



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

September 26, 2024 - 5:30 PM

City Hall Council Chambers (1 Frank H. Ogawa Plaza, Oakland)

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing, and to oversee the Office of the Inspector General, led by the civilian Office of the Inspector General for the Department, as well as the Community Police Review Agency (CPRA), led by the Executive Director of the Agency, which investigates police misconduct and recommends discipline.

Please note that Zoom links will be for observation only.
Public participation via Zoom is not possible currently.



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PUBLIC PARTICIPATION

The Oakland Police Commission welcomes public participation. We are currently prohibited from implementing hybrid meetings. Please refer to how you can observe and/or participate below:

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/86155426281> 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 web page 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):

+16699009128,,86155426281# US (San Jose) +16694449171,,86155426281# US

Webinar ID: 861 5542 6281

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 web page entitled "Joining a Meeting by Phone"

Use of Zoom is limited to observing, public comment will not be taken via Zoom

PROVIDE PUBLIC COMMENT IN PERSON:

- Public comment on each agenda item will be taken. Members of the public wishing to comment must fill out a speaker card for each item they wish to comment on. Speaker cards will be accepted up until Public Comment for each item. Please submit your cards to the Chief of Staff before being recognized by the presiding officer.
- Comments must be made on a specific agenda item covered in the meeting that the comment was submitted for, and that item must be written on the speaker card, or they will be designated Open Forum comments.
- Comments designated for Open Forum, either intentionally or due to the comments being outside of the scope of the meeting's agenda, and submitted without including a written agenda item, will be limited to one comment per person.

E-COMMENT:

- Please email written comments to https://docs.google.com/forms/d/e/1FAIpQLScRaVVFQKhsnzMk_wa5Q1bPCwf-Osfv8nGB_I8ZwM6fVESZhw/viewform?usp=sf_link. E-comments must be submitted at least **24 hours** before the meeting with the agenda item to which it pertains. Open Forum comments are limited to one per person.

Commissioner Jackson-Castain via Teleconference at 22 Barkly Grove LS11 7HT, Leeds



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- I. **Call to Order, Welcome, Roll Call, Determination of Quorum, and (Read-Out from Prior Meeting, if any)**
Chair Marsha Carpenter Peterson
Roll Call: Vice Chair Ricardo Garcia-Acosta; Commissioner Regina Jackson; Commissioner Wilson Riles;
Commissioner Angela Jackson-Castain; Alternate Commissioner Omar Farmer

- II. **Closed Session (approximately 5:30 p.m. - 6:30 p.m.)**
The Police Commission will take Public Comment on the 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.

PUBLIC EMPLOYEE APPOINTMENT
(Government Code Section 54957(b))
Title: Inspector General

CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Delphine Allen et al., v. City of Oakland, et al. N.D. Cal No, 00-cv-4599-WHO

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Government Code Section 54957(b))
Title not disclosed under personnel privacy laws, California's Brown Act, and City's Sunshine Ordinance

- III. **Redetermination of Quorum and (Read-Out from Closed Session and/or announcements, if any)**
Chair Marsha Carpenter Peterson
Roll Call: Vice Chair Ricardo Garcia-Acosta; Commissioner Regina Jackson; Commissioner Wilson Riles;
Commissioner Angela Jackson-Castain; Alternate Commissioner Omar Farmer

- IV. **Open Forum Part 1 (2 minutes per speaker, 15 minutes total)**
Members of the public wishing to address the Commission on matters that are not on tonight's agenda but are related to the Commission's work should submit a speaker card before this item. Comments regarding agenda items should be held until the agenda item is called for discussion. Speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2.
This is a recurring item.

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



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V. Update from Office of the Inspector General

Acting Inspector General Charlotte Jones will provide an update on the OIG's work. Topics discussed in the update may include project priorities under the City Charter, staffing updates, community engagement, and outreach. ***This is a recurring item. (Attachment 1)***

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

VI. Oakland Police Department Update

Representatives of the Oakland Police Department will provide an update. Topics discussed in the update may include NSA Updates, risk analysis, crime response, a preview of topics that may be placed on a future agenda, responses to community member questions, and specific topics requested by the Commission. ***This is a recurring item. (Attachment 2)***

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

VII. Community Police Review Agency (CPRA) Update

Executive Director Mac Muir will provide updates on the CPRA to the extent permitted by state and local law. Topics discussed in the update may include the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item. (Attachment 3)***

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



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VIII. Ad Hoc Committee Reports

This is an opportunity for Chair Peterson to provide general updates about ad hoc committees, if applicable, and for representatives from active or upcoming ad hoc committees to share updates on their work, upcoming meetings, events, etc. Please be advised that ad hoc committee meeting discussions are fluid and may not have an official agenda. Recordings of meetings and minutes can be found on the Commission's YouTube channel (<https://www.youtube.com/@oaklandpolicecommission5962>) and the Commission's website (<https://www.oaklandca.gov/boards-commissions/police-commission#join-ad-hoc-committees>).

This is a recurring item.

Inspector General Search Ad Hoc: (Commissioners Jackson (Chair), Garcia-Acosta, Peterson)

The OIG Search Ad Hoc committee is tasked with conducting a nationwide search for the civilian Inspector General for the City of Oakland. This Committee will report to the Police Commission before announcing the nominee for the role. Committee Chair Jackson will provide an update about the search progress and next steps. Other than public open forum events, these meetings are not open to the public.

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

Staff Searches Ad Hoc (Commissioners Jackson (Chair), Garcia-Acosta, Peterson)

The Staff Search Ad Hoc Committee defines the role, attracts a diverse pool of qualified candidates, and manages a thorough and fair evaluation process. This includes screening applications, conducting interviews, and presenting the most suitable finalists to the hiring authority. The committee ensures an unbiased selection process and promotes diversity and inclusion. Committee Chair Jackson will provide an update about the search progress and next steps. These meetings are not open to the public.

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

Racial Profiling Ad Hoc (Commissioners Jackson (Chair), Garcia-Acosta, Peterson)

The Racial Profiling Ad Hoc committee served as a dedicated forum to address the complex issues of racial profiling while promoting community policing principles. The goal was to create lasting improvements in law enforcement practices and relationships between the police and the diverse communities they serve. Committee Chair Jackson will provide an update about the work of the Racial Profiling Ad Hoc Committee and the next steps, if any. These meetings were open to the public. *(Attachment 4)*

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



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Ad Hoc Committee Reports Continued

Discipline Matrix Ad Hoc: Jackson (Chair), Garcia-Acosta, Peterson

The Discipline Ad Hoc committee is responsible for reviewing and providing guidance on the Oakland Police Department's Discipline Matrix to ensure it aligns with the objective of fair and consistent disciplinary practices. The committee works to ensure that the matrix, associated policies, and resulting disciplinary actions reflect contemporary industry standards for progressive discipline. This includes recommending updates, possibly reviewing cases for adherence to these standards, and ensuring transparency and accountability in the disciplinary process. Committee Chair Jackson will provide an update on the current status and/or next steps, if applicable. These meetings are open to the public every Wednesday from 6 p.m. to 8 p.m.

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

NSA (Negotiated Settlement Agreement): Peterson (Chair), Jackson, Jackson-Castain

The NSA Ad Hoc committee was tasked with (1) Representing the Commission in all deliberations and discussions with other stakeholders pertaining to the Sustainability Period and efforts to resolve Court oversight; (2) Reviewing the status of OPD compliance with NSA Tasks 5 (investigations) and 45 (racial disparity in discipline) and make recommendations as to any policies that may be required to achieve compliance in these areas; and (3) Recommend policies and actions required to ensure that the constitutional policing mandated by the NSA continues beyond the Sustainability Period. Chair Peterson will provide an update on the current status and/or next steps, if applicable. These meetings were open to the public.

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

Budget Ad Hoc Committee: Commissioners Peterson (Chair), Garcia-Acosta, and Jackson-Castain

The Budget Ad Hoc Committee oversees the Police Commission budget and related fiscal activities. Committee Chair Peterson will provide an update. These meetings are not open to the public.

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



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IX. Upcoming/Future 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. The Commission will work on creating a list of agenda items for future meetings.

This is a recurring item.

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

XV. Open Forum Part 2 (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should submit a speaker card before the start of this item. Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission's Chairperson. ***This is a recurring item.***

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

XVI. Re-adjourn to Closed Session (if needed) and Read-Out of Closed Session (if any)

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

XVII. Adjournment

NOTICE: In compliance with the Americans with Disabilities Act and Equal Access Ordinance, for those requiring special assistance to access the video conference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact the Police Commission's departmental email at OPC@oaklandcommission.org for assistance. Notification at least 72 hours before the meeting will help enable reasonable arrangements to ensure accessibility to the meeting and to provide the required accommodations, auxiliary aids, or services



AGENDA REPORT

TO: Honorable Oakland
Police Commission

FROM: Charlotte Jones
Acting Inspector General

SUBJECT: Office of the Inspector General
Informational Report

DATE: September 26, 2024

PURPOSE

The purpose of this informational report is to provide the Oakland Police Commission (“Commission”) and members of the public with updates from the Office of the Inspector General (“OIG”), since the last presentation. In this document, the OIG provides a high-level outline of its prioritized projects and current activity. The OIG also attempts to address specific questions raised by Commissioners and community members at previous meetings. For additional context, the OIG has also included pertinent attachments that have been released since its last presentation. Through these reports, the OIG seeks to fulfill its commitment to providing transparent civilian oversight.

STAFFING

Internal Staffing

The Office of the Inspector General has no new internal staffing updates at this time. As we indicated previously, all open positions are currently frozen. As the Deputy Inspector General, I adhere to my responsibilities to maintain the internal operations of the office. I also continue to serve at the Acting Inspector General, handling the responsibilities of the IG, as this Commission seeks to hire a permanent Inspector General.

I look forward to continuing to serve the City of Oakland.

New Inspector General

The previous Inspector General resigned effective July 13, 2024. As the Commission is hiring an Inspector General, the office has appropriately not been involved in that process other than forwarding the applications and posting relevant notices on our social media. However, once the Commission has selected its candidate, the office will work to ensure that the onboarding process is handled smoothly, and that the new Inspector General receives all necessary equipment and documentation for a successful initiation into the IG role.

Police Performance Auditing Services

The OIG is tasked with auditing, evaluating and inspecting the operations and procedures of the Oakland Police Department, including the 52 tasks of the Negotiated Settlement Agreement, and the investigative processes and procedures of the Community Police Review Agency (CPRA). Without auditing staff those responsibilities were not being met. In order to maintain the operations of the OIG, in May 2024 the OIG submitted a Request For Proposals (RFP) for Police Performance Auditing Services. The scope of the work for the firm will be to conduct audits, evaluations, and reviews of OPD and CPRA compliance with policies, procedures, and laws. As the Deputy IG, I will be managing the services of the hired firm.

We indicated previously that four (4) firms submitted proposals. I, along with the OIG Policy Analyst and Director of Communications conducted thorough interviews of the four firms over the course of a week. After team consideration and discussion, I selected one of the firms to conduct the auditing services for the OIG. We are very excited about firm that has been selected as they have a large staff and many years of auditing experience. As we are in the contract process now, I won't go into more detail about the firm until the final contract is signed. Updates to follow.

OFFICE OF THE INSPECTOR GENERAL 2024 ANNUAL REPORT

The OIG is excited to announce that we have published our Annual Report for the 2024 fiscal year. The report showcases the OIG's work under our inaugural Inspector General, Michelle Phillips. Through her directive, we were able to publish several policy and case reviews with recommendations. You can find all the summaries in the report. The annual report also includes metrics related to the Department's in-service training for the fiscal year, as well as the OIG's strategic goals for the next four years, and the community engagement initiatives we have undertaken thus far.

The report is available online in English, Spanish, and Chinese. I also brought copies for each Commissioner and several others for members of the public to take home and read. We are proud of what we accomplished during our last fiscal year and are working to maintain the same quality of work as we move into the new fiscal year.

CITY CHARTER AND NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 OIG)

The OIG is required to audit, evaluate, and inspect the compliance of OPD with its policies and procedures. Some of these audits and evaluations are based on the requirements of the NSA which delineates policies and procedures that must be complied with by the OPD. Other policy audits and evaluations are based on issues observed while attending weekly IAD meetings, Risk Management meetings, Force Review Board and Executive Force Review Board meetings and through other observations. In addition, the OIG has the authority to audit and evaluate the compliance of the Community Police Review Agency with their policies and the law. In the upcoming future, the OIG plans to conduct:

Audit of NSA Section III: Internal Affairs Division (IAD) "inactive" (Tasks 3, 4, 7, 8, 9, 11, 13)

Policy Review of DGO B-08: Field Training Program (Task 32)

Audit of Vehicle Stops, Field Investigations and Detentions (Task 34)

Audit of closures of discrimination allegations

The OIG can make changes to planned audits based on changes in issues and priorities. The upcoming OIG Audit Work Plan for fiscal year 2025 will contain more specifics about each audit and review planned for the year.

CITY COUNCIL POLICY DIRECTIVE-OPD STAFFING STUDY

In consultation with City Administration, the OIG selected PFM Financial Advisors, LLC (“PFM Financial”) to conduct an OPD staffing study and resource analysis. The City Council unanimously approved the contract, which has been fully executed and is in its final stage of compliance review. The OIG meets bi-weekly with PFM Financial and OPD’s point of contacts to ensure timely communications and that we keep our timeline milestones, within reason.

The OIG in collaboration with OPD and the Information Technology Department (ITD) are regularly providing data on an ongoing basis as requested for comprehensive analysis. The PFM team conducted a site visit on May 15, 2024, and May 16, 2024. The work of this study is ongoing, with a proposed completion date of January 2025.

ADDITIONAL PROJECTS

The OIG is now prioritizing the OIG Audit Work Plan for fiscal year 2025, where we will indicate our audit and strategic goals for the year. For questions regarding this report, please contact the Office of the Inspector General, at OIG@oaklandca.gov.

Respectfully submitted,

Charlotte Jones
Acting Inspector General
Office of the Inspector General

2024 ANNUAL REPORT

CITY OF OAKLAND

OFFICE OF THE INSPECTOR GENERAL



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MESSAGE FROM THE INSPECTOR GENERAL

Dear Community Members,

I came to Oakland to serve the public as the Inspector General and build upon decades of community calls for police accountability. My vision was to establish an independent, transparent, and accountable civilian oversight office that ensures the City of Oakland has a constitutionally aligned and bias-free Oakland Police Department. As your inaugural Inspector General, I worked with a small but mighty team to complete impartial assessments and reviews. I am proud to publish the Office of the Inspector General's 2023-2024 Annual Report which includes summaries of the office's work throughout the last fiscal year.

The Office of the Inspector General's annual report highlights several recommendations focused on adherence to constitutional policing and enhanced community trust. The intent of these reviews and recommendations are to strengthen departmental policies and procedures and enhance compliance and accountability. This past year, we used the Annual Audit Work Plan as our compass, ensuring that we stayed focused on our mission and remained accountable and transparent to the community.

I believe the Office of the Inspector General has made great strides, strengthening internal controls that have allowed us to begin addressing the Oakland Police Department's structural issues and championing policy reform that will result in a better future for Oaklanders.

Although much work still needs to be done, I am proud of what has been accomplished. I have confidence that the office will continue to deliver on its mission, mandates, goals, and values for many years to come.

Best Regards,

Michelle N. Phillips



MISSION

The Office of the Inspector General (OIG) is an independent civilian oversight agency that monitors and audits the Oakland Police Department's (OPD's) policies, practices and procedures. The mission of the OIG is to ensure accountability, enhance community trust, and increase transparency via fair and thorough assessments of OPD's compliance with the law and departmental policies.

VISION

The OIG's vision is to build an effective, independent, and civilian operated, police oversight body that maintains a culture of impartiality, transparency, and accountability in its work.

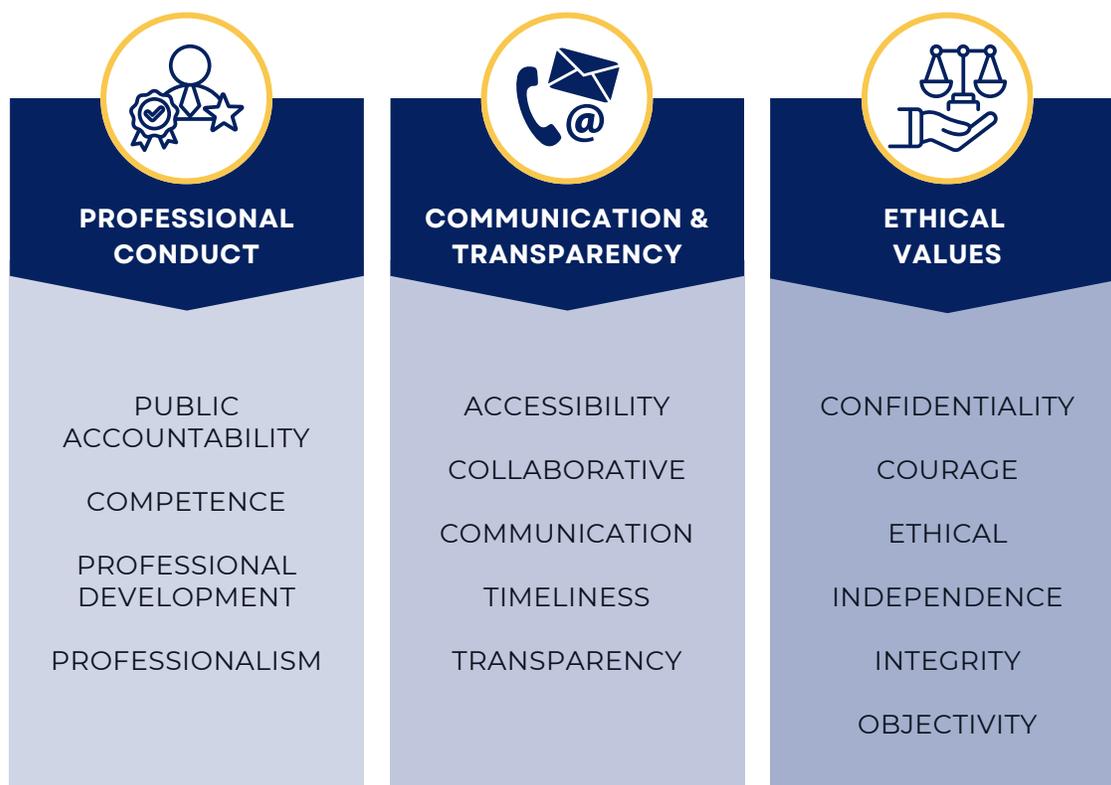
VALUES





PRINCIPLES & STANDARDS

The OIG operates under a clear set of principles. These principles guide every action, decision, and report we produce. The OIG upholds the professional standards set forth by the Association of the Inspectors General, and adheres to the National Association for Civilian Oversight of Law Enforcement Code of Ethics. The OIG classifies these standards and principles under the following categories:



The OIG practices these principles and standards in the following way:

- **Professional Conduct:** The OIG is committed to being honest, impartial, and accountable. We also recognize that it takes courage to do the right thing, even during difficult circumstances.
- **Communication & Transparency:** The OIG believes trust is built through transparency and accessibility.
- **Ethical Values:** Ethics and integrity are paramount for oversight practitioners. We review and present information objectively and independently without outside pressure.

AUTHORITY & JURISDICTION

As noted, in 2020, Measure S1 was passed to strengthen the City of Oakland's police reform efforts. Measure S1 also established the Office of the Inspector General (OIG), tasking it with monitoring the Oakland Police Department's compliance with policies, procedures, and laws, particularly those stemming from the Negotiated Settlement Agreement (NSA). Oakland City Charter Section 604(f)(5) specifically outlines the following jurisdiction and authority for the OIG:

SCOPE

Audit the Department's compliance with the fifty-two (52) tasks described in the Settlement Agreement in United States District Court case number COO-4599, Delphine Allen, et al., v. City of Oakland, et al.

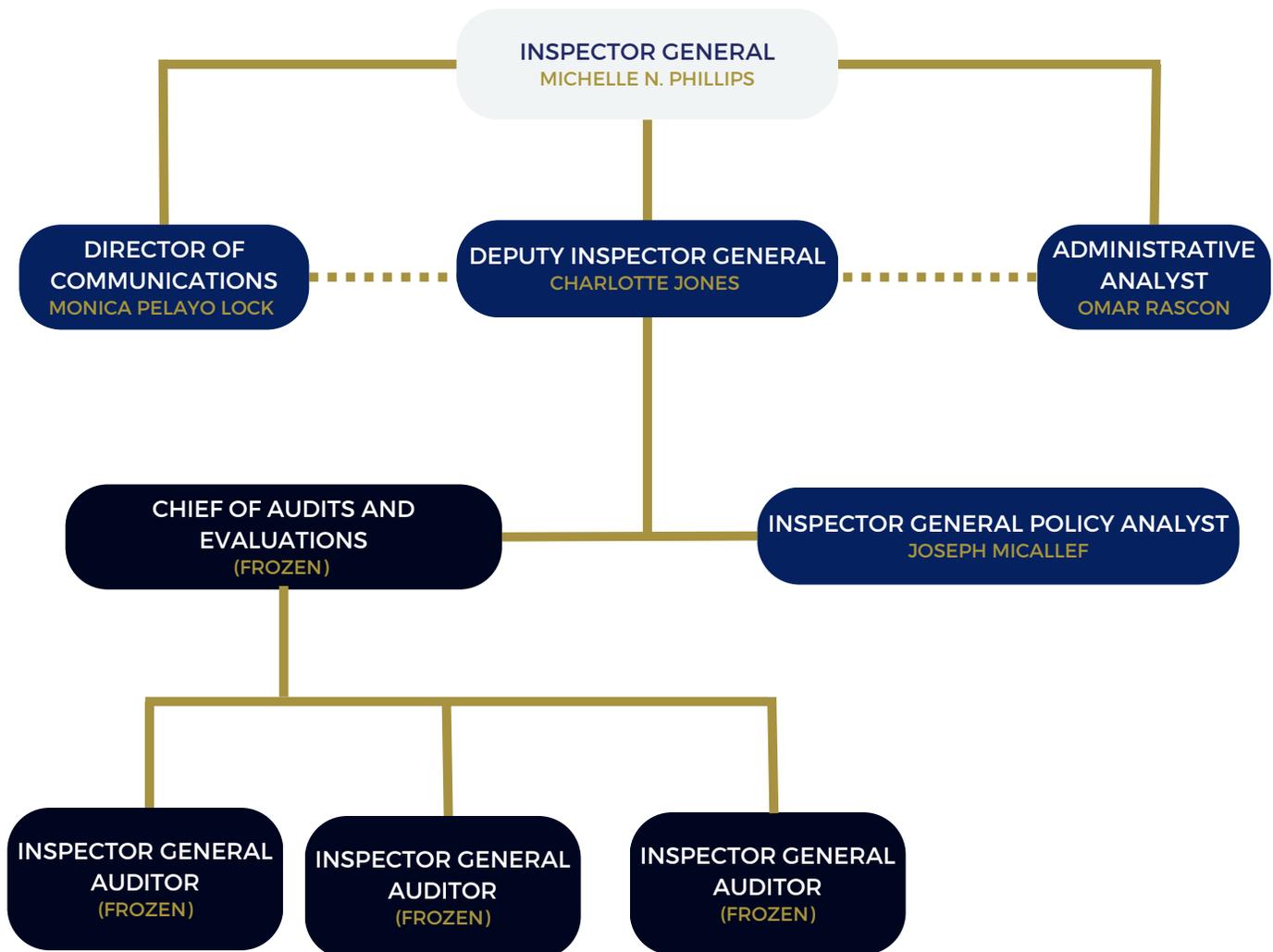
Make recommendations to the Department, the Commission, and the City Council based on its audit(s), even after the Settlement Agreement expires.

Review legal claims, lawsuits, settlements, complaints, and investigations, by, against, or involving the Department and the Agency.

Review Department data, investigative records, personnel records, and staffing information, as permitted by law.

Ultimately, the Office of Inspector General aims to enhance the effectiveness of the Oakland Police Department and Community Police Review Agency by submitting recommendations to stakeholders for consideration and implementation. The OIG presents its recommendations to its primary stakeholder, the Oakland Police Commission for consideration and action. The Commission and other stakeholders will procedurally determine what they will do with any recommendations derived from OIG reports. Even though the OIG is not the enforcement body or action holder for these recommendations, it can provide follow-ups to verify implementation.

OIG ORGANIZATIONAL CHART



The Office of Inspector General has worked with the City Administration to identify the appropriate level of staffing to serve Oaklanders. With the support of the City of Oakland, the OIG was budgeted nine full time positions. At its inception, the budget restraints and lengthy hiring process led the office to operate with temporary staff members and freeze critical positions.

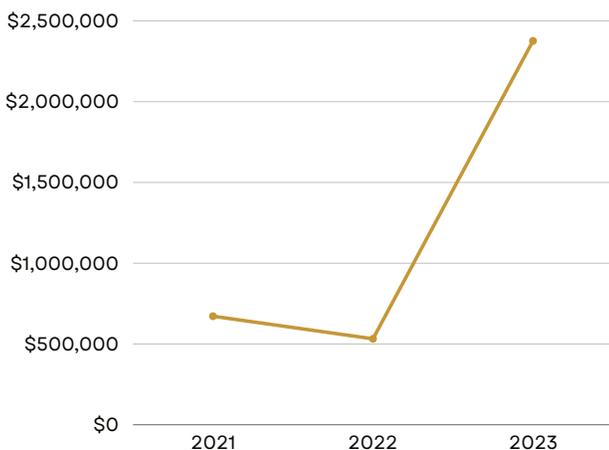
In 2023, the OIG began recruiting for permanent staff. The OIG is dedicated to filling all positions with full time permanent staff members in the next year if the budget allows, to support the work and stabilize the office.



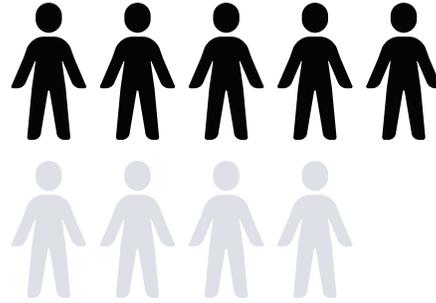
OVERVIEW

Oakland City Charter Section 604(e) states, "The City shall allocate a sufficient budget for the Commission, including [CPRA] and the OIG, to perform its functions and duties as set forth in this Charter section 604, including budgeting." Since its inception, the OIG has evolved significantly, increasing its budget and resources. The budget covers salaries, materials, supplies, and equipment. The OIG remains committed to a productive and cost effective agency that does not waste economic resources.

OIG BUDGET



STAFFING

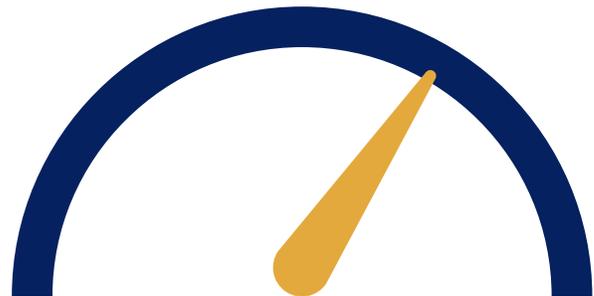


FY 2024

Of the nine budgeted staff positions, five positions are filled with permanent full time staff.

The Inspector General has advocated to increase OIG's budgeted staffing positions in order to conduct more timely audits, reviews, evaluations, and inspections. From 2022 to 2024, the OIG grew from one staff to five and has the additional resources allocated to employ up to nine total permanent staff.

PUBLISHED REPORTS



In spite of limited resources and staffing, the OIG has published **6 public reports** which are all available on the OIG website.

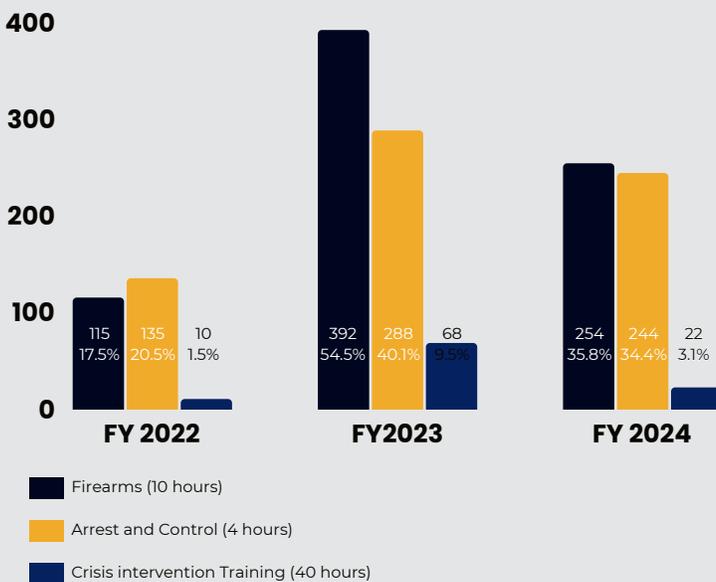
ENABLING ORDINANCE REQUIREMENTS AND ADDITIONAL POLICE DEPARTMENT TRAINING

According to the City of Oakland’s Enabling Ordinance Section 2.45.120(B), the Office of Inspector General is tasked with monitoring the number and percentage of sworn officers receiving in-service training in profiling and implicit bias, procedural justice, de-escalation, situational problem-solving, diplomacy, and work-related stress management. The Negotiated Settlement Agreement requires sworn officers take up to 40 hours of in-service training every 18 months.

DE-ESCALATION & SITUATIONAL-PROBLEM SOLVING

OAKLAND POLICE DEPARTMENT

The Department teaches these subjects in courses related to Firearms, Arrest and Control, and Crisis Intervention Training.



PROFILING AND IMPLICIT BIAS

OAKLAND POLICE DEPARTMENT

The Department has not offered courses in Implicit Bias and Procedural Justice since 2018. It is in the process of reinstating the Procedural Justice class, augmenting it with new work in the area of Reconciliation. Officers who have not taken the course before will be required to take an eight-hour course while a two-hour online refresher course will be offered to officers in Summer 2024.

DIPLOMACY

OAKLAND POLICE DEPARTMENT

The Department teaches Diplomacy in its “Policing in the Community” (30 hours) and “Leadership, Professionalism, & Ethics” (14 hours) units at the Academy. No other data related to in-service training was given to the Office of Inspector General.

WORK-RELATED STRESS MANAGEMENT

OAKLAND POLICE DEPARTMENT

The Department offers an “Emotional Intelligence, Mental Health, Substance Abuse, Financial Wellness, and Resiliency” course (8 hours), which was last offered in 2021.

POLICE OVERSIGHT TRAINING FOR NEW OFFICERS

Police officers who have just completed the academy must attend additional training specific to the Oakland Police Department and the City of Oakland. OIG leads a section on civilian oversight.

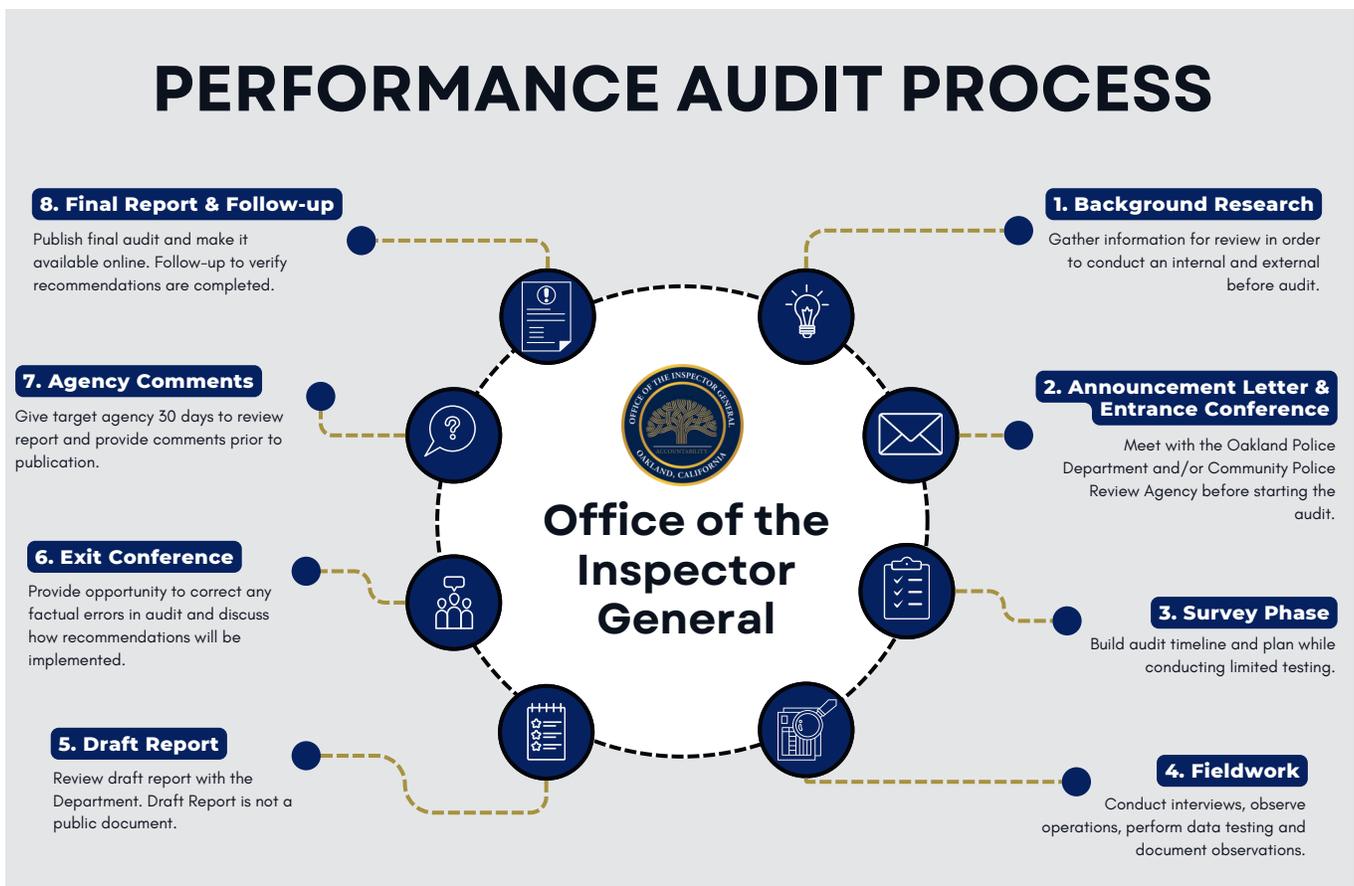


AUDITS, EVALUATIONS, INSPECTIONS & REVIEWS

The Office of the Inspector General conducts performance audits, evaluations, inspections, and reviews of the Oakland Police Department and Community Police Review Agency. Following its analysis, the OIG will provide findings and recommendations, if any to assist with improvements in policies, procedures, and practices.

Performance audits help determine if the Department or Agency are in compliance with policies, procedures, rules and the law. The OIG's audit priorities are set by legislative requirements, the Negotiated Settlement Agreement, developing trends, and identified issues embedded within the Department or the Agency.

Additionally, community concern with current police practices may induce an audit. As required, the Audit Section will assess whether the Department or Agency personnel are complying with existing policies and procedures, derive at findings and recommendations, if applicable to strengthen compliance and decrease risk. OIG reports are presented to the appropriate action holder for their review and subsequent action.



PUBLISHED REPORTS

INTRODUCTION

The Office of Inspector General uses performance audits, inspections, evaluations as tools to assess the Department and the Agency's compliance and hold them accountable. Following an assessment, the OIG may propose changes to existing policies or the creation of new policies. If applicable, OIG will use information derived from an audit, review, inspection, or evaluation to inform its recommendations. Reviews can also be initiated and informed by a community concern with a Department or Agency policy, procedure, or practice.

COMPLIANCE EVALUATION OF THE DEPARTMENT'S GENERAL ORDER B-08: FIELD TRAINING PROGRAM

Released September 7, 2023



The OIG conducted a review into the Department's Field Training program to determine if it remained in compliance with Task 42 of the Negotiated Settlement Agreement. The compliance evaluation had two primary objectives:

1. Determine if the Field Training Unit (FTU) interviews each trainee and ensures that the trainee completes a Personal Interview Questionnaire (PIQ) before they rotate Field Training Officers.
2. Determine if the FTU had been conducting three Focus Group Sessions (FGSs) and holding consistent Quarterly Panel Reviews (QPR).

The evaluation determined that while the Department was generally compliant with the requirements of Task 42, the Quarterly Panel Reviews (QPR) have not been conducted consistently. To alleviate this issue the OIG recommended the Department streamline the QPR process to ensure that the QPRs both have value to the Department and are conducted on a consistent basis.

RECOMMENDATION TO ESTABLISH A DEPARTMENT SEXUAL MISCONDUCT POLICY

Released January 18, 2024

The OIG self-initiated a review of the Department policies regarding sexual misconduct. This policy review was prioritized as a result of sexual misconduct committed by officers over the years in Oakland. From the review the OIG found that while policies discouraging sexual misconduct existed, these policies failed to singularly identify sexual misconduct as a unique action. Within the Manual of Rules sexual activity was placed within “Prohibited Conduct on Duty” alongside actions like gambling and sleeping on the job and the term sexual misconduct is entirely absent.



The behaviors referenced in one section, create a great deal of ambiguity about the seriousness of sexual misconduct.

The OIG recommended the Department create a dedicated policy for sexual misconduct based in part on the policy within the Chicago Police Department. A dedicated policy would re-affirm the Department’s commitment to eliminating sexual misconduct within their ranks and provide more transparency about the frequency of sexual misconduct within the Department and the matrix used to hold officers who face allegations of sexual misconduct accountable.



REPORT ON THE STATE OF DEPARTMENT NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) COMPLIANCE

Released March 14, 2024

The OIG conducted a review into the Department's current federal crime reporting standards. Each police department in the country reports crime data to the FBI on a regular basis as a part of the Uniform Crime Reporting (UCR) program. Up until 2016 this reporting was done almost exclusively via the Summary Reporting System (SRS).

However, since then the FBI has been heavily encouraging departments to switch over to the more detailed National Incident-Based Reporting System. The FBI's 2021 data collection excluded SRS data, leaving a number of cities including Oakland without standardized crime data for 2021. The FBI returned to allowing SRS reporting in 2022, however it is possible that in the future SRS reporting will be once again rejected.

From this review the OIG found that while the Department has repeatedly expressed a desire to reach NIBRS compliance, they have yet to submit any NIBRS data or discuss the transition with the Police Commission. In both the 2020 and 2021 Annual Reports the Department listed full NIBRS compliance as an expected outcome for the following year, yet as of 2024 no NIBRS data has been reported. Additionally, the Department has received virtually no dedicated funding for NIBRS transition despite cities throughout California receiving hundreds of thousands of dollars from grantees to fund the transition.

The OIG recommended that the Department provide the Police Commission regular updates on the state of the NIBRS transition along with explanations behind any delays the Department may face. Given that NIBRS is a significantly more detailed dataset than the SRS and this level of detail comes with high transitional costs the OIG further recommended that the Department reach out to the Federal Bureau of Justice Statistics and the State Department of Justice, among others, to seek additional funding if necessary.

POLICY REVIEW OF DEPARTMENTAL GENERAL ORDER M-19: PROHIBITIONS REGARDING RACIAL PROFILING AND OTHER BIAS-BASED POLICING

Released April 2, 2024

The OIG reviewed the Departmental General Order M-19 (DGO M-19): *Prohibitions Regarding Racial Profiling and Other Bias-Based Policing*. Originally established in 2004 in the wake of the Riders case, DGO M-19 is designed to help address concerns of racial profiling of members of the community and bias-based policing activities.

After a review of DGO M-19, the OIG found the policy to be outdated and lack specificity in several areas. One example is the lack of definitions or timelines that could impact an investigator's ability to effectively hold someone accountability for misconduct.

The OIG proposed the following six recommendations:

Recommendation 1

The Department confirm DGO M-19's language is consistent with California Penal Code Section 13519.4 (PEN § 13519.4).

Recommendation 3

The Department create a glossary that defines each protected category or characteristic.

Recommendation 5

The Department clarify the timeline for the supervisory audits, as required by Section XI – Supervisory Responsibilities.



Recommendation 2

The Department insert color, gender identity or expression, as well as mental or physical disabilities, as protected characteristics, or categories.

Recommendation 4

The Department set clear timelines reporting incidents of profiling, with accountability measures in place for missed deadlines.

Recommendation 6

The Department verify all DGO M-19 requirements align with current OPD operating procedures.

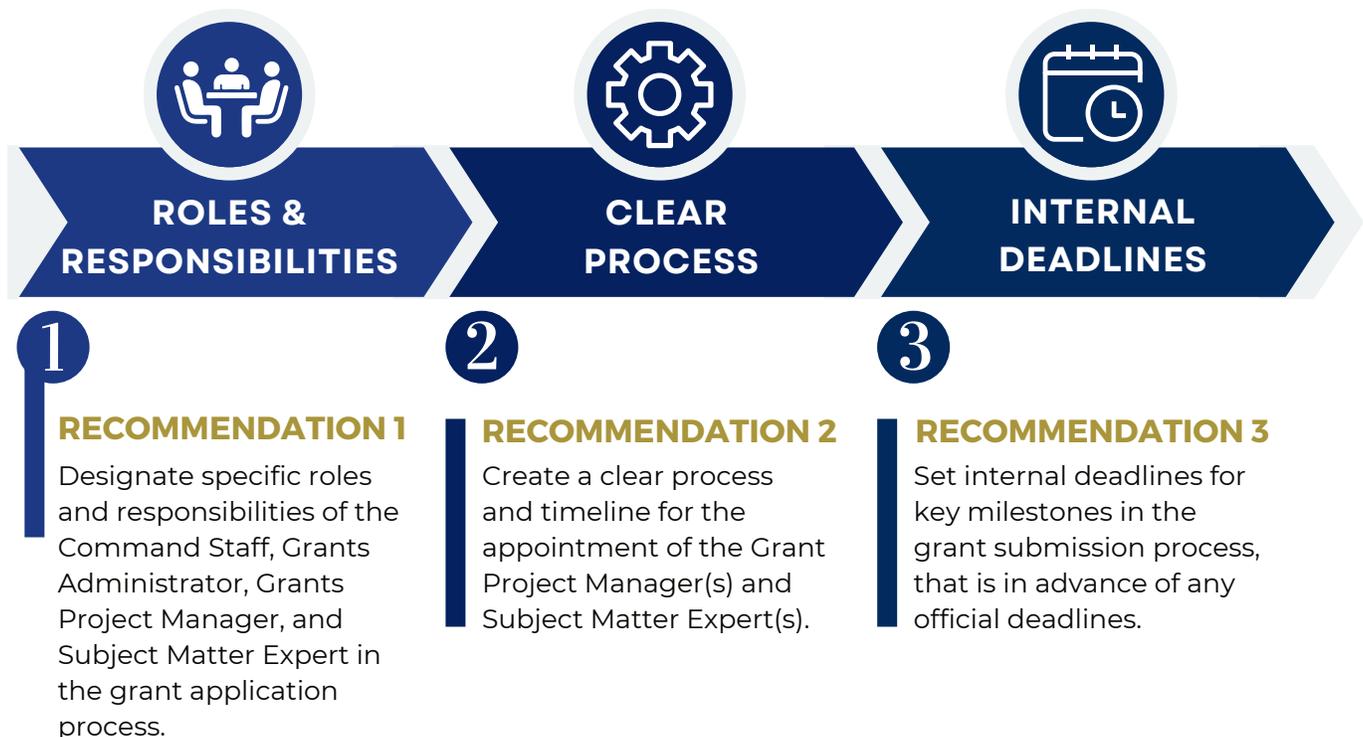
POLICY REVIEW OF THE DEPARTMENT'S GENERAL ORDER N-04: POLICE GRANTS

Released May 7, 2024

The Office of Inspector General analyzed the Department's grants management policy, DGO N-09: *Police Grants*. This review was self-initiated following the City's failure to apply for the California Organized Retail Theft Prevention Grant.

The OIG found the Department policy lacked specificity for grants management guidance. The lack of clarity in the policy created barriers during the process and led to a lack of decisiveness and multiple delays. A lack of defined roles and responsibilities led to an inability to determine the purpose of the funding. The grant was highly competitive – with only a third of applicants receiving any funding – and the purpose was the most highly weighted section of the grant application. However, this indecision served as a significant barrier to application completion and foreclosed all possibility of the Department receiving funding.

The OIG in turn recommended the Department establish a Grants Management Policies and Procedures (P&P) Manual that includes the following:



REVIEW OF INTERNAL AFFAIRS DIVISION CASES 07-0538, 13-1062, AND 16-0146: POLICY RECOMMENDATIONS DERIVED FROM THE BEY MATTER

Released May 17, 2024

The OIG conducted a review into three Internal Affairs Division (IAD) cases collectively referred to as the Bey Matters. The cases span over several years from 2007 to 2016. This review was requested by the Oakland Police Commission prior to the appointment of the Inspector General.

The goal of the review was to determine policy deficiencies, note lessons learned, and provide recommendations where appropriate. The analysis revealed deficiencies in several policies, with the OIG ultimately recommending changes to the following:

01

Criminal Investigation Division Policy 15-01: Homicide Unit Call-Out Criteria and Unit Investigations

02

Criminal Investigation Division Policy 13-03: Felony Assault Unit Call-Out Criteria and Unit Investigations

03

Departmental General Order M-3: Complaints Against Departmental Personnel or Procedures

04

Departmental General Order M-3.1: Informal Complaint Resolution

05

Departmental General Order M-19: Prohibitions Against Racial Profiling and Other Bias-Based Policing

06

Codified policy section that requires IAD provide complaint closure documentation to the Community Police Review Agency for review prior to official closure to ensure agreement.

COMMUNITY OUTREACH

The Office of Inspector General is committed to serving Oakland through community outreach and education efforts. The OIG regularly participates in local engagement activities, professional development workshops, cultural celebrations, and community meetings. Our goal is to ensure that the OIG is an agency people can trust. To aid in our educational and engagement goals, we maintain an active presence on Instagram, Twitter (X), and LinkedIn, continuing our #FAQFridays campaign and launching the #DidYouKnow campaign to keep the community informed of the Department's policies and procedures. When a new report is published, we issue press releases and build social media campaigns with links to the OIG website. These mechanisms ensure transparency and allow OIG to reach audiences most impacted by police misconduct.



Love Life Healing Summit

Oakland, CA
October 20, 2023



NACOLE Conference

Chicago, IL
November 12, 2023



Metro Chamber of Commerce Leadership Workshop

Oakland, CA
January 12, 2024



MLK Day of Service

Oakland, CA
January 15, 2024



National Forum for Black Public Administrators

Baltimore, MD
April 3, 2024



Municipal Management Association Northern CA Women's Leadership Summit

Oakland, CA
May 4, 2024



CONCLUSION

The Office of Inspector General will continue to deliver on its mandate to work towards ensuring the City of Oakland has effective and efficient constitutional policing. Through impartial, transparent and prudent assessments, the OIG will remain mission focused and community centered.

We are thankful for the partnerships we have cultivated across Oakland and look forward to continuing our work of civilian oversight with key stakeholders, building a stronger public safety accountability ecosystem.

STRATEGIC GOALS

This year the Office of the Inspector General crafted a strategic plan, identifying four goals that align with its mission, values, and desired service outcomes. These goals will be used as a guide to create a solid and sustainable oversight foundation for the Office, over the next four years.

01. Sustainable Relationships

Foster an environment that promotes authentic relationships.

02. Excellence

Invest in continuous capability and process development.

03. Transparency

Maintain accountability and clear communication both internally and externally.

04. Innovation

Establish Office of the Inspector General Data Management practices.



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tinyurl.com/OIGMailingList.



Email oig@oaklandca.gov



Call (510) 238-2088



Visit <https://www.oaklandca.gov/departments/inspector-general>

OAKLAND POLICE DEPARTMENT REPORTING TEMPLATE
FOR POLICE COMMISSION MEETING

*+There hereby is established the Oakland Police Commission (hereinafter, Commission), which shall oversee the Oakland Police Department (hereinafter, Department) in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing. * - Oakland City Charter Section 604(a)(1)*

Prepared: 9/19/2024

I. 52 NSA Task Force – Status of Compliance, Charter 604(f)(5)

Task	
Task 2, 5, 24, 25 and 45	<ul style="list-style-type: none"> • 8th IMT Sustainability Report (2 Aug 24): Task 2: Timeliness Standards and Compliance with IAD Investigations <ul style="list-style-type: none"> ▪ In compliance • Task 5: Complaint Procedures for IAD <ul style="list-style-type: none"> ▪ Not in compliance • Task 24: Use of Force Reporting Policy and Task 25: Use of Force Investigations and Report Responsibility <ul style="list-style-type: none"> ▪ In compliance • Task 45: Consistency of Discipline Policy <ul style="list-style-type: none"> ▪ No compliance Finding <p>Eighth NSA Sustainability Period Report of the Independent Monitor for the Oakland Police Department</p> <p>Failure to Accept or Refer Complaint (FTARC) and Supervisory Notes File (SNF) inspection – complete</p> <ul style="list-style-type: none"> • Patterns definition – collaboration meeting w/ OIG, CPRA, IMT on 19 Mar 24. • Revisions are underway based on the feedback provided by the CPRA and IMT. • 2nd Draft definition of “Patterns” provided 12 Aug 24: <ul style="list-style-type: none"> ▪ <i>“A pattern of behavior is defined as three or more related incidents of a similar nature, committed by an employee within two years (730 days). This behavior is characterized by regularity, suggesting a systematic or habitual nature rather than isolated events. Identifying a pattern is based on the frequency, consistency, and similarity of the behaviors or actions under comparable circumstances.</i> <p style="text-align: center;"><i>A recognized pattern mandates Internal Affairs notification as defined in DGO M-03.”</i></p> • Next steps: OPD needs approval from the monitoring team and stakeholders before amending DGO M-03. <p>Case Management Conference (CMC) – 4 Sep 24 (Summary below)</p> <ul style="list-style-type: none"> • Court oversight shall continue. • IAD shall be a “direct report” to the Chief of Police. The commander of IAD shall hold the rank of Deputy Chief of Police. <ul style="list-style-type: none"> ○ Effective Saturday, 14 Sep 24, Deputy Chief Mendoza will oversee IAD, and directly report to Chief Mitchell. • The mayor, or a mayoral representative, the City Administrator, a representative of the Office of the City Attorney, the Chief of Police, and a representative from the Monitoring Team are required to meet every two weeks.

* “Constitutional Policing Matters” include: Use of force; Use of force review boards; Profiling based on any of the protected characteristics identified by Federal, State, or local law; First Amendment assemblies; Use of militarized equipment; and Elements expressly listed in Federal court orders or Federal court settlements such as the Negotiated Settlement Agreement.

	<ul style="list-style-type: none"> The City shall file a Status Report on 8 Oct 24 to explain how the court order has been implemented. Tasks 24 and 25 will no longer be subject to active monitoring.
IMT Visit	Nov 24
Next CMC	

II. Policies Related to Constitutional Policing Matters – Status Update, Charter 604(b)(2) and 604(b)(4)-(5)
III. Any Other Policy, Procedure, Custom, or General Order Regardless of Its Topic – Status Update, Charter 604(b)(2) and 604(b)(6)

Policy	
J-04 Pursuit Policy	In OPC Community Policing Ad Hoc. Attended and presented at the Public Forum on 31 Jul 24.
BFO P&P 15-01 Community Policing	OPC approved Draft First Reading – 25 Jul 24 Police Commission Reviewing Policy outcome from Ad Hoc
Sexual Misconduct Policy	Under review with the City Attorney’s Office.
Racial Profiling / Bias Policy (DGO M-19)	Under final review with the stakeholders and will soon be presented to the Commission.
K-4: Reporting and Investigating the Use of Force. (SO 9214)	OCA review complete. Executive Team review for final submission. Pending scheduling for Chief presentation and review.
SO 9216: Excited Delirium	Special order presented to OPC twice. Pending OPD approval.
Militarized Equipment Annual Report	Draft presented to the Police Commission on 11 Jul 24.

IV. OPD Budget, Charter 604(b)(7) & MC 2.45.070(C)-(D)

Topic													
Staffing & resource management	<p><i>Sworn Staffing</i> Authorized: 678 Filled: 686</p> <p><i>Communications Dispatchers</i> Authorized: 78 Filled: 68 (25 in training)</p> <p><i>Professional Staffing</i> Authorized: 303.50 Filled: 260.5</p> <p><i>Vacancies of note:</i> Police Records Specialist (4) (6 Police Records Specialist positions are frozen) Police Communications Dispatcher (10) 4 Dispatchers tentatively hired eff 26 Oct 24.</p> <table border="1" data-bbox="412 1822 932 1936"> <thead> <tr> <th>As of</th> <th>Admin Leave</th> <th>Medical Leave On-</th> <th>Medical Leave Personal Illness/</th> <th>Military Leave</th> </tr> </thead> <tbody> <tr> <td>Sept 19, 2024</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	As of	Admin Leave	Medical Leave On-	Medical Leave Personal Illness/	Military Leave	Sept 19, 2024						
As of	Admin Leave	Medical Leave On-	Medical Leave Personal Illness/	Military Leave									
Sept 19, 2024													
	<p><i>Long-term leave:</i> 80 sworn employees</p> <ul style="list-style-type: none"> 47 Medical Leave 33 Admin Leave <ul style="list-style-type: none"> 1 Lieutenant 4 Sergeants of Police 28 Police Officers 0 Military Leave <p>Of the 33 sworn personnel on admin leave, 11 have been off for 1-2 years. The annual cost associated with those 11 employees is \$2,996,244. The cost breakdown is below:</p> <table border="1" data-bbox="971 1772 1484 1936"> <thead> <tr> <th>Admin Rank</th> <th>Position</th> <th>Cost</th> <th>Total Cost</th> </tr> </thead> <tbody> <tr> <td>Lieutenant of Police</td> <td>1</td> <td>355,644.00</td> <td>355,644.00</td> </tr> <tr> <td>Police Officer</td> <td>10</td> <td>264,060.00</td> <td>2,640,600.00</td> </tr> </tbody> </table>	Admin Rank	Position	Cost	Total Cost	Lieutenant of Police	1	355,644.00	355,644.00	Police Officer	10	264,060.00	2,640,600.00
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Academy Recruits	<p>Academy 193rd: 12 graduated on 10 May 24 – Currently in FTO 4th Phase. Academy 194th: Started June 2024. Chief Mitchell and Commissioner Jackson attended first day.</p> <ul style="list-style-type: none"> • 28 OPD and 1 outside agency (Alameda PD) - Now in 12th week. • Scheduled to Graduate 20 Dec 24 <p>Academy 195th: Scheduled to start on 9 Nov 24 Academy 196th: TBD</p>																																								
General Department functions (IAD)	<p>Skelly Data:</p> <ul style="list-style-type: none"> • All trained Commanders and Managers can conduct Skelly's • Changed to digital format • Waiver for Officers <ul style="list-style-type: none"> ○ Working with City Attorney to formalize • Added personnel to assist 	<p>Number of pending Skelly's - 164 Number of Skelly Hearing Officers – 45 Number of Skelly in “hearing” status - 30 Wait time for each Skelly – Varies How are Skelly Officers selected (training, recusals. Etc.) - Must attend Skelly Hearing Officer Training A Skelly Unit dashboard is currently being created for tracking</p>																																							
IAD Cases	<p>2023 2040 total cases 114 Sustained cases 348 sustained allegations</p>	<p>2024 Total cases this year closed – 908 (as of 13 Sep 24) Total cases open – 1277 (as of 13 Sep 24) Total cases in IA – 80 (as of 13 Sep 24) Total cases in DLI – 147 (as of 13 Sep 24)</p>																																							
SB 2	<p>https://post.ca.gov/Peace-Officer-Certification-Actions</p>	<p>SB 2 List: 2024 (Year-To-Date) 3 total Oakland PD</p>																																							
General Department functions (CID)	<p>SVS Juvenile Cases: 2024 (Year-To-Date)</p> <ul style="list-style-type: none"> • Juvenile Arrests: 266 total juvenile arrests • Referrals to restorative justice programs (i.e. NOAB): 3 • YTD Restorative Justice Referrals:42 <p>Missing Persons: 2024 (Year-To-Date)</p> <ul style="list-style-type: none"> • YTD MPU Cases: 836 • YTD Closed MPU Cases: 700 <p>DVU Cases: 2024 (Year-To-Date)</p>	<p>Hate Crimes: 2024 (Year-To-Date)</p> <ul style="list-style-type: none"> • Total Cases: 21 • New cases: 1 • Hate Crime Investigators <ul style="list-style-type: none"> ○ Ofc. Mae Phu ○ Ofc. W. Earl Seay 																																							

	<ul style="list-style-type: none"> Total cases: 2,489 Clearance rate on DV cases is near 100%: These are named suspect cases. All I/C and Out of Custody cases get reviewed by an investigator. Domestic Dispute - 668 243(e)(1) - 639 273.5 - 699 	
Education and training regarding job-related stress, PTSD, wellness	<p>September is Suicide Prevention Awareness Month</p> <ul style="list-style-type: none"> Posted information/resources Peer Support and the Professional Development and Wellness Unit emailed information/resources to everyone at OPD <p><u>Wellness Center Activities:</u></p> <ul style="list-style-type: none"> Lexipol Webinar on Strengthening Resiliency: 5 Actionable Solutions to Improve Wellness OPD Chaplin's Meeting Promoted National Police Women Day 	
Budget QUARTERLY	Last: Next:	
Citywide Risk Management QUARTERLY	Last: 27 Aug 24 Next: 19 Nov 24	

V. Collaboration with OIG

Project	Status
NSA Inspections Tasks: 3, 4, 7,8, 9, 11, and 13	Meetings and data sharing.
OPD Staffing Study	Biweekly meetings with OIG and PFM. Ongoing data collection and sharing.
M-19 Audit Response	Completed and provided to the Ad Hoc on 3 Apr 24.
Review of IAD Cases 07-0538, 13-1062, and 16-0146	In progress. Due 24 Apr 24.
Sexual Misconduct Policy	Policy: see policy section.
"Patterns" definition	Collaboration meeting w/ OIG, CPRA, IMT on 19 Mar 24.
OIG Document on OPD Policy Types	Created by OIG and OPD completed review.
FTO Study	Completed.

VI. Collaboration with CPRA

VII. Rules and Procedures for Mediation and Resolution of Complaints of Police Misconduct, OMC 2.45.070(N)

Project	Status
Transition of IAD to CPRA	Information sharing with the Transition Consultants Moeel Lah Fakhoury Law Firm – Andrew Lah and Russell Bloom
Daily Complaint Log, Weekly IAD Meetings	Ongoing
Complaints & Mediation	Pending
"Patterns" definition	Collaboration meeting w/ OIG, CPRA, IMT on 19 Mar 24.

VIII. Collaboration with Community

Project	
OPOA Women's Committee Mixer	Chief Mitchell attended on Aug. 22 nd
Clean & Safe City	Aug. 23, 26, 27, 29, and 30th – 5:30 to 7:30 p.m.
National Night Out	Tuesday, 6 Aug 24 4:00pm - 8:00pm
OK Program of Oakland	<p>The OK Program (Our Kids) is a national mentoring model for Black men and boys, focusing on Black males ages 12-18 years old. It establishes partnerships between Black communities, police agencies, and school districts in cities throughout the United States.</p> <p>Our 5 Strategic Partnerships include:</p> <ul style="list-style-type: none"> ● Oakland Police Department ● Alameda County Probation Department ● Acts Full Gospel Church ● 100 Black Men on the Bay Area ● Oakland Unified School District <p>2023 Impact from a Glance (2023 Annual Report):</p> <ul style="list-style-type: none"> ● 97 New Student Members, 376 total student members ● 100% Graduation Rate – for in Chapter Members ● 89 Parent Meetings ● 67 Teacher Meetings ● 64 Classroom Visits ● 177 New Teammates (Black Male Mentors) - trained and certified ● Over 1,700 Guidance Sessions ● 93% High School Graduation Rate ● Less than 2% incarceration rate – of OK Program active members ● 376 families served; an average of 1,504 people impacted ● 17 families provided with basic household furniture
Community Mentorship	Two officers and our Wellness Coordinator attended an event in the community to mentor young girls along with PAL (Oakland Police Activities League) and Merritt College - July 26th.
Job Fair	<p>On April 25, 2024, Communications Division staff participated in the Oakland Coliseum Job Fair alongside the R&B Unit. This event allowed them to engage face-to-face with individuals interested in working with the OPD dispatch team. They extended personal invitations to the attendees to attend the Virtual Dispatcher Information Session scheduled for later that evening. It was encouraging to see that several people who connected with the dispatchers at the job fair joined the virtual session, allowing them to maintain their enthusiasm and continue the dialogue about the critical role of dispatchers in our community.</p> <p>On May 1, 2024, Communications Division staff attended the Merritt College Job Fair, where they interacted with numerous individuals expressing interest in joining the Oakland Police Department. Notably, one attendee shared that she had recently met a dispatcher at the City of Oakland Job Fair on March 22, 2024. She felt this repeated encounter was a sign that she should pursue a dispatcher job with the Oakland Police Department. This reaffirmed the importance of the Communications Division staff's consistent presence at community events, demonstrating that their ongoing engagement is impactful and essential for building lasting connections and inspiring future applicants.</p>

IX. Status of Submitting Records/Files Requested by Commission, Charter 604(f)(2)

File	Status
None	

X. New Laws Affecting OPD

Law	
2024 New Laws Generally	Training plan to OPC 8 Feb 24. Training Bulletin being drafted. Training was published on 2 Apr 24.
2806.5 VC / Citation Update (AB 2773)	Update sent 19 Mar 24. • tell detainees the reason for the stop, prior to any questioning related to a criminal investigation or traffic violation • document the reason for the stop on citations and reports associated with the stop
AB 360: “excited delirium”	See policy section.

XI. Required Reporting to the California Department of Justice / Attorney General**XII. Policy/Practice on Publishing Department Data Sets, OMC 2.45.070(P)**

Report	Status
OIS or SBI (GC 12525.2)	Annual report: sent 26 Jan 24
DOJ Clearance Rates	In the process of gathering the information. Records enters crime data for UCR reporting.
Stop Data (GC 12525.5)	Annual report 2023 Stop data was transmitted to State – sent 11Mar 24

XIII. Any Commission Requests Made by Majority Vote of Commission – Status Update, Charter 604(b)(8)**XIV. Report from Department via City Administrator or designee, on Issues Identified by Commission through Commission’s Chair, OMC 2.45.070(R)**

Request	
Ceasefire	<ul style="list-style-type: none"> • Director Reverend Damita Davis – Howard to present: <ul style="list-style-type: none"> ○ Ceasefire
30x30 - OPOA Women’s Committee	<ul style="list-style-type: none"> • Lt. Alexis Nash to present: <ul style="list-style-type: none"> ○ 30x30 ○ OPOA Women’s Committee ○ Women Leaders in Law Enforcement Symposium (WLLE)
Patterns Definition	<ul style="list-style-type: none"> • Presented 22 Aug 24 - “Patterns” Definition – Lt. Hubbard
Skelly	<ul style="list-style-type: none"> • Presented 22 Aug 24 - Update on Skelly – Act. Capt. Dorham
Wellness Unit	<ul style="list-style-type: none"> • Presented 22 Aug 24 - Wellness Unit Update – Dr. Nettles
J-04 Pursuit Policy	<ul style="list-style-type: none"> • Presented on 31 Jul 24 at the Community Policing Ad Hoc Public Forum - Capt. Ausmus, A/Captain E. Perez-Angeles, and Sgt. Urquiza-Leibin
SB 2	<ul style="list-style-type: none"> • Presented on 25 July 24 – Lt. Dorham
	<ul style="list-style-type: none"> •
911 System Grand Jury Report Presentation	<ul style="list-style-type: none"> • Presented on 11 July 24 – Deputy Director Suttle and Mgr. Cheng

MACRO Strategy Development	<ul style="list-style-type: none"> Presented on 11 July 24 – Deputy Director Suttle and Mgr. Cheng 																				
MACRO Data	<ul style="list-style-type: none"> 01Aug24- 16Sep24 monthly data here: 214 potential calls (were not able to refer due to criteria) This calls include call the following call types: <table border="1"> <tr> <td>415</td> <td>415J</td> <td>912</td> <td>EVAL</td> </tr> <tr> <td>415CU</td> <td>647</td> <td>5150</td> <td>OMC</td> </tr> <tr> <td>415D</td> <td>647C</td> <td>602l</td> <td>SLEEP</td> </tr> <tr> <td>415F</td> <td>601l</td> <td>922</td> <td>WELCK</td> </tr> <tr> <td>415E</td> <td>647F</td> <td>314</td> <td>SENILE</td> </tr> </table> 115 calls referred 106 Number of calls MACRO actually went to MACRO (there were 9 calls with disposition of MACR1- Macro Time Out- Not Handled. OPD tracks duty hours and number of crews working for dispatching purposes New CAD System does not yet track calls sent to MACRO and then sent back to OPD to handle; however, please note, per MACRO DATA states a total of 237 calls transferred to Law Enforcement from 08/01/2024-09/16/2024. 	415	415J	912	EVAL	415CU	647	5150	OMC	415D	647C	602l	SLEEP	415F	601l	922	WELCK	415E	647F	314	SENILE
415	415J	912	EVAL																		
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415F	601l	922	WELCK																		
415E	647F	314	SENILE																		
Paid Admin Leave Budget	<ul style="list-style-type: none"> Presented on 13 Jun 24 Manager Marshall and Chief Mitchell 																				
MACRO Presentation	<ul style="list-style-type: none"> Presented on 23 May 24 Communications Manager – Mgr. Cheng 																				
Ceasefire	<ul style="list-style-type: none"> Presented on 8 May 24 – A/C Valle 																				
IAD/Skelly	<ul style="list-style-type: none"> Presented on 8 May 24 and 13 Jun 24 - Lt. Dorham 																				
CHP	<ul style="list-style-type: none"> The draft has been sent to the Police Commission for review. Governor Newsom deployed CHP to Oakland to help “fight crime.” (https://www.sfgate.com/bayarea/article/newsom-deploys-chp-officers-to-oakland-18656944.php) This initiative is similar to one that occurred in 2013: https://oakland.legistar.com/LegislationDetail.aspx?ID=1287123&GUID=303EB8E7-C23D-4A83-8012-D6BA29C03940 																				

XV. Police Chief’s Annual Report, OMC 2.45.070(F) (ANNUALLY)

CEASEFIRE OAKLAND



Police Commission Presentation
September 2024



Implementation of the Oakland Ceasefire strategy was specifically *demand*ed by community members to address gun violence. In direct response, the City of Oakland and its partners began implementation of the strategy in 2012 after years of community pressure.

What is Oakland Ceasefire ?

Oakland Ceasefire is a partnership-based, intelligence led, and data-driven strategy designed to:

- Reduce Gang/Group related shootings and homicides
- Reduce the recidivism rate amongst participants
- Improve community police relationships

CEASEFIRE MISSION



Ceasefire is a Strategy

A proven data-based violence reduction strategy that uses direct, respectful communication of a powerful anti-violence message to groups and individuals at the highest risk of violence.



When we talk about Ceasefire

We are really talking about these activities:

1. In-depth analysis of risk
2. Direct, respectful communication
3. Intensive, relationship-based life coaching and other services needed
4. Intelligence-based enforcement, informed by the principles of procedural justice

These activities are implemented continuously as a closely coordinated, joint strategy to reduce shootings citywide.

The Ceasefire Oakland Model



Analysis



We know that a relatively small number of highly active groups, representing less than one half of one percent of a city’s population, will routinely be connected with up to three-quarters of all homicides in Oakland. Within that small population of groups, an even smaller number of highly active “Very High Risk” (VHR) individuals drives the violence.

VHR individuals typically represent only 10 to 20 percent of group members, yet they are responsible for most of the group violence, whether by instigating conflict or committing violent offenses themselves.

Both in theory and in practice, it follows that changing the behavior of these groups and very high-risk individuals will have a powerful impact on violence.

Analysis

1. Ceasefire identifies groups & individuals at very highest risk of GUN violence through ongoing, intensive, and systematic data collection and analysis with a particular focus on social networks.
2. Achieving community-wide reductions in violence required a shift from assessing categorical risk factors/assessing “overall” risk to identifying and engaging groups and individuals at imminent risk of involvement in gun violence.
3. Oakland’s violence prevention efforts have associated a person’s probability of involvement in violence with individual, situational, or community risk factors, but most people in high-risk populations never get involved in gun violence.
4. Within a generally high-risk population, risk of gun violence is super concentrated among a *small number of people and more closely related to the characteristics of individuals’ social networks than to categorical risk factors – this is Andrew Papachristos’ “handshake away” formula.

*This small number of people are “Very High Risk” individuals.

COMMON FACTOR

factor	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024	July 2024	August 2024	Total
Gang	8	8	6	6	19	17	8	9	81
Robbery	10	7	11	8	4	8	8	8	64
Personal Dispute	5	6	5	4	8	5	11	9	53
Road Rage	4	1	2	2	6	1	1	1	18
Human Trafficking	1	2	3	2	3		5	1	17
Domestic Violence	2	3		2	2	2	1	3	15
Homeless Encampments			3	1	1	3	4	3	15
Burglary	1		2	1	1	2	2	1	10
Narcotics	2	2	1		1	1	1	2	10
Illegal Casinos	1			3		1			5
Sideshow	2	1			1			1	5
Robbery - Gang				1			2	1	4
Celebratory Gunfire	2								2
Burglary - Gang							1		1
Cat. Conv. Theft						1			1
Human Trafficking/Gang				1					1
Total	38	30	33	31	46	41	44	39	302

Direct Communications

- **Research is clear – A Group Violence Reduction Strategy (CEASEFIRE) that follows the model is the most effective strategy to reduce community levels of violence.**
- The core driver of Ceasefire is direct communications with those at the very highest risk for gun violence. (VHR)
- Procedural justice/legitimacy, community values and deterrence are at work in those communications.
- **Direct Communications Overall Design Principles:** Communicate with **(a)** the right people, **(b)** in the right way **(c)** do what you say.

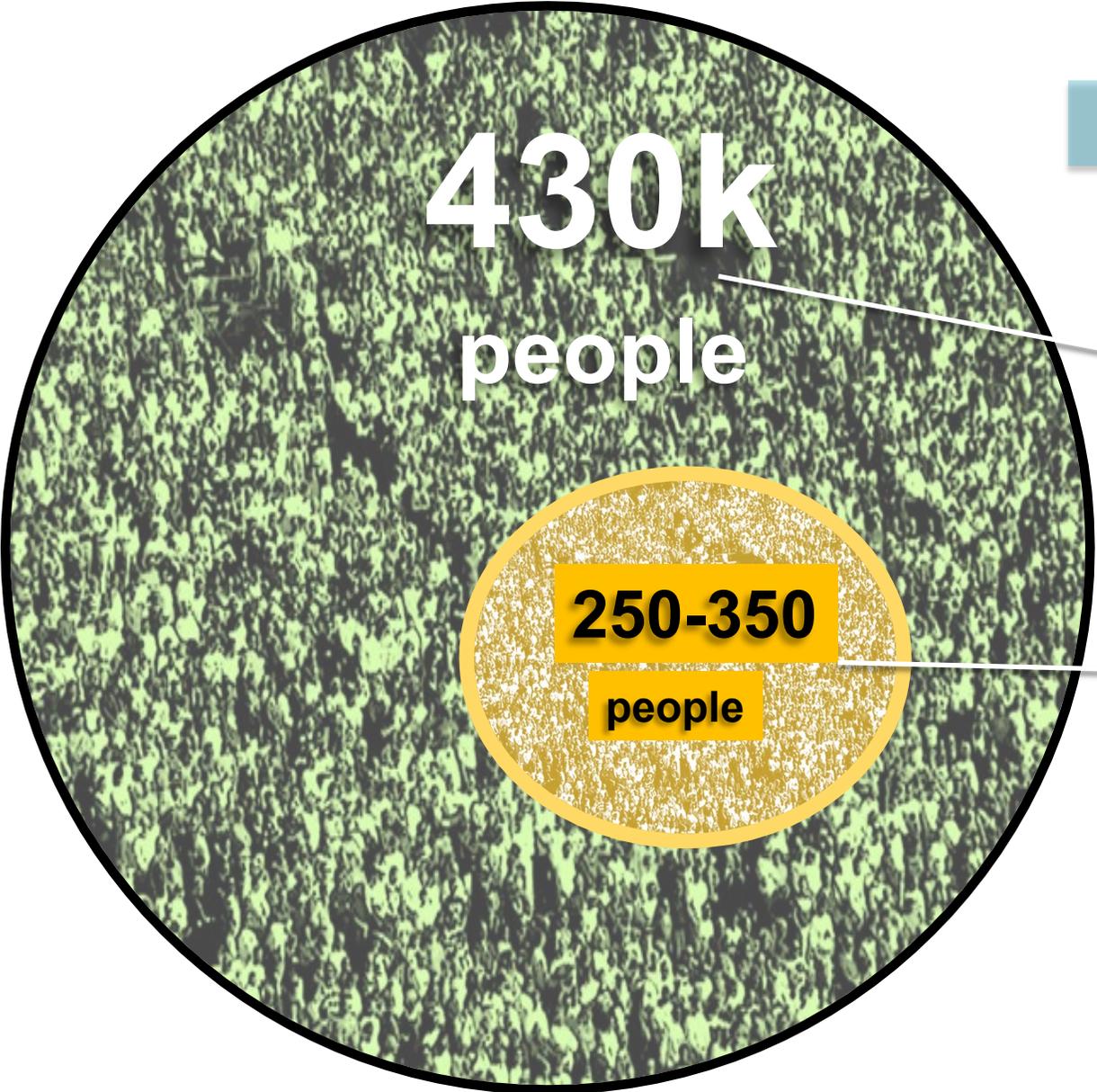
Communication



We want to reach those groups and individuals at the very highest risk of gun violence with the direct and respectful communication of an evidence-based “risk and opportunity” message. Custom notifications and call-ins are a means of communicating with VHR individuals to warn them of violent activity, to give them information about their risks and to offer them opportunities for help – services through Oakland’s Department of Violence Prevention and its network.

This is done by an alliance of concerned community leaders, victims, survivors, clergy, service providers and criminal justice agency representatives through call-ins and custom notifications.

Per the problem analysis our focus is on approximately 250 - 300 individuals per year.



Focus on the
very high risk
individuals

OAKLAND'S
POPULATION

VERY HIGH-RISK
POPULATION

Effective Gun Violence Intervention

ID Very High-Risk (VHR) Individuals

- Weekly Shooting meetings
- Weekly Coordination meetings



Direct & Respectful Communication

Invite identified individuals to a Call-In or conduct a Custom Notification with them.



Intensive Life Coaching

- VHR individuals connected through Direct Communication are enrolled in Intensive Life Coaching (ILC)
- Connect clients with needed services (relocation etc.)

Services

- 1. Employ a relationship-focused life coaching effort with as many of this pool of very highest risk individuals as is possible.**
- 2. The initial focus is on reducing the immediate risk of violence & incarceration.**
- 3. This also includes laying the groundwork for a long-term supportive relationship that enables DVP staff to:**
 - ✓ Support personal change & improved educational & employment outcomes**
 - ✓ Monitor individuals' continuing risk of violence & incarceration**

Law Enforcement's Role

The Role of OPD's Ceasefire Unit

➤ Strategic & Laser Focused

Coordinated law enforcement action against members of a violent groups, performed by the law enforcement operational team of the Ceasefire partnership. The Ceasefire unit coordinates with other agencies to conduct its enforcement. Performed upon a jurisdiction's most violent and chronic individuals, it demonstrates to other groups that the partnership is serious about ending violence.

Oakland Shootings

2012-2022



CITY OF
OAKLAND**COMMUNITY POLICE
REVIEW AGENCY****August Partial 2024 Completed Investigations****Page 1 of 3**
(Total Completed = 9)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
DB	23-1804	11/8/2024	11/10/2023	8/20/2024	11/7/2024	Subject 1	Performance of Duty - General	Within OPD Policy
							Performance of Duty - General	Within OPD Policy
							Performance of Duty - General	Within OPD Policy
EB	23-1544	9/18/2023	9/21/2023	8/20/2024	9/16/2024	Subject 2	Contact Towards Others – Harassment and Discrimination	Administrative Closure (Lacks Specificity)
							Subject 1	Use of Physical Force
						Subject 1	Conduct Toward Others – Demeanor	Unfounded
							Use of Physical Force	Within OPD Policy
							Subject 2	Use of Physical Force
						Subject 3	Performance of Duty - General	Within OPD Policy
Use of Physical Force	Within OPD Policy							
AL	24-0746	3/28/2024	5/21/2024	8/21/2024	5/18/2025		Duplicate	Duplicate
AY	24-0187	9/27/2003	1/31/2024	8/26/2024	1/29/2025		Duplicate	Duplicate
DB	23-1834	11/14/2023	11/17/2023	8/26/2024	11/17/2023	Subject 1	Service Complaint	Service Related
						Subject 2	Conduct Toward Others, Harassment and Discrimination	Unfounded
KP	24-0324	2/26/2024	2/28/2024	8/26/2024	2/24/2025	Subject 1	Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
CH	24-0417	3/14/2024	3/15/2024	8/22/2024	3/13/2025	Subject 1	Use of Physical Force	Unfounded



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(Total Completed = 9)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
							Use of Physical Force	Unfounded
							Performance of Duty - General	Within OPD Policy
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Conduct Toward Others – Profiling By Race	Unfounded
CH	24-0380	3/6/2024	3/7/2024	8/21/2024	3/5/2025	Subject 1	Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Conduct Toward Others, Harassment and Discrimination	Unfounded
CH	24-0405	3/12/2024	03/13/2024	8/29/2024	3/11/2024		Use of Physical Force	Within OPD Policy
							No MOR Violation	Administrative Closure (Lacks Specificity)

CPRA made the following Training Recommendations with Respect to Investigations in this Report:

- Officers receive training regarding OPD policy and case law pertaining to protective sweeps.



CITY OF
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(Total Completed = 9)

Other Cases No Longer Pending:

According to Oakland City Charter Section 604(f)1, the CPRA “shall not be required to investigate each public complaint it receives, beyond the initial intake procedure, but shall investigate public complaints involving uses of force, in-custody deaths, profiling based on any of the protected characteristics identified by federal, state, or local law, untruthfulness, and First Amendment assemblies.

The following cases were initially determined to have involved at least one required or “mandated” allegation and were assigned to a staff member. Upon review, the CPRA found these cases did not, in fact, include mandated allegations. Pursuant to City Charter Section 604(f)1, the CPRA will not be investigating the allegations in the following cases, and they are being removed from the Pending Case List:

Finding Definitions:

Sustained: The investigation revealed a preponderance of evidence that the alleged conduct did occur and was in violation of law and/or Oakland Police Department rules, regulations, or policies.

Exonerated/Within OPD Policy: The investigation revealed a preponderance of evidence that the alleged conduct did occur and was in accordance with the law and Oakland Police Department rules, regulations, or policies.

Unfounded: The investigation revealed a preponderance of evidence that the alleged conduct did not occur.

Not Sustained/Unable to Determine: The investigations revealed evidence that can neither prove nor disprove by a preponderance of evidence that the alleged conduct occurred and was in violation of law and/or Oakland Police Department rules, regulations, or policies.

Additional Definitions:

No Jurisdiction: The Subject Officer of the allegation is not a sworn member of the OPD.

No MOR Violation: The alleged conduct does not violate any department rule or policy.

Service Related: The allegation pertains to the level of service provided by the Department as opposed to the misconduct of a single sworn officer.

Administrative Closure (Lacks Specificity): Complaint lacks specificity and complainant refuses or is unable to provide further clarification necessary to investigate the complaint.

Administrative Closure (Not OPD Officer): The investigation determined that the subject of this complaint was not a member of the Oakland Police Department.

604(g)3 Adjudication: If the Chief of Police prepares his or her own findings and proposed discipline and provides it to the Agency before the Agency's investigation is initiated or completed, the Agency may close its investigation or may choose not to conduct its own investigation in order to allow final discipline to proceed as proposed by the Chief, except that in investigations of Level 1 uses of force, sexual misconduct or untruthfulness, the Commission must approve the Agency's decision by a majority vote. If the Agency chooses not to close its investigation, imposition of final discipline shall be delayed until the Agency's investigation is completed and the Agency makes its findings and recommendations for discipline.



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**COMMUNITY POLICE
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September Partial 2024 Completed Investigations

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(Total Completed = 15)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
EM	23-1521	9/16/2023	9/17/2023	9/6/2024	9/14/2024	Subject 1	Use of Physical Force	Unfounded
							Use of Physical Force	Within OPD Policy
							Use of Physical Force	Within OPD Policy
KP	23-1522	9/16/2023	9/17/2023	9/11/2024	9/14/2024	Subject 1	Conduct Toward Others - Demeanor	Sustained
							Custody of Prisoners – Treatment	Unfounded
							Use of Physical Force	Unfounded
						Subject 2	Conduct Towards Others – Identity Profiling by Race or Ethnicity	Unfounded
							Performance of Duty – Intentional Search, Seizure, or Arrest	Within OPD Policy
							Use of Physical Force	Within OPD Policy
						Subject 3	Custody of Prisoners – Treatment	Unfounded
							Use of Physical Force	Within OPD Policy
							Use of Physical Force	Within OPD Policy
KP	23-1722	10/19/2023	10/24/2023	9/11/2024	10/22/2024	Subject 1	Conduct Towards Others – Demeanor	Unable to Determine
							Conduct Toward Others – Harassment and Discrimination	Unfounded
						Subject 2	Conduct Towards Others – Demeanor	Unable to Determine
							Conduct Toward Others – Harassment and Discrimination	Unfounded
CH	24-0151	1/26/2024	1/29/2024	9/6/2024	1/27/2025	Subject 1	Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy
							Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy



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(Total Completed = 15)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
						Subject 2	Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy
							Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy
						Subject 3	Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy
						Subject 4	Use of Physical Force	Within OPD Policy
						Subject 5	Use of Physical Force	Within OPD Policy
CH	24-0414	11/7/2021	3/14/2024	9/5/2024	3/13/2025	Subject 1	Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy
							Performance Of Duty - General	Within OPD Policy
							Performance Of Duty - General	Within OPD Policy
							Use of Physical Force	Within OPD Policy
						Subject 2	Performance Of Duty - Unintentional/Improper Search, Seizure, Or Arrest	Within OPD Policy
CH	24-0430	03/13/2024	03/13/2024	9/5/2024	03/18/2025	Subject 1	Use of Physical Force	Within OPD Policy
							No Mor Violation	Administrative Closure (Lacks Specificity)
CH	24-0466	03/22/2024	03/28/2024	9/8/2024	03/21/2025	Subject 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy



September Partial 2024 Completed Investigations

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(Total Completed = 15)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
						Subject 3	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
CH	24-0495	3/29/2024	3/28/2024	9/12/2024	03/28/2025	Subject 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Use of Physical Force	Unfounded
						Subject 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Use of Physical Force	Unfounded
AL	24-0597		4/24/2024	9/12/2024	04/21/2025	Subject 1	Performance of Duty - General	Administrative Closure (Lacks Specificity)
AY	24-0186	9/27/2003	1/31/2024	9/13/2024	1/29/2025	Subject 1	Multiple Complaints	Duplicate
							Truthfulness	Administrative Closure (Lacks Specificity)
KP	24-0198	2/2/2024	3/1/2024	9/13/2024	1/31/2025	Subject 1	Conduct Towards Others – Identity Profiling by Race or Ethnicity	Administrative Closure (Not OPD Officer)
CH	24-0422	3/16/2024	3/19/2024	9/8/2024	3/15/2025	Subject 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 3	Conduct Towards Others – Identity Profiling by Race or Ethnicity	Unfounded
CH	24-0423	3/17/2024	3/18/2024	9/13/2024	3/16/2025	Subject 1	Conduct Toward Others - Harassment And Discrimination	Unfounded
							Use of Physical Force	Within OPD Policy
						Subject 2	Use of Physical Force	Within OPD Policy

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September Partial 2024 Completed Investigations

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(Total Completed = 15)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
						Subject 3	Use of Physical Force	Within OPD Policy
						Subject 4	Use of Physical Force	Within OPD Policy
						Subject 5	No MOR Violation	Administrative Closure (Lacks Specificity)
CH	24-0497	3/30/2024	4/2/2024	9/17/2024	3/29/2025	Subject 1	Use of Physical Force	Within OPD Policy
CH	24-0533	4/3/2024	4/9/2024	9/17/2024	4/2/2025	Subject 1	Use of Physical Force	Unfounded

CPRA made the following Training and Policy Recommendations with Respect to Investigations in this Report:

- Officers receive training regarding timely body-worn camera (BWC) activation.
- Department-wide policy reminder regarding safety equipment and handcuffing.



September Partial 2024 Completed Investigations

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(Total Completed = 15)

Other Cases No Longer Pending:

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The following cases were initially determined to have involved at least one required or “mandated” allegation and were assigned to a staff member. Upon review, the CPRA found these cases did not, in fact, include mandated allegations. Pursuant to City Charter Section 604(f)1, the CPRA will not be investigating the allegations in the following cases, and they are being removed from the Pending Case List:

24-1120

Finding Definitions:

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CITY OF
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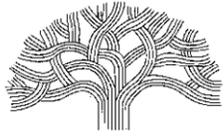
COMMUNITY POLICE
REVIEW AGENCY

Attachment 3

September Partial 2024 Completed Investigations

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(Total Completed = 15)

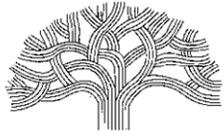
604(g)3 Adjudication: If the Chief of Police prepares his or her own findings and proposed discipline and provides it to the Agency before the Agency's investigation is initiated or completed, the Agency may close its investigation or may choose not to conduct its own investigation in order to allow final discipline to proceed as proposed by the Chief, except that in investigations of Level 1 uses of force, sexual misconduct or untruthfulness, the Commission must approve the Agency's decision by a majority vote. If the Agency chooses not to close its investigation, imposition of final discipline shall be delayed until the Agency's investigation is completed and the Agency makes its findings and recommendations for discipline.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of September 2024
(Sorted by One-Year Goal)

Case #	Incident Date	Date Received IAD	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-0622	05/25/2022	08/23/2022	05/25/2022	Investigator	YH	11/21/2022	Tolled	Use of Force	1	14	1	Use of Force
22-1102	08/23/2022	10/17/2022	04/19/2023	Investigator	YH	02/19/2023	Tolled	Other	1	1		Obedience to Laws
23-0510	04/12/2023	04/12/2023	04/12/2023	Investigator	DB	10/09/2023	Tolled	Use of Force	1	4	8	Use of Force, Performance of Duty, Obedience to Laws, Truthfulness
23-1602	03/29/2022	10/02/2023	10/15/2023	Investigator	YH	03/30/2024	Tolled	Truthfulness	1	2	1	Truthfulness, Obedience to Laws
23-1655	10/06/2023	10/06/2023	10/06/2023	Investigator	JS	04/03/2024	Tolled	Other	1	1	1	Obedience to Laws
23-1781	11/07/2023	11/07/2024	11/07/2023	Investigator	YH	05/05/2024	Tolled	Use of Force	1	1	1	Use of Force
24-0582	04/17/2024	04/20/2024	04/17/2024	Investigator	YH	10/14/2024	Tolled	Use of Force	1	2	2	Use of Force
24-0593	04/20/2024	04/20/2024	04/23/2024	Investigator	DB	10/17/2024	Tolled	Other	1	4	10	Obedience to Laws, Use of Force, Performance of Duty
24-1107	08/01/2024	08/01/2024	08/01/2024	Investigator	YH	01/28/2025	Tolled	Other	1	1	5	Obedience to Laws, Conduct Towards Others-Demeanor. Conduct Towards Others-Relationship, Conduct Towards Others-Harassment and Discrimination
23-1595	10/01/2023	10/01/2023	10/01/2023	Investigator	AL	05/29/2023	10/01/2024	Use of Force	1	16	48	Use of Force, Performance of Duty
24-1130	10/06/2023	10/06/2023	10/10/2023	Investigator	JS	04/03/2024	10/04/2024	Use of Force	1	3	6	Use of Force, Demeanor, Performance of Duty, Failure to Accept or Refer a Complaint
23-1665	10/09/2023	10/09/2023	10/11/2023	Investigator	JS	04/06/2024	10/07/2024	Use of Force	1	8	16	Use of Force, Demeanor

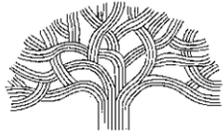
*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of September 2024
(Sorted by One-Year Goal)

Case #	Incident Date	Date Received IAD	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
23-1754	10/26/2023	10/26/2023	10/30/2023	Investigator JS		04/27/2024	10/24/2024	Use of Force	1	3	6	Use of Force, Performance of Duty, Demeanor
23-1786	11/03/2023	11/03/2023	11/07/2023	Investigator EM		05/01/2024	11/01/2024	Truthfulness	1	3	1	Truthfulness
23-1795	11/04/2023	11/03/2023	11/07/2023	Investigator SD		05/24/2024	11/02/2024	Other	1	1	1	Obedience to Laws
23-1857	11/18/2023	11/18/2023	11/21/2023	Investigator AL		05/16/2024	11/16/2024	Use of Force	1	1	5	Use of Force
23-1851	11/19/2023	11/19/2023	11/21/2023	Investigator AY		05/17/2024	11/17/2024	Use of Force	1	4	3	Use of Force, Performance of Duty
23-1914	11/29/2023	11/29/2023	12/01/2023	Investigator JS		05/27/2024	11/27/2024	Use of Force, Discrimination	1	6	18	Use of Force, Discrimination, Performance of Duty
23-1947	12/04/2023	12/04/2023	12/07/2023	Investigator DB		06/01/2024	12/02/2024	Use of Force	1	10	21	Use of Force, Performance of Duty, Demeanor
23-2039	12/26/2023	12/26/2023	12/28/2023	Investigator AL		06/23/2024	12/24/2024	Use of Force	1	3	8	Use of Force
23-2063	12/05/2023	12/26/2023	02/06/2024	Investigator AY		06/26/2024	12/27/2024	Use of Force	1	3	4	Use of Force, Performance of Duty
24-0067	01/11/2024	01/11/2024	01/16/2024	Investigator AY		07/10/2024	01/10/2025	Use of Force	1	2	1	Use of Force
24-0138	01/19/2024	01/19/2024	03/07/2024	Investigator YH		07/17/2024	01/21/2025	Truthfulness	1	1	1	Truthfulness
24-0156	01/26/2024	01/26/2024	01/30/2024	Investigator EM		07/24/2024	01/24/2025	Use of Force	1	2	2	Use of Force, False Arrest
24-0155	01/28/2024	01/28/2024	01/30/2024	Investigator EM		07/26/2024	01/26/2025	Discrimination	1	2	3	Discrimination
24-0226	02/12/2024	02/12/2024	02/14/2024	Investigator EM		08/10/2024	02/10/2025	Use of Force	1	3	7	Use of Force, False Arrest, Unlawful Search, Care of Property
24-0229	02/12/2024	02/02/2024	02/14/2024	Investigator AY		08/10/2024	02/10/2025	Use of Force	1	2	2	Use of Force
24-0258	02/17/2024	02/12/2024	02/20/2024	Investigator DB		08/15/2024	02/15/2025	Discrimination	1	1	1	Discrimination
24-0278	02/21/2024	02/21/2024	02/23/2024	Investigator DB		08/19/2024	02/19/2025	Discrimination	1	2	3	False Arrest, Discrimination, Demeanor
24-0734	02/21/2024	02/17/2024	05/20/2024	Investigator AL		08/19/2024	02/19/2025	Use of Force	1	1	1	Use of Force

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CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
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Case #	Incident Date	Date Received IAD	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
24-0264	02/16/2024	02/22/2024	02/27/2024	Investigator	JS	08/20/2024	02/20/2025	Use of Force	1	1	4	Use of Force, False Arrest, Care of Property, Performance of Duty
24-0353	03/01/2024	03/01/2024	03/05/2024	Investigator	YH	08/28/2024	02/28/2025	Use of Force	1	1	3	Use of Force, Reports and Bookings, Obedience to Laws
24-0357	01/01/2024	03/04/2024	03/05/2024	Investigator	EM	08/31/2024	03/03/2025	Use of Force	1	1	1	Use of Force
24-0365	03/04/2024	03/04/2024	03/05/2024	Investigator	AL	08/31/2024	03/03/2025	Discrimination	1	1	3	Discrimination
22-1379	10/17/2022	10/17/2022	10/17/2022	Investigator	JS	04/15/2023	03/04/2025	Use of Force	1	7	8	Use of Force, Supervision
24-0384	03/07/2024	03/06/2024	03/08/2024	Investigator	EM	09/03/2024	03/06/2025	Use of Force	1	2	2	Use of Force
24-0398	03/11/2024	03/11/2024	03/11/2024	Investigator	DB	09/07/2024	03/10/2025	Other	1	1	1	Sexual Misconduct
24-0494	03/11/2024	03/11/2024	03/11/2024	Investigator	YH	09/07/2024	03/10/2025	Discrimination	1	3	4	Discrimination, Failure To Report, Conduct Towards Others, Supervisor Authority and Responsibilities
24-0448	03/21/2024	03/21/2024	03/22/2024	Investigator	EM	09/17/2024	03/20/2025	Use of Force	1	1	4	Use of Force, False Arrest, Performance of Duty, Consumption of Intoxicants
24-0452	09/09/2023	03/22/2024	03/25/2024	Investigator	DB	09/18/2024	03/21/2025	Use of Force	1	2	4	Use of Force, Performance of Duty, Conduct Toward Others
24-0459	03/23/2024	03/23/2024	03/26/2024	Investigator	DB	09/19/2024	03/22/2025	Use of Force	1	1	1	Use of Force
24-0475	03/25/2024	03/25/2024	03/28/2024	Investigator	EM	09/21/2024	03/25/2025	Use of Force	1	1	1	Use of Force
24-0481	01/01/1999	03/25/2024	03/29/2024	Investigator	AY	09/24/2024	03/27/2025	Use of Force	1	1	2	Use of Force, Refusal to Provide Name/Serial Number
24-0504	03/30/2024	03/30/2024	04/03/2024	Investigator	CH	09/28/2024	03/31/2025	Use of Force	1	1	1	Use of Force
24-0635	09/23/2023	04/03/2024	05/02/2024	Investigator	CH	10/12/2024	04/04/2025	Other	1	3	3	Performance of Duty

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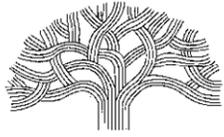


CITY OF OAKLAND
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Page 4 of 7
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24-0576	02/16/2024	04/15/2024	04/15/2024	Investigator	CH	10/04/2024	04/06/2025	Use of Force	1	1	1	Use of Force
24-0543	04/03/2024	04/16/2024	04/10/2024	Investigator	CH	10/05/2024	04/07/2025	Use of Force	1	1	1	Use of Force
24-0565	04/12/2024	04/15/2024	04/16/2024	Investigator	AL	10/09/2024	04/11/2025	Use of Force	1	2	2	Use of Force
24-0566	04/14/2024	04/14/2024	04/16/2024	Investigator	KP	10/09/2024	04/11/2025	Use of Force	1	2	4	Use of Force, Performance of Duty
24-0574	04/15/2024	04/15/2024	04/16/2024	Investigator	CH	10/12/2024	04/14/2025	Use of Force	1	2	2	Use of Force
24-0595	04/18/2024	04/18/2024	04/19/2024	Investigator	CH	10/15/2024	04/17/2025	Use of Force	1	3	3	Use of Force, False Arrest, Performance of Duty, Consumption of Intoxicants
24-0592	04/19/2024	04/19/2024	04/23/2024	Investigator	CH	10/16/2024	04/18/2025	Use of Force	1	3	3	Use of Force
24-0587	04/20/2024	04/23/2024	04/23/2024	Investigator	CH	10/17/2024	04/19/2025	Use of Force	1	1	1	Use of Force
24-0600	04/20/2024	04/20/2024	04/23/2024	Investigator	CH	10/17/2024	04/19/2025	Use of Force	1	1	1	Use of Force
24-0588	04/21/2024	04/21/2024	04/23/2024	Investigator	CH	10/18/2024	04/20/2025	Other	1	1	3	Obedience to Laws, False Arrest, Performance of Duty
24-0609	04/22/2024	04/22/2024	04/24/2024	Investigator	CH	10/19/2024	04/21/2025	Use of Force	1	1	1	Use of Force
24-0591	04/20/2024	04/22/2024	04/23/2024	Investigator	CH	10/17/2024	04/23/2025	Discrimination	1	1	1	Discrimination
24-0629	04/27/2024	04/27/2024	04/30/2024	Investigator	CH	10/24/2024	04/26/2025	Other	1	1	1	Obedience to Laws
24-0664	05/04/2024	05/04/2024	05/07/2024	Investigator	CH	10/31/2024	05/03/2025	Use of Force	1	1	2	Use of Force, Demeanor
24-0667	05/05/2024	05/05/2024	05/07/2024	Investigator	CH	11/01/2024	05/04/2025	Use of Force	1	4	8	Use of Force, Demeanor
24-0663	05/06/2024	05/06/2024	05/07/2024	Investigator	CH	11/02/2024	05/05/2025	Use of Force	1	2	2	Use of Force
24-0701	03/06/2024	05/06/2024	05/14/2024	Investigator	CH	11/05/2024	05/08/2025	Other	2	1	3	Performance of Duty General, False Arrest, Care of Property
24-0713	05/13/2024	05/13/2024	05/14/2024	Investigator	CH	11/09/2024	05/12/2025	Use of Force	1	1	1	Use of Force
24-0729	05/17/2024	05/17/2024	05/20/2024	Investigator	EM	11/13/2024	05/16/2025	Use of Force	1	2	2	Use of Force
24-0730	05/17/2024	05/17/2024	05/20/2024	Investigator	DB	11/13/2024	05/16/2025	Use of Force	1	1	1	Use of Force
24-0735	05/17/2024	05/18/2024	05/20/2024	Investigator	CH	11/14/2024	05/17/2025	Use of Force	1	1	1	Use of Force

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24-0737	05/18/2024	05/18/2024	05/20/2024	Investigator	CH	11/14/2024	05/17/2025	Use of Force	1	2	4	Use of Force, Performance of Duty
24-0739	03/28/2024	05/19/2024	05/30/2024	Investigator	AL	11/15/2024	05/18/2025	Use of Force	1	2	10	Use of Force, Conduct Towards Others, Performance of Duty, Failure To Accept or Refer a Complaint
24-0742	05/19/2024	05/19/2024	05/21/2024	Investigator	CH	11/15/2024	05/18/2025	Use of Force	1	2	4	Use of Force, Performance of Duty
24-0749	05/20/2024	05/20/2024	05/21/2024	Investigator	CH	11/16/2024	05/19/2025	Use of Force	1	5	15	Use of Force, False Arrest, Demeanor
24-0754	02/05/2024	05/21/2024	05/21/2024	Investigator	CH	11/17/2024	05/20/2025	Use of Force	1	3	5	Use of Force, Performance of Duty
24-0770	05/21/2024	05/21/2024	05/30/2024	Investigator	CH	11/17/2024	05/20/2025	Use of Force	1	2	2	Use of Force
24-0763	05/23/2024	05/23/2024	05/28/2024	Investigator	CH	11/19/2024	05/22/2025	Discrimination	1	1	4	Discrimination, Demeanor
24-0767	05/09/2024	05/24/2024	05/23/2024	Investigator	CH	11/19/2024	05/22/2025	Discrimination	1	1	3	Discrimination, Harassment
24-0782	Unknown	05/21/2024	05/23/2024	Investigator	AL	11/19/2024	05/22/2025	Other	1	2	2	Truthfulness
24-0768	05/24/2024	05/24/2024	05/28/2024	Investigator	CH	11/20/2024	05/23/2025	Use of Force	1	1	1	Use of Force
24-0769	05/27/2024	05/27/2024	05/28/2024	Investigator	CH	11/23/2024	05/26/2025	Use of Force	1	2	4	Use of Force
24-0793	05/30/2024	05/31/2024	05/31/2024	Investigator	CH	11/26/2024	05/30/2025	Use of Force	1	1	1	Use of Force
24-0799	05/31/2024	05/31/2024	06/03/2024	Investigator	CH	11/27/2024	05/30/2025	Use of Force	1	4	4	Use of Force
24-0803	06/01/2024	06/01/2024	06/04/2024	Investigator	CH	11/28/2024	05/31/2025	Use of Force	1	3	3	Use of Force
24-0817	06/04/2024	06/04/2024	06/05/2024	Investigator	DB	12/01/2024	06/03/2025	Other	1	1	1	Performance of Duty, Miranda Violation
24-0831	05/09/2024	06/04/2024	06/05/2024	Investigator	CH	12/02/2024	06/04/2025	Use of Force	1	1	2	Use of Force, Performance of Duty
24-0862	06/13/2024	06/13/2024	06/18/2024	Investigator	CH	12/10/2024	06/13/2025	Discrimination	1	3	6	Discrimination, Performance of Duty
24-0876	06/17/2024	06/17/2024	06/18/2024	Investigator	CH	12/14/2024	06/16/2025	Use of Force	1	2	2	Use of Force

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24-0903	02/12/2024	06/17/2024	06/27/2024	Investigator	CH	12/22/2024	06/24/2025	Use of Force	1	1	2	Use of Force, Performance of Duty
24-0909	06/26/2024	06/26/2024	06/28/2024	Investigator	CH	12/23/2024	06/25/2025	Use of Force	1	2	2	Use of Force
24-0935	07/01/2024	07/02/2024	07/05/2024	Investigator	AL	12/29/2024	07/01/2025	Discrimination	1	1	2	Discrimination
24-0949	05/01/2024	06/26/2024	07/05/2024	Investigator	AL	12/29/2024	07/01/2025	Use of Force	1	1	2	Use of Force, Performance of Duty
24-0953	07/03/2024	07/03/2024	07/05/2024	Investigator	CH	12/30/2024	07/02/2025	Use of Force	1	1	1	Use of Force
24-0986	07/04/2024	07/04/2024	07/10/2024	Intake	SH	12/31/2024	07/03/2025	Other	1	1	2	Obedience to Laws
24-0964	07/05/2024	07/05/2024	07/08/2024	Investigator	CH	01/01/2025	07/04/2025	Use of Force	1	1	2	Use of Force
24-0978	01/01/2019	07/09/2024	07/10/2024	Intake	SH	01/05/2025	07/08/2025	Other	1	1	2	Obedience to Laws
24-0988	07/03/2024	07/10/2024	07/12/2024	Investigator	CH	01/06/2025	07/09/2025	Other	1	1	2	Performance of Duty
24-1009	07/13/2024	07/13/2024	07/16/2024	Investigator	CH	01/09/2025	07/12/2025	Use of Force, Discrimination	1	2	6	Use of Force, Discrimination, Performance of Duty
24-1016	07/14/2002	07/14/2024	07/16/2024	Investigator	CH	01/10/2024	07/13/2025	Other	1	1	2	Conduct Towards Others, Obedience to Laws Felony
24-1040	07/20/2024	07/20/2024	07/23/2024	Intake	KC	01/16/2025	07/19/2025	Use of Force	1	2	6	Use of Force, Performance of Duty
24-1094	08/01/2024	08/01/2024	08/06/2024	Intake	KC	01/28/2025	07/31/2025	Other	1	1	2	Gifts, Gratuities - Soliciting or Accepting
24-1101	08/01/2024	08/01/2024	08/06/2024	Investigator	AY	01/28/2025	07/31/2025	Use of Force	1	1	2	Use of Force, False arrest
24-1104	08/01/2024	08/01/2024	08/01/2024	Investigator	AL	01/28/2025	07/31/2025	Other	1	1	3	Obedience to Laws, Reports and Bookings, Truthfulness
24-1113	07/25/2024	08/02/2024	08/06/2024	Intake	SH	01/29/2025	08/01/2025	Truthfulness	1	2	2	Reports and Bookings, Performance of Duty
24-1114	08/04/2024	08/04/2024	08/06/2024	Intake	SH	01/31/2025	08/03/2025	Use of Force	1	2	2	Use of Force
24-1133	08/06/2024	08/06/2024	08/07/2024	Intake	SH	02/02/2025	08/05/2025	Truthfulness	1	1	1	Truthfulness
24-1141	08/08/2024	08/09/2024	08/09/2024	Investigator	CH	02/05/2025	08/08/2025	Discrimination	1	4	8	Discrimination
24-1150	08/11/2024	08/11/2024	08/13/2024	Intake	KC	02/07/2025	08/10/2025	Use of Force	1	2	2	Use of Force

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24-1155	04/26/2024	08/12/2024	08/14/2024	Intake	SH	02/08/2025	08/11/2025	Other	1	1	1	Reports and Bookings
24-1183	08/20/2024	08/20/2024	08/21/2024	Intake	CH	02/16/2025	08/19/2025	Use of Force	1	2	6	Use of Force
24-1212	08/21/2024	08/21/2024	08/23/2024	Intake	KC	02/17/2025	08/20/2025	Use of Force	1	1	2	Use of Force, Performance of Duty
24-1223	08/24/2024	08/24/2024	08/27/2024	Intake	KC	02/20/2025	08/23/2025	Use of Force	1	2	2	Use of Force, Performance of Duty
24-1232	08/21/2024	08/27/2024	08/28/2024	Intake	KC	02/23/2025	08/26/2025	Use of Force, Harassment	1	1	4	Use of Force, Harassment, Performance of Duty
24-1237	08/01/2024	08/27/2024	08/28/2024	Intake	KC	02/23/2025	08/26/2025	Harassment	1	1	2	Harassment, Performance of Duty
24-1241	08/27/2024	08/28/2024	08/28/2024	Intake	KC	02/24/2025	08/27/2025	Use of Force	1	1	1	Use of Force
24-1243	08/20/2024	08/28/2024	08/29/2024	Intake	DC	02/24/2025	08/27/2025	Use of Force	1	2	2	Use of Force, Performance of Duty
24-1271	09/01/2024	09/01/2024	09/04/2024	Intake	DC	02/28/2025	08/31/2025	Use of Force	1	3	6	Use of Force, Performance of Duty
24-1283	09/03/2024	09/03/2024	09/04/2024	Intake	DC	03/02/2025	09/02/2025	Use of Force	1	2	2	Use of Force, Performance of Duty

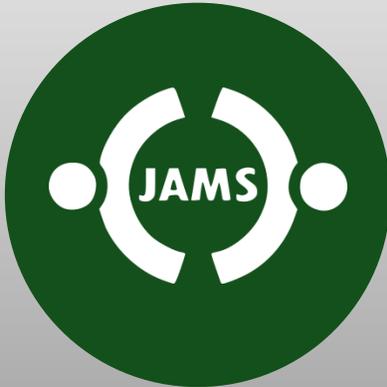
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The CPRA Mediation Option



in partnership with
Community Boards

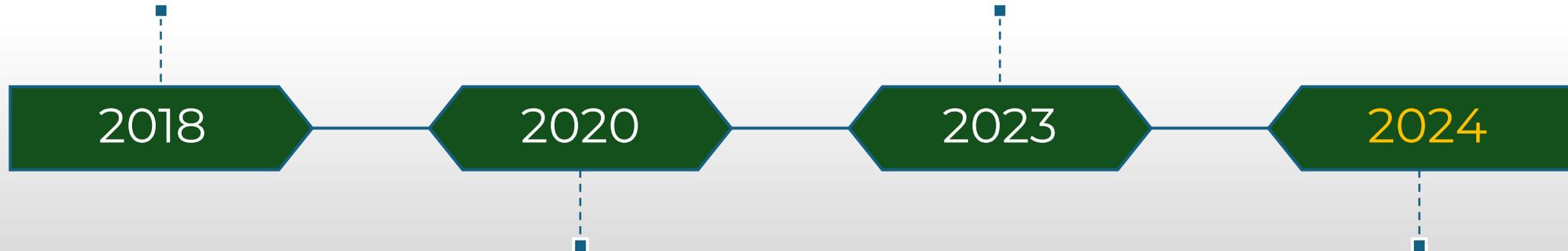


Made possible by
The JAMS Foundation

Ready for implementation

Municipal Code section
§2.45.070 calls for
mediation program

Inspector General
recommends program
development



City Auditor
recommends that CPRA
begin program

CPRA partners with
Community Boards to
develop program

A new approach:

Predecessor program was a collaboration between Oakland's SEEDS and CPRB

The program did not continue at CPRA

SEEDS was unable to re-partner

CPRA turned to **Community Boards**

COMMUNITY BOARDS

Established
1976

Longest
running

400+ corps of
mediators

Restorative
Justice
Practices

Neighborhood
Courts

SF DPA
Partner



Overview of Goals



BASE PROGRAM ON
BEST PRACTICES



MEASURE IMPACT



EXPAND TRAININGS
AND COMMUNITY
INVOLVEMENT



ADOPTED BY CITY
OF OAKLAND

Benefits of mediation



Meaningfully address harm

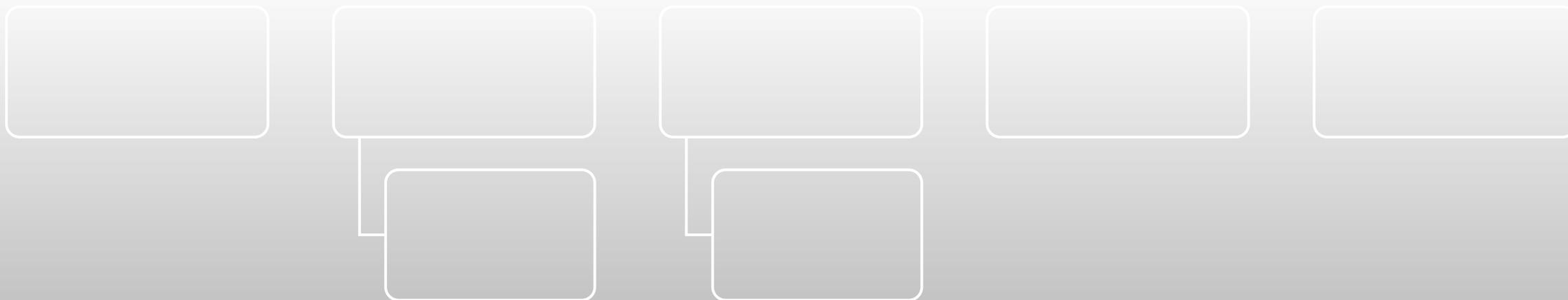


Increase understanding

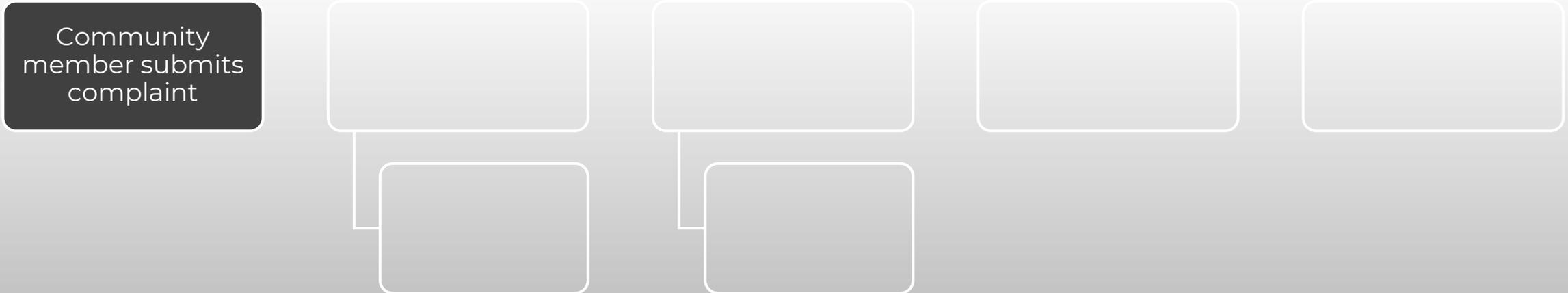


Improve practice

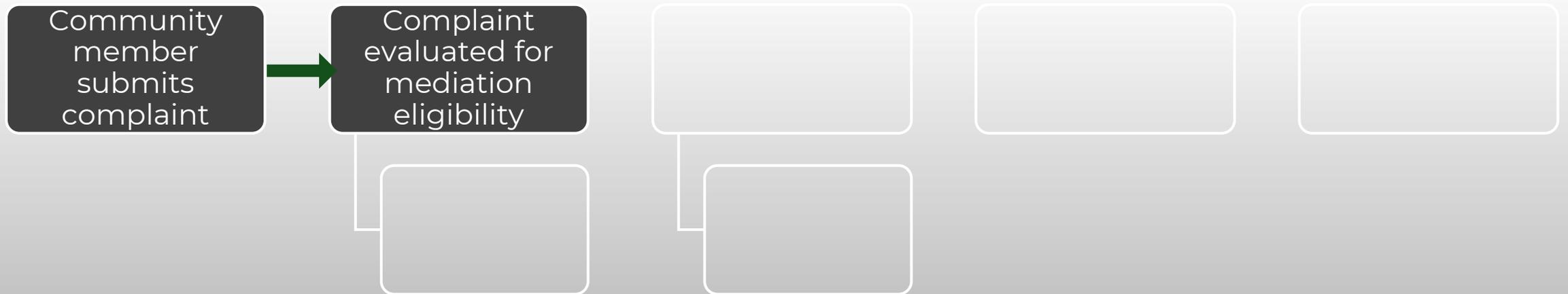
Complaint to Resolution



Complaint to Resolution



Complaint to Resolution



Complaint to Resolution



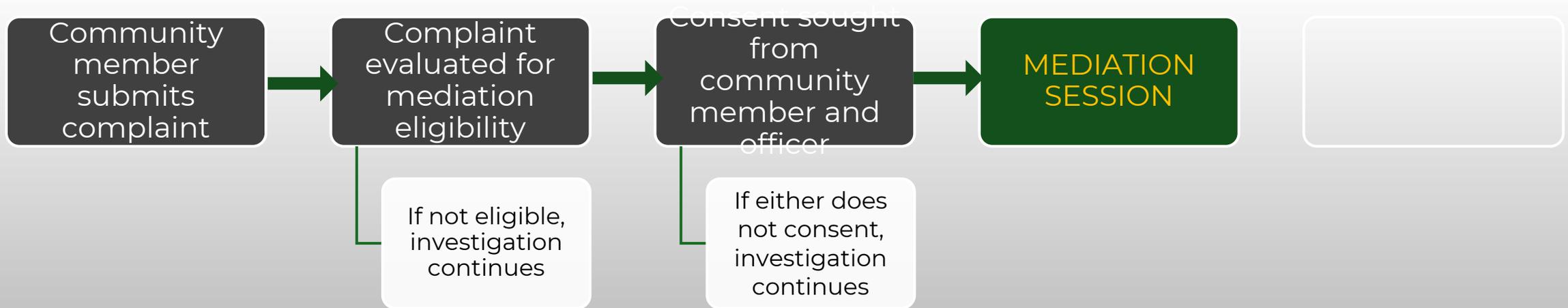
Complaint to Resolution



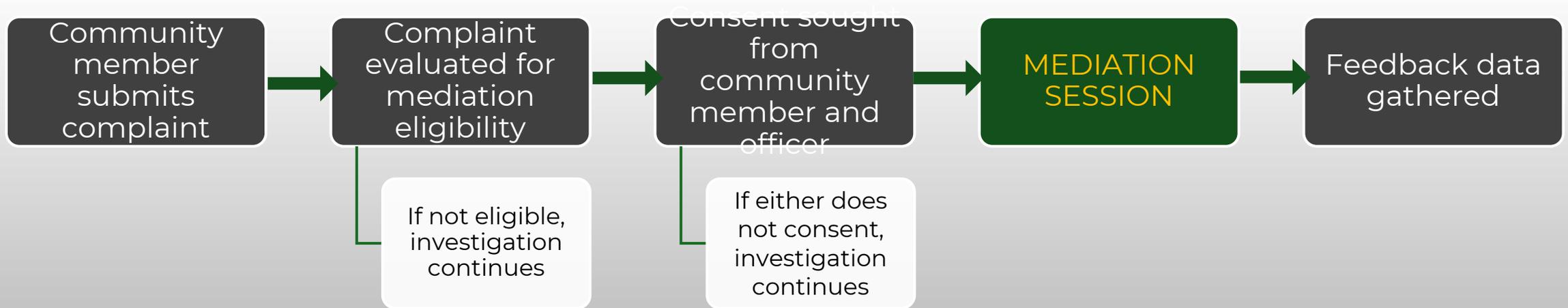
Complaint to Resolution



Complaint to Resolution



Complaint to Resolution



Feedback Data

Pre-Mediation Survey

Post-Mediation
Survey

3-Month Reflection
Survey

Eligibility evaluated case-by-case

Ineligible factors

- Allegations of Class I misconduct
- Pending criminal case
- Pending civil litigation



Examples

- Use of Force
- Untruthfulness
- Racial Profiling

Procedures based on DGO M-3.1

Informal Complaint Resolution Process



DEPARTMENTAL
GENERAL
ORDER

M-3.1

NSA Task: 4

Index as:

Informal Complaint Resolution Process

Effective Date:
10 Nov 08

Evaluation Coordinator:
IAD Commander

Evaluation Due Date:
11 May 09

Automatic Revision Cycle:
1 Year

INFORMAL COMPLAINT RESOLUTION PROCESS

I. PURPOSE

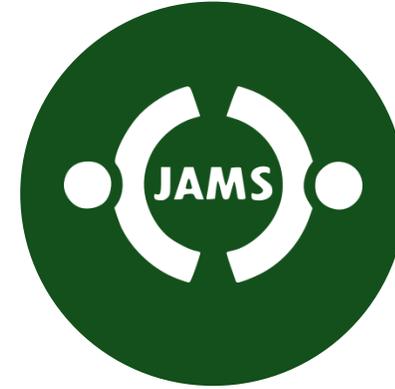
- A. The purpose of this order is to set forth Departmental policy and procedures for initiating, administering, and reviewing the appropriateness of the Informal Complaint Resolution (ICR) process.
- B. The ICR process may be used to informally address service complaints or alleged acts of Class II misconduct against Departmental personnel that do not indicate a pattern of misconduct.



Community Police
Review Agency



Community Boards



The JAMS
Foundation

Questions?

Cultural Accountability Statement

Americans can trace the origins of racial profiling in law enforcement back to the eras of slavery and Jim Crow, marking a longstanding issue that has evolved over centuries and engrained into the consciousness of many Americans. Racial profiling by law enforcement is a complex and systemic issue with deep historical roots in the United States.

In 1693, Philadelphia's court granted the legal authority for police officers to stop and detain any minority person, embedding racial profiling within legal and societal.¹ Later, in 1857, the *Dred Scott v Sanford* 60 U.S. 393 decision of the United States Supreme Court held that the U.S. Constitution did not extend American Constitutional citizenship to people of Black African American descent.² This landmark decision spawned across the nation, a series of community municipal laws segregating African Americans, which is known as Jim Crow laws. Some communities enacted "Sundowner Laws" and other codes, limiting African Americans' access to the town and other public places after Sundown as well as restricting the number of African Americans able to congregate on a street corner. A police officer could arrest violators, and municipal courts could prosecute, jail, or fine offenders.³⁴

Racial Profiling and Racial Profiling laws threatened all people of color. They were initially designed to control African Americans and were extended to other marginalized communities, suppressing their ability to exercise their full citizenship. The historical ties of profiling to slavery and its codification into law reflect deep-seated biases and discriminatory practices that have been perpetuated through various eras in American history. Law enforcement tactics and strategies have ingrained these practices, reflecting and reinforcing societal prejudices. Some Oakland Police Department's history of these practices is documented in a case study and book titled "*The Riders Come Out at Night: Brutality, Corruption, and Cover-Up in Oakland*"⁵ and Dr. Eberhardt's "*Strategies for Change: Research Initiatives and Recommendations to Improve Community Relations in Oakland*."⁶

Recognizing the far-reaching impact of profiling beyond racial lines is equally crucial in our commitment to fostering a truly equitable and just society. Illegitimate profiling has evolved to threaten all protected classes, including but not limited to individuals based on their race,

¹ Staples, R.E. (2011). White Power, Black Crime, and Racial Politics. *The Black Scholar*, 41, 31 - 41.

² *Dred Scott v. Sandford*, 60 U.S. 393 (1856)

³ Loewen, James W. "Sundown Towns and Counties: Racial Exclusion in the South." *Southern Cultures* 15 (2009): 22 - 47.

⁴ Bay, M. (1999). Remembering Racism: Rereading the Black Image in the White Mind [Review of *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914*, by G. M. Fredrickson]. *Reviews in American History*, 27(4), 646–656. <http://www.jstor.org/stable/30031116>

⁵ Winston, Ali; Bondgraham, Darwin (2023). *The Riders Come Out at Night: Brutality, Corruption, And Cover-Up In Oakland* (First Atria Books hardcover ed.). New York, NY. ISBN 9781982168599.

⁶ Eberhardt, J. L.. (2016, June 15). *Strategies for Change: Research Initiatives and Recommendations to Improve Police-Community Relations in Oakland, Calif.* Stanford, SPARQ Social Psychological Answers to Real-world Questions. Retrieved from <http://www2.oaklandnet.com/oakcal/groups/police/documents/webcontent/oak059292.pdf>

ethnicity, religion, gender, sexual orientation, gender identity, disability status, and socioeconomic background.

In recognizing the historical context and systemic nature of profiling, our policy is committed to addressing these practices within our police department. We aim to build a foundation for equitable and just law enforcement that respects the dignity and rights of all individuals, free from past biases. Progress and change come from changed behavior as we actively work to dismantle discriminatory practices and foster a culture of inclusion and fairness.

This commitment is a critical step toward healing and progress, ensuring that our law enforcement practices reflect the values of fairness, justice, and respect for all members of our community. To this end, each man and woman of the Oakland Police Department has made significant strides toward rectifying the mistakes of the past. However, we acknowledge the ongoing journey towards full accountability and cultural transformation. We are dedicated to continuing this crucial work, striving to better our department and serve as a model of positive change in law enforcement.

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PROHIBITIONS REGARDING RACIAL PROFILING AND OTHER BIAS-BASED POLICING

Preamble

Knowing the history from which modern institutions evolved is useful for understanding current conditions related to social constructs put in place long before any current actors arrived on the scene. It provides a necessary connection with the when, where, and how certain aspects of the Oakland Police Department's (OPD) present-day activity that may not exactly repeat the past still serve as echoes that perpetuate embedded harm. These insights can strengthen our resolve to rid current systems of the residual tinges of the past that hold us back from the just and peaceful society we desire.

Cultural Accountability Statement

Americans can trace the origins of racial profiling in law enforcement back to the eras of slavery and Jim Crow, marking a longstanding issue that has evolved over centuries and engrained into the consciousness of many Americans. Racial profiling by law enforcement is a complex and systemic issue with deep historical roots in the United States.

In 1693, Philadelphia's court granted the legal authority for police officers to stop and detain any minority person, embedding racial profiling within legal and societal.¹ Later, in 1857, the *Dred Scott v. Sandford* 60 U.S. 393 decision of the United States Supreme Court held that the U.S. Constitution did not extend American Constitutional citizenship to people of Black African American descent.² This landmark decision spawned across the nation a series of community municipal laws segregating African Americans, which is known as Jim Crow laws. Some communities enacted "Sundowner Laws" and other codes, limiting African Americans' access to the town and other public places after sundown, as well as restricting the number of African Americans able to congregate on a street corner.

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A police officer could arrest violators, and municipal courts could prosecute, jail, or fine offenders.³⁴

Racial Profiling and Racial Profiling laws threatened all people of color. They were initially designed to control African Americans and were extended to other marginalized communities, suppressing their ability to exercise their full citizenship. The historical ties of profiling to slavery and its codification into law reflect deep-seated biases and discriminatory practices that have been perpetuated through various eras in American history. Law enforcement tactics and strategies have ingrained these practices, reflecting and reinforcing societal prejudices.

In the 1960s, the Black Panther Party, founded in Oakland, played a role in exposing police brutality and racial injustices in law enforcement. They brought light to police misconduct by bringing national attention to the systemic abuse faced by Black Americans. Their efforts helped shape modern movements advocating for police accountability and contributed to the cultural shifts that underlie why policies like this exist today.

After the Black Panthers, which had the impact of bringing attention to police-Black community relations, the issue of police treatment of African Americans and other racial minorities continued unabated. In 1979, there was a fatal police shooting of a 14-year-old African American, Melvin Black, under questionable circumstances. Around the same time, Charles Briscoe, an African American union official, was also shot dead by an Oakland Police officer. These and other incidents brought about a firestorm, creating outrage in the community, which led to an effort to develop a community-police review board. The board was in effect, with moderate success, until the issues surrounding the Riders developed.

Additionally, the Oakland Police Department entered into a Negotiated Settlement Agreement (NSA) following a series of allegations of police misconduct, particularly related to racial profiling, excessive force, and unlawful searches and seizures, stemming from the “Riders” scandal in the early 2000s. In that case, over 100 African Americans were targeted, arrested, and beaten and had narcotics planted on them when they had, in fact, not been in possession of those narcotics. The result was that the Riders’ plaintiffs collectively served 40 years for crimes they did not commit. The NSA reflects the need for systemic reform within OPD to address these long-standing misconduct issues.

Oakland Police Department policy mandates the elimination of any form of racial profiling and requires comprehensive data collection and analysis to ensure equitable enforcement practices. These policies serve as a direct response to historical abuses and aim to prevent the recurrence of such misconduct, reinforcing the Department’s commitment to fair and

³ Loewen, James W. “Sundown Towns and Counties: Racial Exclusion in the South.” *Southern Cultures* 15 (2009): 22 - 47.

⁴ Bay, M. (1999). Remembering Racism: Rereading the Black Image in the White Mind [Review of *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914*, by G. M. Fredrickson]. *Reviews in American History*, 27(4), 646–656. <http://www.jstor.org/stable/30031116>

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just policing. Some Oakland Police Department's history of these practices is documented in a case study and book titled "*The Riders Come Out at Night: Brutality, Corruption, and Cover-Up in Oakland*"⁵ and Dr. Eberhardt's "*Strategies for Change: Research Initiatives and Recommendations to Improve Community Relations in Oakland*."⁶

Recognizing the far-reaching impact of profiling beyond racial lines is equally crucial in our commitment to fostering a truly equitable and just society. Racial profiling has evolved to threaten all protected classes, including but not limited to ethnicity, religion, gender, sexual orientation, gender identity, disability status, and socioeconomic background.

In recognizing the historical context and systemic nature of profiling, our policy is committed to addressing these practices within our police department. We aim to build a foundation for equitable and just law enforcement that respects the dignity and rights of all individuals, free from past biases. Progress and change come from changed behavior as we actively work to dismantle discriminatory practices and foster a culture of inclusion and fairness.

This commitment is a critical step toward healing and progress, ensuring that our law enforcement practices reflect the values of fairness, justice, and respect for all members of our community. To this end, the Oakland Police Department (OPD) has made significant strides toward rectifying the mistakes of the past. However, we acknowledge the ongoing journey towards full accountability and cultural transformation. We are dedicated to continuing this crucial work, striving to better our department and serve as a model of positive change in law enforcement.

Violations of this policy could lead to discipline up to and including termination.

I. PURPOSE

- A. This policy reaffirms the Oakland Police Department's commitment to providing service, enforcing laws fairly and equitably, and establishing a relationship with the community based on trust and respect. Whenever our practices are perceived as biased, unfair, or disrespectful, we lose public trust and support, diminishing our effectiveness.
- B. California Penal Code Section 13519.4(e) prohibits racial profiling by law enforcement officers. This Department policy explicitly prohibits racial profiling and other bias-based policing. It also states the limited circumstances in which members can consider race, ethnicity, national

⁵ Winston, Ali; Bondgraham, Darwin (2023). *The Riders Come Out at Night: Brutality, Corruption, And Cover-Up In Oakland* (First Atria Books hardcover ed.). New York, NY. ISBN 9781982168599.

⁶ Eberhardt, J. L.. (2016, June 15). *Strategies for Change: Research Initiatives and Recommendations to Improve Police-Community Relations in Oakland*, Calif. Stanford, SPARQ Social Psychological Answers to Real-world Questions. Retrieved from <http://www2.oaklandnet.com/oakcal1/groups/police/documents/webcontent/oak059292.pdf>

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origin, gender, age, religion, sexual orientation, or disability in making law enforcement decisions and actions.

II. DEFINITION OF RACIAL PROFILING

The consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in determining reasonable suspicion, probable cause, or the focus or scope of any law enforcement action that directly or indirectly restricts the freedoms or free movement of any person. An officer may rely on these characteristics only as part of a specific suspect description. This definition applies to all law enforcement activities, including traffic stops, pedestrian stops, searches, seizures, questioning, issuing citations, or making arrests.

III. POLICY

- A. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers shall be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution.
- B. Members shall articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, pedestrian, bicycle, or vehicle stops, arrests, non-consensual searches, and property seizures.
- C. Members shall not consider actual or perceived race, ethnicity, national origin, gender, age, religion, sexual orientation, or disability when establishing reasonable suspicion or probable cause or when conducting law enforcement activities. Suspicious activity must be based on specific, articulable facts and circumstances consistent with criminal behavior and should not be generalized to a demographic group. The officer must clearly state the reason for a stop before engaging in questioning related to criminal investigations or traffic violations and document this reason on any resulting citation or police report, in accordance with California Vehicle Code § 2806.5 and Assembly Bill 2773.
- D. Members shall complete all Field Investigative (FI) Reports in the Department's digital report writing platform by the end of the reporting member's shift via the MDT or desktop computer. Hard copy or paper FIs are no longer authorized, except when the FBR system is not operating, in which case paper FIs and paper Stop Data forms shall be completed and submitted to a supervisor for review and delayed data entry by office staff the system is not operational by the end of the reporting member's shift.

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- E. Members shall complete a Field Investigative (FI) Report for each investigative encounter and consent search that does not result in an arrest. Members shall also document the reason for the encounter or search.
- F. Members shall advise the Communication Section of any investigative encounter in the field, including detention, arrest, or a consensual encounter, to confirm or dispel a suspicion that the person may be involved in criminal activity. This requirement includes all walking stops, car stops, bicycle stops, and consensual encounters where the member talks with a person to confirm or dispel a suspicion that the person may be involved in criminal activity. A person subject to a consensual encounter is free to terminate the encounter at any time.
- G. Members conducting any investigative encounter shall provide the Communications Section with the reason for the encounter at the initiation of the encounter.

IV. CONSENT SEARCHES

- A. A consent search is based on permission granted by the person being searched rather than on probable cause, an arrest incident, or a search warrant. The search is limited to the areas the officers reasonably believe were authorized by the consenting individual. Consent must be given voluntarily and the individual providing consent must have the authority to do so.
- B. Consent searches are permissible law enforcement tools; however, their use shall not be:
- Arbitrary: The request to conduct a consent search must be reasonable, and members should be able to articulate the suspicion that formed the basis for the request.
 - Based on actual or perceived race, ethnicity, national origin, gender, age, religion, sexual orientation, or disability.
- C. Members shall advise individuals of their right to refuse a consent search before performing the search.

V. CONDUCTING STOPS

In conducting pedestrian, bicycle, or vehicle stops, members shall:

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- A. Be courteous, respectful, polite, and professional.
- B. Clearly state the reason for a stop before engaging in questioning related to criminal investigations or traffic violations and document this reason on any resulting citation or police report, in accordance with California Vehicle Code § 2806.5 and Assembly Bill 2773.
- C. Identify themselves [See Section VI]
- D. Ensure the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense and explain the reason for any delays.
- E. Answer questions the person may have regarding the stop and explain the disposition of the stop.
- F. Apologize for the inconvenience when appropriate.
- G. If asked, provide the procedures for filing a complaint about police services or conduct outlined in DGO M-3 COMPLAINTS AGAINST DEPARTMENTAL PERSONNEL OR PROCEDURES.

VI. APPLICATION OF HANDCUFFS

Officers shall apply handcuffs in a manner consistent with legal standards and departmental guidelines, ensuring that such restraints are neither arbitrary nor discriminatory. Handcuffs shall only be applied for legitimate law enforcement purposes and when necessary to ensure the safety of the officer, the individual, or the public.

The decision to apply handcuffs must be based on specific and articulable facts, not on the individual's race, ethnicity, gender, or other protected characteristics. Officers must evaluate each situation independently and ensure that the use of handcuffs is proportionate to the perceived threat or risk, considering the totality of the circumstances, including the individual's behavior, the severity of the suspected offense, and the potential risk of harm.

Handcuffs are significant and intrusive, and officers must be mindful of their physical and psychological impact on the individual. They must apply handcuffs in a manner that minimizes discomfort and does not cause unnecessary injury.

VII. OFFICER IDENTIFICATION

In the dynamic landscape of citizen-police interactions, the tenets of Procedural Justice underscore the importance of identifying oneself as a peace officer. At the

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heart of procedural justice lies the belief in fair processes, advocating that individuals' perceptions of fairness are deeply rooted in the quality of their experiences rather than solely their outcomes. Imagine a scenario where an officer stops a driver. The driver's perception of fairness hinges significantly on being treated with dignity, granted a voice, interacting with a neutral and transparent officer, and deciphering the officer's trustworthy motives. When officers promptly identify themselves, it sets a tone of transparency, accountability, and respect—core pillars of procedural justice. It is more than just a procedural step; it's an act that can profoundly influence a person's long-term attitude toward the police force. Such gestures, though they may seem small, are pivotal in establishing and fortifying the community's trust, thus bolstering the legitimacy of law enforcement. Embracing the ethos of procedural justice, especially in everyday interactions like identifying oneself, can be transformative in fostering a more understanding, cooperative, and ultimately safer community.

A. Situations where identification⁷ is mandatory:

- Affecting a stop: In accordance with DGO M-19, Section V. C. – Conducting Stops.
- When a police officer is not in uniform or operating an unmarked police vehicle, they need to engage with citizens while taking official police action.
- Ecological or environmental factors: If ecological or environmental factors such as weather and structural design prohibit a reasonable person from determining if a peace officer is present.
- Executing search or arrest warrants: Before entering a residence or business, officers shall identify themselves in accordance with “knock and notice.”⁸
- Assisting other agencies: When an officer assists another law enforcement agency or responds to an incident outside their jurisdiction, they must identify themselves as soon as feasible.
- On-duty but not in uniform: In both on-duty and off-duty scenarios, even when not in uniform or lacking distinct police insignia or qualifying factors, officers must consistently identify themselves when taking any form of police action.

⁷ Identification, in the context of this policy, refers to the act of a police officer clearly and unambiguously stating their name or affiliation with the law enforcement agency they represent when interacting with members of the public in their official capacity (e.g.: “Officer Doe” or “Oakland Police.”)

⁸ Penal Code Sections 844, 1531, and Training Bulletin IV-O.

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- During protests or demonstrations: In accordance with TB III-G (using the Tactical Operations Support Team).
- When interacting with vulnerable populations: Officers must exercise heightened awareness and sensitivity to identify themselves, especially when they perceive that individuals may have difficulty comprehending the situation. These individuals may include those with mental illnesses, individuals with disabilities, non-English speakers, elderly citizens, youth, and minors.
- If requested by a citizen: If a public member asks for identification, the officer shall provide it in accordance with DGO M-03 – Complaints against Departmental Personnel or Procedures.
- In situations where identification cannot be presumed: Such as during telephone interactions.

B. Situations where identification may be assumed:

- Emergency response: In high-stress situations where rapid response may override the need for immediate identification (active shootings, critical incidents, fires, or medical emergencies).
- In marked patrol cars: When an officer is in a marked patrol car with police lights or sirens activated, their role as a peace officer is readily apparent and may be reasonably assumed by those in the vicinity. The marked patrol car, equipped with distinct police insignia and emergency signaling devices, clearly indicates law enforcement presence and activity.
- In uniform: Officers are considered to be “in uniform” when they are attired in official law enforcement attire, which typically includes a badge, name tag, and other distinct insignia, regardless of whether they are in a complete uniform or not. This designation applies when a reasonable person, observing the officer's attire and insignia, would conclude that the individual is a peace officer. Such situations can encompass instances where officers are not in their full standard uniform but are still unmistakably identifiable as law enforcement personnel due to the prominent display of police insignia.
- During large-scale operations: In situations like Sideshow, tactical team operations, or mass arrests, where multiple officers are present and visibly identified as law enforcement, identification may be assumed.

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- At public events: Officers present at public events like parades, sporting events, or festivals.

VIII. EXAMPLES OF RACIAL PROFILING

A. Examples of racial profiling include but are not limited to the following:

- Example #1

While on patrol, an officer observes a black male driving a new, expensive vehicle in a low-income neighborhood. The vehicle is not listed on the “hot sheet” nor entered in the Stolen Vehicle System (SVS). The officer decides to stop the vehicle to investigate further because he feels the car may have been stolen because it appears too expensive for the driver and the neighborhood.

It is prohibited to detain the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess a specific model of vehicle.

In this example, the officer had neither reasonable suspicion nor probable cause to detain the vehicle. Absent additional information or observations that would lead a “reasonable” officer to believe the vehicle was stolen, such as a smashed window or signs that the vehicle was hot-wired, the officer’s stop constitutes racial profiling.

- Example #2

An officer is assigned to a predominately “white” residential neighborhood. While on patrol, the officer observes a Hispanic male driving a truck late at night. The officer knows most of the residents in the area and does not recognize the Hispanic driver. Recently, there have been burglaries in that area. Based on the fact that there have been burglaries in the area, the driver is Hispanic, and the residents in the area are white, the officer investigated further to investigate further.

Detaining the driver of a vehicle based on the determination a person of that race, ethnicity, or national origin does not belong in a particular part of town constitutes racial profiling and is prohibited.

In this example, the officer’s knowledge of the residents and the driver’s race does not provide reasonable suspicion, even though the race differs from most residents in that area. The fact that there have been burglaries in the area may raise an officer’s suspicion to

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vehicles driving late at night; however, even when this information is considered with the other factors discussed, it is an insufficient basis for a detention.

IX. STOP-DATA COLLECTION

A. A separate Field Interview/Stop Data Report (FI/SDR) is required for all self-initiated encounters involving person(s) subject to a(n):

- Detention
- Arrest; or
- Encounters resulting in a search or request to search. Self-initiated encounters are encounters unrelated to any radio-dispatched call for service, citizen flag-down, or encounters conducted pursuant to the service of a search warrant. For the purpose of this policy, a radio-dispatched call for service is any CAD-initiated service call by a citizen to Oakland Police Communications.

An FI or Crime Report shall be completed on all radio-dispatched encounters involving person(s) subject to a(n):

1. Detention; or
2. Arrest

For radio-dispatched encounters, officers may complete a single FI or Crime Report documenting all persons subject to these encounters.

- B. For all encounters directed by another officer, it is the responsibility of the officer executing the encounter to complete an FI or Crime Report, and, if applicable a SDR.
- C. For planned operations, the operations commander, with the approval of their Deputy Chief of Police, may temporarily suspend FI/SDR requirements. The operations commander shall document the temporary suspension in the operations plan.
- D. An FI or Crime Report and, if applicable, an SDR is not needed for a vehicle passenger(s) who is merely detained for officer safety reasons, and the interaction is not intrusive. However, asking the passenger(s) if they are on parole or probation, have a criminal history, or have anything illegal on their person requires the completion of an FI/Stop Data Report. Merely asking for identification does not require the completion of an SDR.

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An FI or Crime Report and, if applicable, an SDR is not needed for a person(s) subject to a self-initiated consensual encounter. However, asking if they are on parole or probation, have a criminal history, or have anything illegal on their person requires the completion of an FI/Stop Data Report. If the consensual encounter is elevated to a detention or arrest, officers shall complete an SDR. Merely asking for identification does not require the completion of an SDR.

E. Officers shall document in their FI or Crime Report:

- The reason for encounter and, if necessary,
- The reasonable suspicion or probable cause for the stop.

X. MEMBER RESPONSIBILITIES

Racial profiling is considered a “complaint of serious nature,” as enumerated in DGO M-03, Section III, A. 11. a. 3. and requires notification to the “IAD Commander and the Chief of Police, or designee as soon as practical, but in no case more than 24 hours after discovering the allegation.”

In addition to the mandatory reporting requirement of any known or observed racial profiling, members shall not engage in, ignore, or condone racial profiling or other bias-based policing and be responsible for knowing and complying with this policy.

Members who engage in, ignore, or condone racial profiling or other bias-based policing violate the following Manual of Rules Section and are subject to discipline:

314.06 CONDUCT TOWARD THE PUBLIC – RACIAL PROFILING

Members and employees shall engage with all individuals fairly and impartially. The Department adheres unwaveringly to the highest standards of fairness and equality, treating all accusations of racial profiling—whether they concern race, ethnicity, religion, or national origin—with the utmost seriousness, ensuring that every case is meticulously investigated, reflecting our deep commitment to justice and equal respect for all individuals.

Racial profiling, a discriminatory practice by law enforcement officials, is a serious offense. It involves targeting individuals for suspicion of crime based on their race, ethnicity, religion, or national origin rather than on their behavior or reliable information pertaining to a specific suspect's description. This practice is expressly forbidden, as defined in DGO M-19, as it undermines the trust between the community and law enforcement and contradicts the principles of equality and justice.

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Any member or employee who engages in racial profiling (discriminatory behavior) against another person or engages in any law enforcement conduct that constitutes racial profiling shall face disciplinary action.

Furthermore, any member or employee who knows that another member or employee has engaged in racial profiling or any conduct that violates the prohibition against racial profiling is responsible for reporting that conduct.

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XI. COMPLAINTS

Complaints of racial profiling and other bias-based policing against members shall be:

- A. Considered complaints of discrimination (Class 1 violation as defined in DGO M-3) and, as such, immediately forwarded to the Internal Affairs Division.
- B. Immediately referred to the member's supervisor, or if the officer's supervisor is unavailable, to the Watch Commander.

XII. TRAINING

- A. Pursuant to California Penal Code Section 13519.4,⁹ each member shall:
 - Attend the Commission on Peace Officer Standards and Training (POST) course on racial, identity, and cultural diversity, which includes training on understanding and respecting racial, identity, and cultural differences and developing effective, non-combative law enforcement methods in a diverse environment.
 - Complete an approved refresher course on racial, identity, and cultural diversity every five (5) years, or more frequently, if necessary, to stay current with evolving trends and best practices.
- B. The Training Commander shall ensure that line-up training on racial profiling and this policy is provided to sworn personnel at least once annually. This training may also be extended to non-sworn personnel.
- C. The curriculum shall be evidence-based and include the following subjects:
 - Identifying key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community.
 - The negative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement, including historical perceptions of discriminatory enforcement practices.
 - The history and role of the civil and human rights movements and their impact on law enforcement.

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- The specific obligations of peace officers are to prevent, report, and respond to discriminatory or biased practices by fellow officers.
- Perspectives of diverse, local constituency groups and experts on racial, identity, and cultural issues and police-community relations.
- The prohibition against racial or identity profiling, as mandated by subdivision (f) of Section 13519.4.

XIII. SUPERVISORY RESPONSIBILITIES

Supervisors shall:

- A. Not engage in, ignore, or condone racial profiling or other bias-based policing.
- B. Be responsible for knowing and complying with this policy.
- C. Ensure that subordinates under their command know and understand the content and application of this policy.
- D. Comply and ensure subordinate personnel comply with the provisions of this order.
- E. Be subject to disciplinary action for failure to comply with this order.
- F. Be subject to disciplinary action if it is determined that members assigned to a supervisor and/or commander failed to comply with this order and the supervisor and/or commander knew of said violation or should have reasonably known.

XIV. SUPERVISORY RESPONSIBILITIES FOR REVIEWING FIELD INVESTIGATIVE (FI) AND STOP DATA FORMS

- A. The shift supervisor, not the regular supervisor, is responsible for reviewing the field contact (FI) reports and stop data collection forms. The shift supervisor must ensure these forms are reviewed and approved in the FBR system by the end of their shift, barring exigent circumstances.
- B. The review process must be thorough, ensuring that:
 - All categories in the forms are completed.
 - The narrative section is detailed and accurately reflects the encounter.

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- All necessary information, including the CAD incident number and the Report/Document (RD) number, is accurately documented.
- The review and approval should be completed by the end of the supervisor's shift unless urgent situations prevent timely completion.

C. Ensuring Non-Discriminatory Practices: The supervisor must carefully review the documentation to ensure that officers are not engaging in racial profiling. This includes:

- Verifying that the reasons for investigative encounters, consent searches, and stops are clearly articulated and justified based on observable facts and circumstances.
- Ensuring these actions are not based on an individual's race, ethnicity, or national origin.
- Checking that the reasons provided for stops and searches are clear and leaves no room for ambiguity.
- Confirm that the documentation includes observable facts and circumstances that justify actions.

XV. EVALUATION AND ACCOUNTABILITY

Pursuant to the provisions of DGO N-12, Departmental Audits and Inspections, the OIA shall conduct annual reviews and audits of the Department's data collection efforts to ensure compliance with the Settlement Agreement. The OIA shall report all findings to the Chief of Police.

Based on these findings, the OPD will take corrective actions as necessary. This may include revising policies, enhancing training programs, and implementing disciplinary measures for non-compliance.

The policy will be regularly reviewed and updated based on audit results, feedback, and evolving best practices, ensuring it remains relevant and effective.

The OPD will engage with external experts and organizations specializing in racial equity and bias reduction to stay informed about new research and methodologies.

PARTNERSHIP WITH THE CITY OF OAKLAND DEPARTMENT OF RACE AND EQUITY

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The OPD is dedicated to building a strong partnership with the City of Oakland Department of Race and Equity to address racial profiling effectively. This collaboration aims to achieve shared goals through joint efforts and coordinated actions, emphasizing mutual accountability and transparency.

Guided by successful strategies and insights from key figures in the field, the OPD benefits from the expertise of the Department of Race and Equity, which highlights several effective approaches for developing and implementing policies that foster a more just and equitable city. Through interactive dialogues and collaborative efforts, the common constraints and challenges faced by policymakers and practitioners are addressed, ensuring continuous progress toward a fairer community.

By nurturing this partnership, the OPD strives to develop and maintain policies that combat racial profiling and promote equity and justice. This commitment ensures that all community members are treated fairly and respectfully. The ongoing collaboration reflects a shared dedication to building a community where trust and mutual respect form the foundation of law enforcement practices. Furthermore, by fostering transparency and accountability, the OPD is committed to building a trustworthy culture where officers and community members work together to create a safer and more inclusive environment for everyone.

By order of

Floyd Mitchell
Chief of Police

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GLOSSARY

Age: The number of years an individual has lived, especially concerning discrimination based on being too young or old.

Bias: Bias is a tendency, inclination, or prejudice toward or against something or someone. It can be positive or negative and often results from personal experiences, cultural conditioning, or societal influences. In the context of law enforcement, bias refers to preconceived notions or attitudes about individuals or groups based on characteristics such as race, ethnicity, gender, age, religion, sexual orientation, or disability. Bias can be explicit, where individuals are aware of their prejudices, or implicit, where attitudes and stereotypes operate unconsciously and influence behavior without the individual's conscious awareness.

Consensual Encounter: A consensual encounter is a voluntary interaction between law enforcement officers and individuals that does not involve coercion, detention, or restriction of the individual's freedom to leave. During a consensual encounter, individuals are free to disregard the officers' requests and walk away without any consequences. Officers do not need reasonable suspicion or probable cause to initiate a consensual encounter.

Consent Search: A consent search is conducted based on the voluntary permission given by the person to be searched rather than on probable cause, an incident to arrest, or a search warrant. The scope of the search is limited to the areas the officers reasonably believe were authorized by the individual giving consent. Consent must be given voluntarily, without coercion, and the individual providing consent must have the legal authority to do so.

Cultural Diversity: The existence of various cultural or ethnic groups within a society.

Culturally Diverse: Inclusive of various cultural backgrounds, customs, languages, or traditions that define different groups.

Detention: A police detention based on reasonable suspicion, also known as a "Terry stop," is a brief, non-intrusive stop of an individual by law enforcement officers based on specific and articulable facts that lead the officers to suspect that the person may be involved in criminal activity. This belief must be more than a mere hunch and should be grounded in observable behavior, information from reliable sources, or the totality of the circumstances. The detention must be temporary and last only as long as necessary to confirm or dispel the officer's suspicion, with the scope limited to what is necessary to achieve its purpose, such as questioning the individual or conducting a pat-down search for weapons if there is a concern for officer safety. The officer must articulate specific facts that justify the stop, including unusual behavior, evasive actions, the time of day, the location, or other contextual factors. The detention must be lawful and based on an

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objective assessment of the circumstances, and any evidence obtained during an unlawful detention may be inadmissible in court.

Disability: A physical or mental impairment substantially limiting one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

Gender: The personal identification or expression of one's sex, including male, female, or non-binary identities.

Gender Identity or Expression: How an individual identifies or expresses their gender, including one's internal sense of being male, female, or something else, and how they express this through clothing, behavior, etc.

Implicit Bias: Implicit bias refers to the attitudes or stereotypes that unconsciously affect one's understanding, actions, and decisions. These biases, which encompass favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Personal experiences and cultural conditioning shape implicit biases and can influence behavior and decision-making, even when individuals believe in fairness and equality. Understanding implicit bias is crucial in preventing bias-based policing.

Nationality: Membership in a particular nation, whether by birth or naturalization, including national origin, citizenship, or ethnicity.

Probable Cause: Under the Fourth Amendment of the United States Constitution, "probable cause" is a legal standard that requires a reasonable belief, based on factual evidence, that a person has committed a crime or that evidence of a crime can be found in a specific location. This standard is higher than reasonable suspicion and is necessary for obtaining warrants, making arrests, and conducting searches without a warrant. Probable cause must be based on specific, reliable facts and circumstances that would lead a reasonable person to believe that a crime has been, is being, or will be committed. It ensures that law enforcement actions are grounded in objective evidence and protects individuals from unreasonable searches and seizures.

Procedural Justice: Procedural justice refers to fairness in resolving disputes and allocating resources. It emphasizes how police and other legal authorities interact with the public and how these interactions shape the public's views of the police, their willingness to obey the law, and actual crime rates. Key principles of procedural justice include transparency, neutrality, respect, and trustworthiness in all interactions between officers and the public. The goal is to ensure that individuals feel their concerns are heard and taken seriously, regardless of the outcome of the encounter.

Peace officers must uphold their duty and oath to exercise procedural justice without being influenced by personal or implicit biases. By ensuring their actions are free from bias, officers can build trust and legitimacy, reinforcing the community's faith in the justice system.

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Race or Ethnicity: A social grouping based on shared heritage, ancestry, or geographical origin.

Reasonable Suspicion: Under the Fourth Amendment of the United States Constitution, "reasonable suspicion" is a legal standard that justifies law enforcement officers in stopping and briefly detaining a person if the officer has a particularized and objective basis for suspecting the person of criminal activity. It is a lower standard than probable cause but requires more than a hunch. Reasonable suspicion must be based on specific and articulable facts and rational inferences from those facts that criminal activity is afoot. This standard allows officers to investigate further while protecting individuals from arbitrary or unjustified intrusions.

Religion: The practice or belief in a set of spiritual or moral principles, including atheism or agnosticism.

Sexual Orientation: A person's sexual or romantic attraction to individuals of the same gender, opposite gender, both, or none.

Stop: The act of a peace officer detaining a pedestrian or vehicle occupant for questioning, search, or other law enforcement activities.

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