



CITY OF OAKLAND | POLICE COMMISSION

November 26th, 2025

To: Oakland City Council Public Safety Committee

From: Oakland Police Commission

Cc: Militarized Equipment Ad Hoc Committee

Subject Re: OPD 2024 Annual Military Equipment Report

The use of militarized equipment, tactics, and practices is a use of force and constitutional policing excessive-force issue which places it within the Police Commission's purview. There is no empirical evidence to suggest that this equipment makes our city safer. On the contrary, studies call into question whether the use of militarized equipment in a police department is more successful in reducing crime or keeping officers safer than for departments that don't.ⁱ

Initially, the Oakland Police Commission received OPD's eighty-seven (87) page Report on April 15, 2025. The Commission had extended the due date for reception of the report beyond the March 15 date designated in the Oakland Municipal Code (OMC Chapter 9.65.030.A.1) by way of a verbal commitment from the Chairperson of the Commission to the Chief of Police. The Military Equipment Ad Hoc Committee of the Commission held multiple on-line meetings on the contents of the Report which were attended not only by three Commissioners and registered community members of the Ad Hoc, but also public observers.

The following remarks in this comments paper were presented to the Commission and approved and corrected for the City Council Public Safety Committee's consideration. Also, in compliance with State law (AB481), the Police Department conducted a community review of the Annual (2024) Military Equipment Report on July 16. Following the OPD community meeting and subsequent updates, OPD submitted the final version of the report on August 1st 2025.

The Ad Hoc Committee's discussion, largely hinged on **continued use of the BearCat armored vehicle, consideration of a replacement vehicle or vehicles, and the purchase of replacement rifles, including adding a number of new rifles beyond the current total.** These issues were discussed in the context of State law (AB481) and OMC Chapter 9.65. There was recognition of the requirements of transparency, the uses given specific equipment, and the realization of the difficulty faced by the Department due to loss data and loss transparency due to the changes in OPD's data collection systems. For example, the 2022 Military Equipment Report had included a list of incidents in which military equipment had been used and the circumstances surrounding that use. This critical information had been redacted from **the initial** 2024 Report and *was added on the shared folder with the amended annual report.* Also, the military equipment's connection to Department policy for use was not connected in the 2024 Report for the use of robots, Long Range Acoustic Devices (i.e. LRADs), and Mobile Command Centers: this was added to the 2024 Report in hyperlinks. The chemical agent's policy was added to the Department's overall policy presentation. There were similar questions about specific munitions **that the Department addressed.** The Military Equipment 2024 Report was not considered completed until August of 2025.

POLICY ANALYSIS

With the Militarized Equipment Ad Hoc Committee currently activated, and the Department actively seeking to purchase new armored vehicles this communication is intended to respectfully request that the following information be reviewed by the Police Commission and the Council Public Safety Committee. To fairly do this analysis the Armored Vehicle Training Bulletin must also be reviewed to ensure policy compliance and that the public's welfare, safety, civil rights, and civil liberties are being appropriately safeguarded prior to purchasing another Armored Vehicle.

The Armored Vehicle Training Bulletin (TB) IIIⁱⁱ, was rewritten by members of the Ad Hoc Committee from January to March 2021. Two of the members of that Ad Hoc committee included Commissioner Farmer and another current Ad Hoc member. The judge who oversees the Negotiated Settlement Agreement (NSA) ordered OPD to rewrite the policy after it was determined by the court's Federal Monitor that OPD's policy was insufficient and ineffective following OPD's use of the BearCat Armored vehicle as a shooting platform to shoot and kill a citizen named Joshua Pawlik. This incident resulted in OPD backsliding on multiple NSA tasks. Two of which are related to use of force. Multiple police officers were either disciplined or fired. A seven-figure police misconduct lawsuit was awarded to the victim's family that was paid for with taxpayer dollars. This is a seminal incident in OPD's misconduct history. This incident delayed OPD from completing its constitutional policing oversight requirements under the NSA.

Now is an appropriate time to conduct a review of the Armored Vehicle policy to ensure it is being followed while assisting with building trust with the Oakland public. Doing so will assist OPD with avoiding future misconduct-related incidents. The following list are areas of the Policy that are prioritized to be reviewed:

- Copies of the 2024 calendar year Operations Plans and Risk Assessment Overviews for pre-planned deployments and callouts. Reference: Armored Vehicle TB III page 3.
- A description of the source or documentation of credible intelligence received that calls for the use of an Armored Vehicle for all 2024 deployments and callouts. Reference: Armored Vehicle TB III page 3.
- Documentation detailing how vulnerable individuals, environmental factors, and situational elements are being considered. Reference: Armored Vehicle TB III page 3.
- Documentation showing how prohibited uses are being taken into account. Reference: Armored Vehicle TB III page 4. 1
- Copies of up-to-date Armored Vehicle operator qualifications and training certifications. Reference: Armored Vehicle TB III page 4.
- Screenshots of posts made to social media regarding the announcement of BearCat deployments. Reference: Armored Vehicle TB III page 6.
- Documentation of videos being generated in accordance with policy. Reference: Armored Vehicle TB III page 5.
- Copies of the 2024 calendar year after-action reports. Reference: Armored Vehicle TB III page 5.

***Subsequent to Commission and City Council actions taken on this 2024 Report, the Commission Ad Hoc Committee will under take this review of the Armored Vehicle Policy.**

NEXT STEPS

On Feb 27, 2024, the city council passed an ordinance requiring that OPD purchase guns from dealers who have no outstanding ATF violationsⁱⁱⁱ. Firearms crimes in Oakland decreased by more than 30% last year, according to OPD data, and are down even further so far in 2025. Yet OPD initially^{iv} proposed to *increase* its arsenal of assault rifles; this would intel additional personnel costs for training officers with the new rifles. This request occurs as the city is grappling with a significant fiscal crisis. The Commission recognizes the need to replace outdated and nonfunctioning equipment. The Ad Hoc Committee and Commission is supportive of OPD only directly replacing the current number of assault rifles and financing such though dollars coming from the Department's seized assets fund.

The Department purchases equipment throughout the year and seeks Federal and State grants for most of these purchases. In addition to the assault rifles, the Department is currently considering doubling of the number of drones in the Department. The Drone purchase would also intel a review from the Ethics Commission. Deeper review is needed of some of the Department's crowd control equipment that other agencies have declared too hazardous. ***Therefore, we also recommend that discussion of the complete list of equipment listed in OPD's Militarized Equipment Report inventory should be ongoing and not only conducted on an annual basis.***

OPD's Militarized Equipment Report lists a plethora of military weapons, cannisters, smoke grenades, armed vehicles, and some drones and robots. Much of this equipment shows very little use. Questions were raised about the fact that the preponderance of use took place without warrant. The Ad Hoc was informed that most of the use of militarized equipment took place in the black and brown communities of East Oakland. *With militarized equipment primarily being used in black and brown communities, a significant racial disparity has been created as a result. Its presences are known to trigger people's trauma in neighborhoods that have a higher rate of children and adults with Complex Post Traumatic Stress Syndrome (C-PTSD), in which over-policing and tough-on-crime paramilitary tactics and practices play a role.*^v Department charts for the BearCat primarily reflect its use in these communities as well. **Despite past decisions of the Commission and legislation^{vi} from the City Council, the Department is still in possession of the BearCat and is contemplating purchasing two stepped-down versions of the BearCat and a replacement Suburban for the one current Suburban the Department now has.**

Therefore, the Ad Hoc recommends the following considerations to the Council Public Safety Committee:

- A. That, as previously agreed by the Commission and the Council, that the Department be directed to **divest itself of the current Lenco G3 BearCat and not replace it with another Lenco G3 BearCat; but rather purchase two armored vehicle that are a step-down from the BearCat when funds become available; OPD is currently requesting 2 new Lenco Tactical SUV's (smaller BearCat).**
 - On November 20, 2025, the commission deliberated this item (request to not purchase a replacement 12-passenger G3 BearCat, but instead pursue the acquisition of two BearCat SUVs—smaller, less-paramilitary tactical armored vehicles—in alignment with the Ad Hoc Committee's recommendation and consistent with the 2021 City Council direction under AB-481 and OMC 9.65.
 - This item was approved with a vote of: 3 in favor, 0 opposed, and 2 abstentions.
- B. The City Council should determine that at this time, **OPD increasing its inventory of patrol rifles (assault rifles) does not meet State Law AB481 criteria for military equipment as necessary and cost-effective**, especially at a time of fiscal tightening, and decline to

approve such an increase of assault rifles, if it should come forth again; Currently, OPD is seeking to only replace the 70 rifles in the current inventory.

- On November 20, 2025, the commission deliberated and approved this item with a vote of: 5 in favor, 0 opposed, and 0 abstentions.

C. That the Commission and the Council Public Safety Committee, for each piece of equipment should consider (as detailed in AB481 and OMC 9.65) whether or not,

(1) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(2) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

(3) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

(4) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

D. The Ad hoc also recommends that discussion of the complete list of equipment listed in OPD's Militarized Equipment Report inventory **should be ongoing and not only conducted on an annual basis.**

E. Because of the intertwining jurisdictions and concerns of the City Council Public Safety Committee and the Police Commission, that the Chair of the Public Safety Committee (or designee) and the Chair of the Commission (or designee) meet on a regular basis.

- Chair of the Commission has authority to delegate and recruit additional commissioner support and may consider consolidation of policy review responsibilities to a Policy Ad Hoc Committee.

F. With the Annual Military Equipment Report 2024, the Ad Hoc and the Commission approves all items (Unmanned Aircraft Systems, Remote Controlled Ground Systems & Pole Cameras, an Armored Suburban, Mobile Command Vehicle, Community Resource Vehicle, Hostage Negotiation Vehicle, Explosive Breaching Equipment, Impact Munitions & Light Sound Incendiary Devices, replaced assault rifles, and Crowd Control Equipment), **only to direct replacement numbers; the commission recommends nothing is approved**

for replacement beyond equipment stock levels and that only direct replacement numbers are approved.

- On November 20, 2025, the commission deliberated and approved this item with a vote of: 5 in favor, 0 opposed, and 0 abstentions.

***REFERENCES**

ⁱ <http://www.pnas.org/doi/10.1073/pnas.1805161115>

ⁱⁱ <https://public.powerdms.com/OAKLAND/tree/documents/2269007>

ⁱⁱⁱ https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT2ADPE_CH2.10FIAMPRDI

^{iv} <https://bayareacurrent.com/oakland-cops-somehow-want-2-million-for-assault-rifles-drones-and-armored-vehicles/>

^v <https://www.cbsnews.com/sanfrancisco/news/hood-disease-inner-city-oakland-youth-suffering-from-post-traumatic-stress-disorder-ptsd-crime-violence-shooting-homicide-murder/>

^{vi} <https://www.oaklandca.gov/files/assets/city/v/1/boards-amp-commissions/documents/opc/resolutions/resolution-21-04-phase-out-and-replace-BearCat.pdf>