/18/20	4/17/20	4/15/20	Intake	CD	10/14/20	4/14/21	Use of Force	1	1	1	Use of Force
20-0455	4/21/20	4/23/20	4/21/20	Intake	CD	10/20/20	4/20/21	Other	1	2	2	Conduct towards others
20-0471	4/26/20	4/29/20	4/26/20	Intake	CD	10/26/20	4/25/21	Other	1	1	2	Conduct towards other/Performance of Duty
20-0480	4/28/20	4/29/20	4/28/20	Intake	CD	10/26/20	4/28/21	Other	2	1	2	Performance of Duty

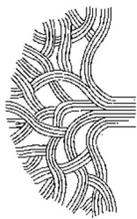
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CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0498	5/1/20	5/6/20	5/1/20	Intake	CD	11/2/20	4/30/21	Other	1	1	2	Conduct Towards Others/Performance of Duty
20-0507	5/15/20	5/15/20	5/15/20	Intake	CD	11/11/20	5/14/21	Other	1	1	1	Conduct Toward Other
20-0522	5/6/20	5/8/20	5/6/20	Intake	CD	11/4/20	5/5/21	Other	1	2	2	Service Complaint/Conduct towards others
20-0523	5/6/20	5/6/20	5/7/20	Intake	CD	11/4/20	5/6/21	Use of Force	1	1	1	Use of Force
20-0538	5/9/20	5/13/20	5/9/20	Intake	CD	11/9/20	5/8/21	Use of Force	1	2	2	Use of Force
20-0539	5/9/20	5/13/20	5/9/20	Intake	CD	11/9/20	5/8/21	Felony/Serious Misdeemeanor	1	1	1	Obedience to laws
20-0547	5/11/20	5/13/20	5/11/20	Intake	CD	11/9/20	5/10/21	Use of Force	2	3	6	Use of Force/Performance of Duty
20-0556	5/12/20	5/14/20	5/13/20	Intake	CD	11/10/20	5/12/21	Other	2	2	6	Conduct Toward Other/Performance of Duty
20-0579	5/15/20	5/15/20	5/15/20	Intake	CD	11/11/20	5/14/21	Other	1	1	1	Conduct towards others
20-0581	5/17/20	5/20/20	5/17/20	Intake	CD	11/16/20	5/16/21	Other	1	2	2	Conduct towards others
20-0589	5/19/20	5/21/20	5/19/20	Intake	CD	11/17/20	5/18/21	Other	1	1	1	Conduct towards others
20-0607	5/20/20	5/27/20	5/21/20	Intake	CD	11/23/20	5/21/21	Racial Profiling	1	2	3	Performance of Duty; Conduct Towards Others
20-0721	6/13/20	6/17/20	6/13/20	Intake	CD	12/14/20	6/12/21	Use of Force	1	2	2	Use of Force
20-0727	6/3/20	6/17/20	6/16/20	Intake	CD	12/14/20	6/15/21	Other	1	2	2	Conduct towards others
20-0728	6/9/20	6/24/20	6/16/21	Intake	CD	12/21/20	6/16/21	Use of Force	1	1	6	Use of Force; Performance of Duty;
20-0799	6/28/20	7/1/20	6/28/20	Intake	CD	12/28/20	6/27/21	Other	1	1	2	Conduct towards others
20-0800	6/27/20	7/1/20	6/28/20	Intake	CD	12/28/20	6/27/21	Use of Force	1	4	4	Use of Force
20-0805	6/26/20	7/1/20	6/26/20	Intake	CD	12/28/20	6/25/21	Other	1	2	2	Conduct towards others
20-0877	7/12/20	7/15/20	7/12/20	Intake	CD	11/1/21	7/11/21	Use of Force	1	1	1	Use of Force
20-0882	7/13/20	7/15/20	7/13/20	Intake	CD	11/1/21	7/12/21	Use of Force	1	1	1	Use of Force
20-0916	7/19/20	7/22/20	7/19/20	Intake	CD	11/8/21	7/18/21	Other	1	4	2	Performance of Duty; Conduct Towards Others
20-0918	7/17/20	7/22/20	7/17/20	Intake	CD	11/8/21	7/16/21	Other	1	1	1	Conduct towards others
20-0416	4/10/20	4/16/20	4/10/20	Intake	MB	10/13/20	4/10/21	Other	2	1	1	Demeanor
20-0501	5/1/20	5/6/20	5/2/20	Intake	MB	11/2/20	5/2/21	Use of Force	1	1	1	Use of Force
20-0528	5/7/20	5/13/20	5/7/20	Intake	MB	11/9/20	5/7/21	Profiling	1	4	1	Profiling
20-0544	5/8/20	5/13/20	5/8/20	Intake	MB	11/9/20	5/9/21	Profiling	1	3	3	Profiling
20-0546	5/5/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/12/21	Use of Force	1	1	3	Use of Force
20-0548	5/11/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/11/21	Use of Force	1	1	1	Use of Force
20-0575	5/16/20	5/20/20	5/16/20	Intake	MB	11/16/20	5/17/21	Other	2	2	2	Performance of Duty
20-0598	5/20/20	6/2/20	5/20/20	Intake	MB	11/29/20	6/2/21	Other	1	1	1	Obedience to Laws
20-0603	5/21/20	5/23/20	5/21/20	Intake	MB	11/23/20	5/21/21	Use of Force	1	1	1	Use of Force
20-0622	4/25/20	5/27/20	5/26/20	Intake	MB	11/23/20	5/27/21	Use of Force	1	1	1	Use of Force
20-0635	5/19/20	6/1/20	5/28/20	Intake	MB	11/28/20	5/29/21	Use of Force	1	1	3	Use of Force
20-0644	5/30/20	5/31/20	5/31/20	Intake	MB	11/27/20	5/30/21	Use of Force	1	1	2	Use of Force
20-0648	6/1/20	6/2/20	6/1/20	Intake	MB	11/29/20	6/2/21	Use of Force	1	1	2	Use of Force
20-0879	7/11/20	7/15/20	7/11/20	Intake	CD	11/1/21	7/10/21	Use of Force	1	2	2	Performance of Duty; Use of Force

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CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY

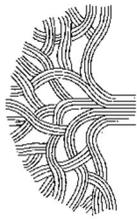
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

8/21/20

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(Total Completed = 15)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
JS	19-0651	7/1/19	8/21/20	8/28/20	Subject Officer 1	Performance of Duty	<i>Sustained</i>
Performance of Duty							Sustained
Performance of Duty – Intentional/ Improper Search, Seizure or Arrest							<i>Unfounded</i>
Performance of Duty							<i>Unfounded</i>
Conduct Toward Others – Harassment and Discrimination							<i>Unfounded</i>
Subject Officer 2 Supervision							Sustained
Performance of Duty							<i>Unfounded</i>
AN	19-0877	8/19/19	7/24/20	8/18/20	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
Use of Force (Level 4)							<i>Exonerated</i>
Use of Force (Level 3)							<i>Unfounded</i>
Conduct Toward Others – Harassment and Discrimination							<i>Unfounded</i>
Subject Officer 2							Exonerated
Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest							<i>Exonerated</i>
Conduct Toward Others – Harassment and Discrimination							<i>Unfounded</i>



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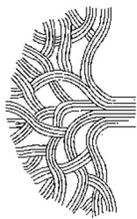
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

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(Total Completed = 15)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding	
AL	19-0911	8/27/19	7/28/20	8/26/20	Subject Officer 1	Performance of Duty – PDRD	Sustained	
						Use of Force (Level 3)	<i>Unfounded</i>	
						Subject Officer 2	Use of Force (Level 3)	<i>Unfounded</i>
MM	19-0869	8/18/19	7/28/20	8/17/20	Subject Officer 1	Use of Force (Level 4)	<i>Exonerated</i>	
						Use of Force (Level 2)	<i>Unfounded</i>	
						Subject Officer 2	Use of Force (Level 2)	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>	
						Subject Officer 3	Use of Force (Level 2)	<i>Exonerated</i>
JS	19-0906	8/26/19	7/1/20	8/24/20	Subject Officer 1	Conduct Toward Others - Demeanor	<i>Unfounded</i>	
						Use of Force (Level 2)	<i>Unfounded</i>	
						Subject Officer 4	Refusal to Provide Name or Serial Number	<i>Exonerated</i>
						Subject Officer 5	Refusal to Provide Name or Serial Number	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>	



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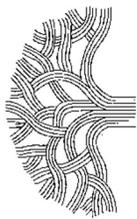
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Performance of Duty – General	Not Sustained
						Performance of Duty – General	Not Sustained
						Use of Force (Level 2)	Not Sustained
MM	19-0619	6/24/19	7/23/20	8/22/20	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Sustained
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Not Sustained
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Not Sustained
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Not Sustained
						Performance of Duty – General	Exonerated
						Performance of Duty – Handcuffing	Not Sustained
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Sustained
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Not Sustained
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	Not Sustained
						Performance of Duty – Handcuffing	Not Sustained



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Recently Completed Investigations

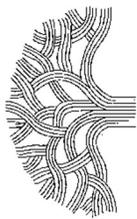
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CD	20-0211	2/23/20	8/20/20	2/21/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
CD	20-0204	2/22/20	8/11/20	2/24/21	Officer Unknown	No MOR Violation	No MOR
CD	20-0355	3/24/20	7/31/20	3/23/21	Subject Officer 1	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
	Subject Officer 2					Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
	Subject Officer 3					Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
	Subject Officer 4					Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
	Subject Officer 5					Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>

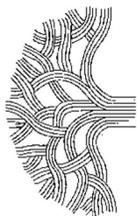


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Recently Completed Investigations

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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Subject Officer 6	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/Improper Search, Seizure or Arrest	<i>Exonerated</i>
CD	20-0367	3/28/20	7/31/20	3/28/21	Subject Officer 1	Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 2	Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – General	<i>Unfounded</i>
					No Officer	Service Complaint	No MOR
CD	20-0366	3/28/20	7/30/20	3/27/21	Subject Officer 1	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 2	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 3	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/Improper Search, Seizure or Arrest	<i>Exonerated</i>



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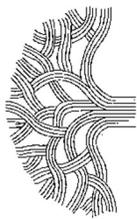
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					Subject Officer 4	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 5	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 6	Conduct Toward Others – Harassment and Discrimination (Race)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
CD	20-0277	2/22/20	7/29/20	3/5/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
						Use of Force (Level 4)	<i>Unfounded</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
CD	20-0325	3/17/20	7/27/20	3/16/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>



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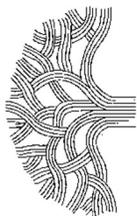
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Performance of Duty – General	<i>Unfounded</i>
						Use of Force	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
CD	20-0374	3/29/20	7/27/20	3/28/21	Unknown Officer	Conduct Toward Others – Demeanor	<i>Unfounded</i>
CD	20-0334	3/19/20	7/24/20	3/18/21	Subject Officer 1	Prisoners – Treatment and Maintaining Control	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 4	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 5	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 6	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 7	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 8	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>

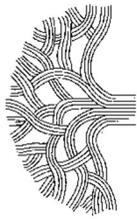


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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Performance of Duty - General	<i>Exonerated</i>



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CPRA Made the following Training Recommendations with Respect to Investigations in this Report	
Training Recommendation(s)	<p>The CPRA recommends that officers receive additional training on the definition of the term “hand to hand” as it relates to drug-related transactions; this training should include examples of the types of activities that would qualify as a “hand to hand” transaction in order to avoid confusion.</p> <p>The CPRA recommends that officers be trained to explicitly communicate with each other prior to detaining individuals and come up with a detention plan, taking into consideration practicability and officer safety concerns.</p> <p>The CPRA recommends that officers receive additional training regarding communications with detainees when practical and safe; officers should explain the purpose of the stop and clearly communicate orders to a detainee during the detention process.</p>
CPRA Made the following Policy Recommendations with Respect to Investigations in this Report	
Policy Recommendation(s)	<p>The CPRA recommends that the Department should re-examine or reinforce policies and tactics to de-escalate incidents and minimize aggressive approaches that create community tension when detaining subjects, taking into consideration practicability and officer safety concerns.</p> <p>The CPRA recommends that the Department make an in-depth review of the department search policy and training and make clarifications with respect to “Probable Cause Searches” of individuals when there is no probable cause to arrest, and that officers receive regular updates and trainings related to search and seizure legal and tactical developments.</p>

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
2	Commissioner Trainings	1/1/2018	<p>Complete trainings mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190</p> <p>Some trainings have deadlines for when they should be completed (within 3 months, 6 months, etc.)</p> <p>Several trainings were delivered in open session and have been recorded for future use</p>	<p>The following trainings must be done in Open Session:</p> <ol style="list-style-type: none"> 1. California's Meyers Milias Brown Act (MMBA) and Public Employment Relations Board's Administration of MMBA (done 3.12.20) 2. Civil Service Board and Other Relevant City Personnel Policies and Procedures (done 2.27.20) 3. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees (rescheduled due to COVID-19 health emergency) 4. Police Officers Bill of Rights (done 12.12.19) 	High	Ongoing		

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
3	Confirming the Process to Hire Staff for the Office of Inspector General	5/17/2019	Per the Enabling Ordinance: The City shall allocate a sufficient budget for the OIG to perform its functions and duties as set forth in section 2.45.120, including budgeting one (1) full-time staff position comparable to the position of Police Program and Audit Supervisor. Within thirty (30) days after the first Inspector General is hired, the Policy Analyst position and funding then budgeted to the Agency shall be reallocated to the OIG. All OIG staff, including the Inspector General, shall be civil service employees in accordance with Article IX of the City Charter.	This will require information presented from the City Administrator's Office.	High			
4	Finalize Bylaws and Rules	1/24/2019			High			Gage
5	Hire Inspector General (IG)	1/14/2019	Hire IG once the job is officially posted	Pending Measure LL revisions to be included in the November 2020 ballot. Recruitment and job posting in process.	High			Personnel Committee

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
6	Notification of OPD Chief Regarding Requirements of Annual Report	1/1/2018	Commission must notify the Chief regarding what information will be required in the Chief's annual report	<p>The Chief's report shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. The number of complaints submitted to the Department's Internal Affairs Division (IAD) together with a brief description of the nature of the complaints; 2. The number of pending investigations in IAD, and the types of Misconduct that are being investigated; 3. The number of investigations completed by IAD, and the results of the investigations; 4. The number of training sessions provided to Department sworn employees, and the subject matter of the training sessions; 5. Revisions made to Department policies; 6. The number and location of Department sworn employee-involved shootings; 7. The number of Executive Force Review Board or Force Review Board hearings and the results; 8. A summary of the Department's monthly Use of Force Reports; 9. The number of Department sworn employees disciplined and the level of discipline imposed; and 10. The number of closed investigations which did not result in discipline of the Subject Officer. <p>The Chief's annual report shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code section 832.7</p>	High	June 14, 2018 and June 14 of each subsequent year		Dorado
7	OPD to Provide a 30 Day Snapshot on the Effectiveness of SO 9202	2/27/2020		On 2.27.20, at the request of OPD the Commission considered and approved SO 9202 which amends the section in SO 9196 regarding Type 32 reportable force	High			

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8	Performance Reviews of CPRA Director and OPD Chief	1/1/2018	Conduct performance reviews of the Agency Director and the Chief	The Commission must determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation. The Commission may, in its discretion decide to solicit and consider, as part of its evaluation, comments and observations from the City Administrator and other City staff who are familiar with the Agency Director's or the Chiefs job performance. Responses to the Commission's requests for comments and observations shall be strictly voluntary.	High	Annually; Criteria for evaluation due 1 year prior to review		
9	Recommendations for Increasing Communication Between CPRA and IAD	10/6/2018		Review of existing communication practices and information sharing protocols between departments, need recommendations from stakeholders about whether a policy is needed. Ensure prompt forwarding of complaints from IAD to CPRA and prompt data sharing.	High			
10	Reports from OPD	10/6/2018	Commission to decide on what reports are needed prior to receiving them.	Receive reports from OPD on issues such as: response times; murder case closure rates; hiring and discipline status report (general number for public hearing); any comp stat data they are using; privacy issues; human trafficking work; use of force stats; homelessness issues; towing cars of people who sleep in their vehicles	High	Ongoing as appropriate		

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
11	Request City Attorney Reports	1/1/2018	Request the City Attorney submit semi-annual reports to the Commission and the City Council	Request the City Attorney submit semi-annual reports to the Commission and City Council which shall include a listing and summary of: 1. To the extent permitted by applicable law, the discipline decisions that were appealed to arbitration; 2. Arbitration decisions or other related results; 3. The ways in which it has supported the police discipline process; and 4. Significant recent developments in police discipline. The City Attorney's semi-annual reports shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code 832.7	High	Semi-annually		Smith
12	Community Policing Task Force/Summit	1/24/2019			Medium			Dorado
13	CPAB Report			Receive any and all reports prepared by the Community Policing Advisory Board (hereinafter referred to as "CPAB") and consider acting upon any of the CPAB's recommendations for promoting community policing efforts and developing solutions for promoting and sustaining a relationship of trust and cooperation between the Department and the community.	Medium			
14	Determine Outstanding Issues in Meet and Confer and the Status of M&C on Disciplinary Reports	10/6/2018		Need report from police chief and city attorney. Also need status report about collective bargaining process that is expected to begin soon.	Medium			

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
15	Develop Plan for Quarterly Reports in Relation to Annual Report that is Due April 17th of Each Year	12/6/2019		The Commission is required to submit an annual report each year to the Mayor, City Council and the public. Preparing quarterly reports will help with the coordination and preparation of an annual report.	Medium			
16	Free Gun Trace Service	1/27/2020		This service was mentioned at a meeting in 2019.	Medium			Dorado
17	Modify Code of Conduct from Public Ethics Commission for Police Commission	10/2/2018		On code of conduct for Commissioners there is currently a code that was developed by the Public Ethics Commission.	Medium			
18	Offsite Meetings	1/1/2018	Meet in locations other than City Hall	The offsite meetings must include an agenda item titled "Community Roundtable" or something similar, and the Commission must consider inviting individuals and groups familiar with the issues involved in building and maintaining trust between the community and the Department.	Medium	Annually; at least twice each year		Dorado, Harris, Jackson
19	OPD Supervision Policies	10/2/2018		Review existing policy (if any) and take testimony/evidence from experts and community about best practices for supervisory accountability. Draft policy changes as needed. In addition, IG should conduct study of supervisor discipline practices. In other words, how often are supervisors held accountable for the misconduct of their subordinates.	Medium			
20	Receive a Report from the Ad Hoc Committee on CPRA Appellate Process	6/13/2019	Once the Commission has an outside counsel, work with them on determining an appellate process	When a draft process is determined, bring to the Commission for a vote.	Medium			Brown, Gage, Prather
21	Report from OPD Regarding Found/Confiscated Items	7/12/2019	OPD will report on the Department's policy for disposition of found/confiscated items.	This came about through a question from Nino Parker. The Chief offered to present a report at a future meeting.	Medium			

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22	Report Regarding OPD Chief's Report	1/1/2018	submit a report to the Mayor, City Council and the public regarding the Chief's report in addition to other matters relevant to the functions and duties of the Commission	The Chief's report needs to be completed first.	Medium	Annually; once per year		
23	Review Budget and Resources of IAD	10/10/2018		In Discipline Training it was noted that many "lower level" investigations are outsourced to direct supervisors and sergeants. Leaders in IAD have agreed that it would be helpful to double investigators and stop outsourcing to Supervisors/Sgts. Commissioners have also wondered about an increase civilian investigators. Does the Commission have jurisdiction over this?	Medium			
24	Review Commission's Agenda Setting Policy	4/25/2019			Medium			
25	Review Commission's Code of Conduct Policy	4/25/2019			Medium			Prather
26	Review Commission's Outreach Policy	4/25/2019			Medium			Dorado
27	Revise Contracts with CPRA and Commission Legal Counsels	10/10/2018		The contract posted on the Commission's website does not comport with the specifications of the Ordinance. As it stands, the Commission counsel reports directly to the City Attorney's Office, not the Commission. The Commission has yet to see the CPRA attorney's contract, but it, too, may be problematic.	Medium			
28	Taser Policy (incorporate into Use of Force)	10/10/2018		This is part of Use of Force Policy; Review use of tasers in light of what happened to Marcellus Toney - In the report the Commission was given, it mentioned that officers have choice as to where to deploy a taser.	Medium			

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
29	Amendment of DGO C-1 (Grooming & Appearance Policy)	10/10/2018		DGO C-1 is an OPD policy that outlines standards for personal appearance. This policy should be amended to use more inclusive language, and to avoid promoting appearance requirements that are merely aesthetic concerns, rather than defensible business needs of the police department.	Low			
30	Annual Report	1/1/2018	Submit an annual report each year to the Mayor, City Council and the public		Low	Spring, 2021		Prather, Smith
31	Assessing Responsiveness Capabilities	10/6/2018		Review OPD policies or training regarding how to assess if an individual whom police encounter may have a disability that impairs the ability to respond to their commands.	Low			
32	CPRA Report on App Usage	10/10/2018		Report from staff on usage of app.	Low			
33	Creation of Form Regarding Inspector General's Job Performance	1/1/2018	Create a form for Commissioners to use in providing annual comments, observations and assessments to the City Administrator regarding the Inspector General's job performance. Each Commissioner shall complete the form individually and submit his or her completed form to the City Administrator confidentially.	To be done once Inspector General position is filled.	Low			
34	De-Escalation Policy (incorporate into Use of Force)	1/1/2018		This should be part of Use of Force Policy; review existing policy (if any) and take testimony/evidence from experts and community about best practices for de-escalation.	Low			

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35	Discipline: Based on Review of MOU	10/6/2018		<p>How often is Civil Service used v. arbitration? How long does each process take? What are the contributing factors for the length of the process? How often are timelines not met at every level? How often is conflict resolution process used? How long is it taking to get through it? Is there a permanent arbitration list? What is contemplated if there's no permanent list? How often are settlement discussions held at step 5? How many cases settle? Is there a panel for Immediate dispute resolution? How many Caloca appeals? How many are granted? What happened to the recommendations in the Second Swanson report?</p>	Low			
36	Discipline: Second Swanson Report Recommendations – Have These Been Implemented?	10/6/2018		<p>Supervisor discipline Process for recommending improvements to policies, procedures and training, and to track and implement recommendations Tracking officer training and the content of training Comparable discipline imposed – database of discipline imposed, demonstrate following guidelines IAD civilian oversight for continuity in IAD Improved discovery processes Permanent arbitration panel implemented from MOU OPD internal counsel Two attorneys in OCA that support OPD disciplines and arbitration Reports on how OCA is supporting OPD in discipline matters and reports on arbitration Public report on police discipline from Mayor's office OIG audit includes key metrics on standards of discipline</p>	Low			

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
37	Feedback from Youth on CPRA App	10/10/2018		Get some feedback from youth as to what ideas, concerns, questions they have about its usability.	Low			
38	OPD Data and Reporting			Review and comment on the Department's police and/or practice of publishing Department data sets and reports regarding various Department activities, submit its comments to the Chief, and request the Chief to consider its recommendations and respond to the comments in writing.	Low			
39	Outreach Committee: Work with Mayor's Office and City Admin to Publicize CPRA App	10/10/2018			Low			
40	Overtime Usage by OPD - Cost and Impact on Personal Health; Moonlighting for AC Transit	1/1/2018		Request Office of Inspector General conduct study of overtime usage and "moonlighting" practices.	Low			
41	Process to Review Allegations of Misconduct by a Commissioner	10/2/2018		Maureen Benson named concerns/allegations about a sitting Commissioner early in 2018, but no process exists which allows for transparency or a way to have those concerns reviewed. It was suggested to hold a hearing where anyone making allegations presents evidence, the person named has an opportunity to respond and then the Commission decides if there's sanctions or not. *Suggestion from Regina Jackson: we should design a form...check box for the allegation...provide narrative to explain..hearing within 4 weeks?	Low			Jackson

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
42	Proposed Budget re: OPD Training and Education for Sworn Employees on Management of Job-Related Stress	1/1/2018	Prepare for submission to the Mayor a proposed budget regarding training and education for Department sworn employees regarding management of job-related stress. (See Trauma Informed Policing Plan)	Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of posttraumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter. Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection (C) above.	Low	4/15/2021		
43	Public Hearing on OPD Budget	1/1/2018	Conduct at least one public hearing on the Police Department's budget	Tentative release date of Mayor's proposed budget is May 1st of each year.	Low	Spring, 2021		
44	Public Hearings on OPD Policies, Rules, Practices, Customs, General Orders	1/1/2018	Conduct public hearings on Department policies, rules, practices, customs, and General Orders; CPRA suggests reviewing Body Camera Policy		Low	Annually; at least once per year		Dorado
45	Revisit Standing and Ad Hoc Committee Assignments	10/29/2019			Low			
46	Social Media Communication Responsibilities, Coordination, and Policy	7/30/2019		Decide on social media guidelines regarding responsibilities and coordination.	Low			