

CITY OF OAKLAND  
**COMMUNITY POLICE REVIEW AGENCY**  
*Recently Completed Investigations*  
 (Allegations in bold were discovered by CPRA investigators)

6/24/21  
**Page 1 of 19**  
 (Total completed = 21)

Assigned Inv.	Case #	Incident Date	Completion Date	1-Year Goal	Officer	Allegation	Finding
JW	20-0938	5/29/20	5/24/21	5/28/21	Subject Officer 1	<b>Performance of Duty – General</b>	<b>Sustained</b>
		5/29/20				<b>Supervisors – Authority and Responsibilities</b>	<b>Sustained</b>
		6/1/20			Subject Officer 2	Performance of Duty – General	<i>Sustained</i>
		6/1/20				<b>Supervisors – Authority and Responsibilities</b>	<b>Sustained</b>
		5/31/20			Subject Officer 3	Use of Force	<i>Unfounded</i>
		5/29/20			Subject Officer 4	Use of Force	<i>Unfounded</i>
		5/29/20			Subject Officer 5	Use of Force	<i>Unfounded</i>
		5/31/20			Subject Officer 6	Use of Force	<i>Unfounded</i>
KT	20-0958	6/1/20	5/24/21	5/29/21	Subject Officer 1	Use of Force (Level 3)	<i>Sustained</i>

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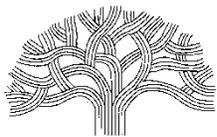
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						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 2	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 3	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 4	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
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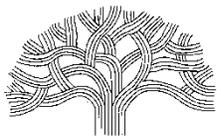
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						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 5	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 6	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 7	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 8	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>

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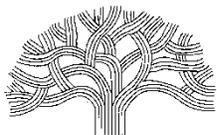
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						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 9	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 10	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 11	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>

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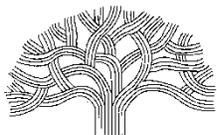
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						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 12	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 13	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 14	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 15	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>

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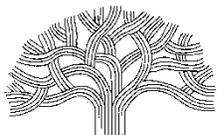
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					Subject Officer 16	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					Subject Officer 17	Use of Force (Level 2)	<i>Exonerated</i>
					Subject Officer 18	Use of Force (Level 2)	<i>Exonerated</i>
JS	20-0799	6/28/20	6/7/21	6/27/21	Subject Officer 1	Conduct Toward Others – Harassment and Discrimination/Race	<i>Unfounded</i>
						Conduct Toward Others – Demeanor	<i>ICR</i>
						Performance of Duty – General	<i>ICR</i>
					Subject Officer 2	Performance of Duty – General	<i>ICR</i>
						Performance of Duty – General	<i>Unfounded</i>

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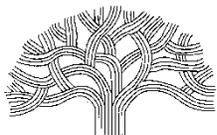
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MM	20-0879	7/11/20	6/16/21	7/10/21	Subject Officer 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest
					Subject Officer 3		Use of Force (Level 4)
						Subject Officer 4	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest
					Subject Officer 4		Use of Force (Level 4)
						Subject Officer 4	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest
					Subject Officer 4		Use of Force (Level 4)

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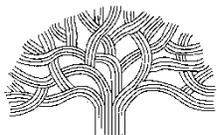
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MM	20-0978	7/30/20	6/8/21	7/30/21	Subject Officer 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
						Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
						Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
JS	20-1005	8/5/20	6/15/21	8/4/21	Subject Officer 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>

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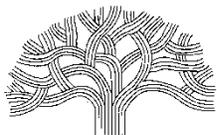
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					Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					Subject Officer 4	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
ED	20-1088	8/22/20	6/8/21	8/22/21	Subject Officer 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Unfounded</i>
						Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Unfounded</i>

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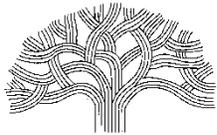
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						Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					No Subject Identified	No Duty/No MOR Violation	<i>No MOR violation</i>
						No Duty/No MOR Violation	<i>No MOR violation</i>
JS	20-1113	8/28/20	6/15/21	8/28/21	Subject Officer 1	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Use of Force	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Use of Force	<i>Exonerated</i>

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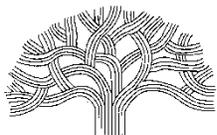
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					Subject Officer 3	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Use of Force	<i>Exonerated</i>
JS	20-1147	9/6/20	4/22/21 <sup>i</sup>	9/5/21	Subject Officer 1	Use of Force	<i>Unfounded</i>
MB	21-0161	1/4/21	6/4/21	2/8/22	Subject Officer 1	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
						Service Complaint	<i>Service related</i>
MB	21-0350	1/5/21	6/11/21	3/31/22	Subject Officer 1	No Duty/No MOR Violation	<i>Complaint Withdrawn</i>
RM	21-0128	2/1/21	6/8/21	1/31/22	Subject Officer 1	Use of Force	<i>Exonerated</i>
						No Duty/No MOR Violation	<i>No MOR Violation</i>

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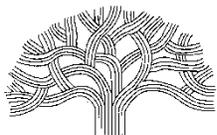
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						Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Performance of Duty - PDRD	<i>Not Mandated</i>
RM	21-0164	2/7/21	6/10/21	2/7/22	Subject Officer 1	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 2	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 3	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 4	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 5	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 6	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>

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					Subject Officer 8	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 9	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 10	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
					Subject Officer 11	Conduct Toward Others – Harassment and Discrimination / Race	<i>Unfounded</i>
MB	21-0215	2/22/21	6/4/21	2/22/22	Subject Officer 1	Conduct Toward Others – Harassment and Discrimination/General [Race]	<i>Unfounded</i>
						Performance of Duty - General	<i>Not Mandated</i>
MB	21-0310	3/7/21	6/11/21	3/18/22	Subject Officer 1	Performance of Duty - General	<i>Exonerated</i>

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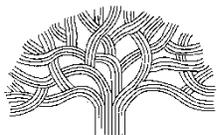
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CITY OF OAKLAND  
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 (Allegations in bold were discovered by CPRA investigators)

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Assigned Inv.	Case #	Incident Date	Completion Date	1-Year Goal	Officer	Allegation	Finding
					Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
MB	21-0289	3/9/21	6/7/21	3/11/22	Subject Officer 1	Use of Force	<i>Exonerated</i>
					Subject Officer 2	Use of Force	<i>Exonerated</i>
					Subject Officer 3	Use of Force	<i>Exonerated</i>
					Subject Officer 4	Use of Force	<i>Exonerated</i>
					No Subject Identified	Service complaint	<i>Service related</i>
MB	21-0291	3/12/21	6/4/21	3/13/22	Subject Officer 1	Conduct Toward Others - Demeanor	<i>Unfounded</i>
						Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>

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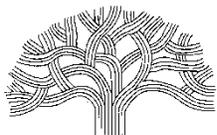
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CITY OF OAKLAND  
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Assigned Inv.	Case #	Incident Date	Completion Date	1-Year Goal	Officer	Allegation	Finding
						Use of Force	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Use of Force	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
						Use of Force	<i>Exonerated</i>
					Subject Officer 4	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
MB	21-0292	3/14/21	6/11/21	3/14/22	Subject Officer 1	Conduct Toward Others – Demeanor	<i>Unfounded</i>
						Performance of Duty - General	<i>Exonerated</i>

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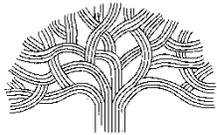
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CITY OF OAKLAND  
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Assigned Inv.	Case #	Incident Date	Completion Date	1-Year Goal	Officer	Allegation	Finding
						Performance of Duty - General	<i>Exonerated</i>
MB	21-0402	4/13/21	6/17/21	4/13/22	Unidentified	Use of Force	<i>No jurisdiction</i>
					Unidentified	No Duty/No MOR Violation	<i>No jurisdiction</i>
					Unidentified	No Duty/No MOR Violation	<i>No jurisdiction</i>
					Unidentified	No Duty/No MOR Violation	<i>No jurisdiction</i>
FC	21-0528	5/27/21	6/17/21	6/6/22	Subject Officer 1	Service Complaint	<i>Service related</i>

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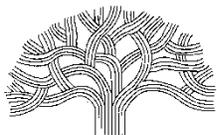
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**CPRA Made the following Training Recommendations with Respect to Investigations in this Report**

CPRA recommends that an officer receive training related to the Operations Plan and with Department policy regarding mutual aid and prohibited chemical agents/munitions

**CPRA Made the following Policy Recommendations with Respect to Investigations in this Report**

1. OPD should distill policies and procedures and any other relevant documents (including applicable court orders) applying to the conduct of mutual aid agencies into a separate document. This document should list the procedures that mutual aid agencies should follow, note prohibited munitions and interdicted uses of force, and permissible uses of force (especially regarding SIMs). This should be distributed to line officers responding as mutual aid. OPD should ensure that this document, and all relevant OPD policies are regularly distributed to regional law enforcement agencies likely to respond to a request for mutual aid.

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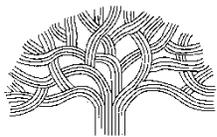
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| <p>2. OPD should hold a virtual or in-person meeting at least yearly with regional law enforcement agencies likely to respond to a request for mutual aid to review and discuss OPD's crowd control and use of force policies, procedures for utilizing mutual aid, and dynamics of crowd control situations in Oakland.</p>   |
| <p>3. OPD should prepare presentations for use during briefings of mutual aid agencies during crowd control events. The presentation should focus on OPD crowd control, use of force, and less-lethal munitions policies.</p>  |
| <p>4. A standard operating procedure (SOP) be developed regarding the process for checking in and checking out mutual aid agencies at the Staging area. It should be updated to reflect the most current OPD policies regarding mutual aid, including those mandated by court order. It should list and define each specific role officers will be required to perform and should include step-by step instructions.</p> |
| <p>5. An officer with expertise regarding less-lethal munitions and chemical agents should always be present at Staging to inspect a mutual aid agency's munitions and identify any that are prohibited for crowd control use by OPD policy.</p>   |
| <p>6. Training should be conducted yearly for all officers in CID who are likely to be called up to work at Staging and for all Lieutenants and Captains who could be called upon to serve as Staging Manager.</p>   |

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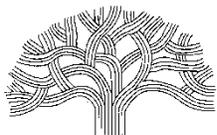
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7. An SOP for Pathfinders should be created, listing and defining each specific task Pathfinders must perform. OPD should provide annual training to all officers likely to be assigned to serve as Pathfinders.
8. To avoid confusion or ambiguity about the munitions OPD prohibits for crowd control, OPD should consider revising relevant portions of TB III-H: under No. 2 in the section headed "Crowd Control and Crowd Management Usage" (and similar language in TB III-G).
9. OPD should establish a written protocol for obtaining reports and body worn camera footage from mutual aid agencies.
10. OPD should consider incorporating protocols for production of reports and body worn camera footage by mutual aid agencies into its mutual aid agreements.
11. OPD should revise its Crowd Control Operations training for its Basic Academy and for Advanced Officer training to list Stinger Grenades, Stinger Rubber Ball rounds and other non-directional, non-target specific munitions among weapons prohibited for crowd control use.

<sup>i</sup> This case was unintentionally omitted from the relevant monthly Recently Completed Investigations report.

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**CITY OF OAKLAND**  
**COMMUNITY POLICE REVIEW AGENCY**

**Pending Cases Associated with Public Demonstrations 5/29/20 – 6/1/20 (1 Case Total)**

Case #	Incident Date	Assigned Staff	180-day Goal	1-year Goal	Type* (604(f)(1) or Other)	Allegation(s)
20-1323	6/1/2020	N/A	4/14/21	10/13/21	1 <sup>st</sup> Amendment Assembly, Profiling	Profiling, Failure to Accept or Refer Complaint

\* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.



CITY OF OAKLAND  
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*Pending Cases*  
 (Sorted by 1-Year Goal)

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 (Total Completed = 71)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0800	6/27/20	7/1/20	6/28/20	Investigator	ED	12/28/20	6/27/21	Use of Force	1	5	5	Use of Force, Failure/Refusal to Accept/Refer Complaint
20-0880	7/11/20	7/21/20	7/11/20	Investigator	JS	1/11/21	7/10/21	Other	2	1	1	Demeanor
20-0971	7/29/20	8/30/20	7/29/20	Investigator	ED	2/26/21	7/28/21	Use of Force, Profiling/Discrimination	1	5	11	Discrimination, Use of Physical Force
20-1000	8/4/20	8/6/20	8/4/20	Investigator	AL	2/2/21	8/3/21	Use of Force	1	2	3	Use of Force, Performance of Duty
20-1058	8/15/20	8/19/20	8/15/20	Investigator	AL	2/15/21	8/14/21	Use of Force	1	3	8	Use of Force, Service Complaint
20-1083	8/20/20	8/26/20	8/20/20	Investigator	ED	2/22/21	8/19/21	Use of Force	1	1	2	Use of Force, Demeanor
20-1085	8/20/20	8/26/20	8/20/20	Investigator	ED	2/16/21	8/20/21	Profiling/Discrimination	1	2	6	Profiling/discrimination; unlawful Search; false arrest
20-1092	8/21/20	8/26/20	8/21/20	Investigator	MM	2/22/21	8/20/21	Use of Force	1	1	5	Use of Force; Care of Property; Unlawful Search & Seizure; Demeanor
20-1116	8/29/20	9/2/20	8/29/20	Investigator	MM	3/1/21	8/28/21	Use of Force	1	8	19	Use of Force
20-1129	9/1/20	9/2/20	9/1/20	Investigator	AL	3/1/21	8/31/21	Use of Force, Performance of Duty	2	12	23	Other, Unintentional/Improper Search, Use of Force, Failure to Accept, Performance of Duty
20-1164	9/6/20	9/16/20	9/10/20	Investigator	AL	3/15/21	9/9/21	Use of Force	1	2	5	Use of Force; Performance of Duty;
20-1282	9/28/20	10/8/20	10/6/20	Investigator	AN	3/27/21	9/28/21	Other	2	10	10	Demeanor, Unintentional/Improper Search
20-1283	10/6/20	10/8/20	10/6/20	Investigator	AL	4/6/21	10/5/21	Racial Discrimination/Demeanor	1	3	6	Conduct Toward Others; Performance of Duty
20-1441	11/10/20	11/13/20	11/10/20	Investigator	JS	5/12/21	11/9/21	Other	1	2	2	Profiling
20-1484	11/20/20	1/22/21	11/20/20	Investigator	JS	7/20/21	11/20/21	Racial Discrimination	1	3	8	Racial Discrimination, Performance of Duty,
20-1524	11/28/20	12/2/20	12/1/20	Investigator	ED	5/31/21	11/30/21	Profiling/Discrimination	1	1	5	Profiling/Discrimination, Demeanor, Performance of Duty
20-1542	11/15/20	12/9/20	12/6/20	Investigator	AN	6/7/21	12/5/21	Use of Force	1	3	7	Use of Force, Unlawful Arrest
20-1551	12/7/20	12/16/20	12/16/20	Investigator	JS	6/14/21	12/15/21	Use of Force	1	2	3	Performance of Duty, Use of Force, Care of Property

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20-1578	10/31/20	5/18/21	12/17/20	Investigator	ED	6/15/21	12/17/21	Other	1	2	4	General Conduct, Obedience to Laws
21-0606	12/31/17	6/2/21	4/28/21	Intake	RM	11/29/21	1/3/22	Other	2	2	2	Performance of Duty
21-0025	1/7/21	1/7/21		Investigator	MM	7/6/21	1/6/22	Performance of Duty; Racial Discrimination	1	3	3	Performance of Duty
21-0028	1/8/21	1/14/21	1/8/21	Investigator	MM	7/13/22	1/7/22	Performance of Duty	1	2	1	Performance of Duty
21-0070	1/1/21	1/21/21	1/19/21	Investigator	ED	7/20/21	1/19/22	Use of Force	1	1	5	Use of Force, Demeanor
21-0202	1/29/21	1/29/21		Investigator	MM	7/28/21	1/28/22	Performance of Duty	2	2	2	Performance of Duty
21-0138	2/4/21	2/10/21	2/4/21	Intake	RM	8/9/21	2/3/22	Racial Discrimination	1	1	1	Racial Discrimination
21-0151	2/6/21	2/10/21	2/6/21	Intake	RM	8/9/21	2/5/22	Use of Force	1	2	2	Use of Force
21-0179	2/15/21	2/17/21	2/15/21	Intake	RM	8/16/21	2/14/22	Racial Discrimination	1	1	1	Racial Discrimination
21-0188	2/16/21	2/18/21	2/16/21	Investigator	AL	8/17/21	2/16/22	Use of Force	1	4	6	Use of Force
21-0217	2/23/21	3/4/21	3/4/21	Investigator	AL	8/22/21	2/23/22	Use of Force	1	2	2	Use of Force
21-0233	2/27/21	3/3/21	2/27/21	Intake	RM	8/30/21	2/26/22	Racial Discrimination	1	1	1	Racial Discrimination
21-0238	3/2/21	3/2/21	3/2/21	Investigator	AN	8/29/21	3/2/22	Use of Force	1	1	2	Use of Force
21-0248	3/3/21	3/5/21	3/3/21	Intake	MB	9/1/21	3/3/22	Force	1	3	3	Performance of Duty
21-0252	3/1/21	3/11/21	3/5/21	Investigator	AL	9/7/21	3/4/22	Use of Force	1	5	13	Use of Force, Performance of Duty, Demeanor, Refusal to Accept or Refer a Complaint
21-0254	3/2/21	3/11/21	3/5/21	Intake	MB	9/7/21	3/5/22	Other	2	1	5	Performance of Duty
21-0262	3/6/21	3/11/21	3/6/21	Intake	RM	9/7/21	3/6/22	Racial Discrimination	1	1	1	Racial Discrimination
21-0270	3/7/21	3/8/21	3/8/21	Investigator	AN	9/4/21	3/7/22	Racial Discrimination, Use of Force	1	4	8	Racial Discrimination, Conduct toward others, Performance of Duty, Use of Force
21-0309	1/2/21	3/24/21	3/19/21	Intake	MB	9/20/21	3/19/22	Other	1	3	4	Custody of Prisoners
21-0337	5/3/13	3/30/21	3/27/21	Intake	MB	9/26/21	3/27/22	Use of Force	1	8	8	Use of Force
21-0353	4/1/21	4/7/21	4/1/21	Intake	RM	10/4/21	3/31/22	Use of Force	1	2	2	Use of Force
21-0358	4/2/21	4/7/21	4/2/21	Investigator	AL	10/4/21	4/1/22	Use of Force	1	1	2	Use of Force; Performance of Duty
21-0366	4/5/21	4/7/21	4/5/21	Intake	MB	10/4/21	4/4/22	Use of Force	1	4	8	Use of Force
21-0354	4/1/21	4/2/21	4/7/21	Intake	RM	10/4/21	4/6/22	Other	1	2	4	Performance of Duty/Miranda Violation

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21-0422	4/18/21	4/20/21	4/18/21	Investigator	ED	10/17/21	4/17/22	Racial Discrimination	1	2	7	Discrimination, Refusal to Provide Name or Serial Number, PDRD Activation, Demeanor
21-0430	4/20/21	4/21/21	4/20/21	Intake	RM	10/18/21	4/19/22	Use of Force	1	2	4	Performance of Duty, Use of Force; Improper/Unlawful Search & Seizure
21-0433	2/20/21	4/21/21	4/21/21	Intake	FC	10/18/21	4/20/22	Other	2	2	3	Demeanor, Performance of Duty
21-0439	4/22/21	4/27/21	4/22/21	Intake	FC	10/24/21	4/21/22	Other	1	1	4	Improper Search/Seizure, Demeanor, Performance of Duty
21-0535	2/18/19	5/14/21	4/28/21	Intake	MB	11/10/21	4/28/22	Racial Discrimination	1	1	3	Racial Discrimination
21-0465	2/6/16	4/29/21	4/28/21	Intake	FC	10/26/21	4/29/22	Racial/Gender Discrimination	1	3	11	Racial/Gender Discrimination, Truthfulness, Conduct/Demeanor, Performance of Duty
21-0469	4/30/21	5/4/21	4/30/21	Intake	FC	10/31/21	4/29/22	Racial Discrimination/ Demeanor	1	4	4	Racial Discrimination
21-0479	5/1/21	5/1/21	5/1/21	Intake	FC	10/28/21	4/30/22	Use of Force	1	2	4	Use of Force, No Duty
21-0497	5/5/21	5/7/21	5/5/21	Intake	FC	11/3/21	5/4/22	Use of Force	1	1	2	COVID Protocol Violation
21-0488	5/5/21	5/6/21	5/5/21	Intake	RM	11/2/21	5/4/22	Racial Discrimination	1	3	6	Racial Discrimination, Performance of Duty
21-0492	5/2/21	5/6/21	5/5/21	Intake	MB	11/2/21	5/5/22	Use of Force	1	2	3	Use of Force
21-0524	5/12/21	5/13/21	5/12/21	Intake	FC	11/13/21	5/11/22	Racial Discrimination/ Demeanor	1	2	3	Racial Discrimination
21-0530	5/12/21	5/13/21	5/12/21	Intake	FC	11/9/21	5/11/22	Racial Discrimination/ Demeanor	1	1	1	Racial Discrimination
21-0527	6/20/17	5/18/21	4/16/21	Intake	MB	11/14/21	5/12/22	Other	2	2	4	Performance of Duty
21-0540	5/16/21	5/18/21	5/17/21	Intake	FC	11/14/21	5/16/22	Racial Discrimination	1	1	1	Racial Discrimination
21-0548	5/17/21	5/19/21	5/17/21	Intake	FC	11/15/21	5/16/22	Racial Discrimination	1	2	2	Racial Discrimination
21-0555	11/26/20	5/19/21	5/18/21	Intake	RM	11/15/21	5/18/22	Other	2	1	4	Performance of Duty, Demeanor,
21-0560	5/19/21	5/21/21	5/19/21	Intake	MB	11/17/21	5/19/22	Use of Force	1	1	1	Use of Force
21-0564	5/20/21	5/24/21	5/20/21	Intake	RM	11/17/21	5/19/22	Racial Discrimination	1	1	1	Racial Discrimination
21-0565	5/7/21	5/20/21	5/20/21	Intake	MB	11/16/21	5/20/22	Other	1	1	3	Performance of Duty
21-0566	5/20/21	5/25/21	5/20/21	Intake	FC	11/21/21	5/21/22	Use of Force	1	1	1	Use of Force

\*The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1<sup>st</sup> Amendment Assembly, or Other



CITY OF OAKLAND  
**COMMUNITY POLICE REVIEW AGENCY**  
*Pending Cases*  
 (Sorted by 1-Year Goal)

6/24/21  
**Page 4 of 4**  
 (Total Completed = 71)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
21-0575	5/22/21	5/25/21	5/22/21	Intake	FC	11/21/21	5/21/22	Use of Force	1	1	1	Use of Force
21-0595	5/20/21	6/2/21	5/28/21	Intake	FC	11/29/21	5/27/22	Performance of Duty	2	2	2	Performance of Duty
21-0603	5/30/21	6/2/21	5/30/21	Intake	MB	11/29/21	5/30/22	Use of Force	1	2	4	Use of Force
21-0618	6/3/21	6/4/21	6/3/21	Intake	RM	12/1/21	6/2/22	other	1	1	3	Demeanor, Refusal to Provide Name or Serial Number, Failure to Accept or Refer a Complaint
21-0621	6/3/21	6/8/21	6/3/21	Intake	MB	12/5/21	6/4/22	Racial Discrimination	1	2	2	Racial Discrimination
20-1406	11/3/20	11/3/20	11/3/20	Investigator	AN	5/2/21	Tolled	Use of Force	1	2	2	Use of Force
20-1561	4/16/20	4/16/20	4/16/20	Investigator	AN	10/13/20	Tolled	Use of Force	1	22	31	Use of Force (Level 1, Level 4), Performance of Duty
19-1169	10/17/19	10/22/19	10/17/19	Investigator	ED	4/19/20	Tolled	Use of Force, Profiling/ Discrimination	1	2	7	Bifurcated - use of force, false arrest, discrimination

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## Community Police Review Agency

**To:** Oakland Police Commission  
**From:** John Alden, Executive Director, Community Police Review Agency  
**Date:** June 21, 2021  
**Re:** Closed Cases from May 29 through June 1, 2020

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### Introduction and Overview

This report gives context to an accompanying statistical report for complaints received in the period of May 29 through June 1, 2020, the same period as the George Floyd protests in the City of Oakland, and since closed as of the date of this memo.

The number of allegations of police misconduct filed by the public in Oakland during that period were vastly beyond those normally received in any other four day period, and even more that usually received in any given quarter. These complaints were far too numerous for CPRA to fully investigate using the resources CPRA had at the time. The City Council graciously authorized additional funding for these investigations in the summer of 2020. At the same time, many agencies in the City of Oakland sustained budget cuts, so the funding provided by the City Council showed a tremendous commitment to accountability in the face of grave funding challenges. Nonetheless, the budget restrictions imposed by COVID prohibited funding at the level needed for CPRA to fully investigate every allegation independently.

Given these resource limitations, CPRA prioritized Level 1 Uses of Force (force that caused significant injury or involved the use of a potentially deadly weapon) and the conduct of the highest-ranking officers throughout those four days for in-depth, independent investigations. CPRA conducted interviews, identified new allegations not raised by complainants, and sustained officers in many of these cases. With respect to other complaints, like rudeness by line officers or claims of unlawful arrest, CPRA was only able to review to work of the Oakland Police Department's Internal Affairs Division. Regardless of which approach was used, at the end of the process CPRA and the Chief of Police both agreed to all of the findings seen in this report. We appreciated the support of Chief Armstrong in this regard, and the transparency OPD provided to CPRA throughout this process. We would like to especially note the commendable work of the OPD Force Review Board in this regard.

While current California law places tremendous limitations on what CPRA may share with the public about these cases – indeed, California remains among the least transparent of all states in the nation with regards to police misconduct - we hope this report at least provides the maximum transparency allowed by law in this field.

### Legal Limitations on the Scope of this Report

The Community Police Review Agency (CPRA) receives and investigates complaints from the public about the conduct of City of Oakland police officers. Penal Code section 832.7 prohibits the release of “any information” regarding such investigations save for “statistical reports,” but provides no definition for statistical reports. Oakland Municipal Code (OMC) section 2.46.040(d) directs that CPRA’s monthly statistical reports to the Commission shall include specific information about each case, such as the date of the incident. In order to comply with these authorities, CPRA provides a monthly statistical report to the Police Commission that includes the information described in OMC section 2.46.040(d), but is prohibited by state law from providing any more case-by-case, detailed information than that.

CPRA continues to advocate for the reform of state law so that CPRA and other agencies can provide more transparency to the public.

Here, CPRA has culled from monthly statistical reports that CPRA has already provided to the Police Commission and the public all those cases with incident dates from within the period of the George Floyd protests here in Oakland. Not every one of these cases is directly related to protests held in downtown Oakland, but this set of cases necessarily includes all protest-related complaints from that period, save for a small number still under investigation. Thus, this report gives the public the most detailed and complete picture currently possible of the cases considered by CPRA as a result of the protests.

In the future, only one of these cases appears to be subject to a relatively new exception to these strict privacy laws. That exception, SB 1421, we expect will allow for public release of one Use of Force case in this set, once the reports in that matter are redacted to comply with SB 1421. No other cases in the set accompanying this report appear to qualify for this exception.

### Definitions of Findings

The accompanying Statistical Report uses several technical terms that benefit from some detailed explanation here.

Each event a complainant complaints about, or that CPRA discovers, is called an “allegation.” The City of Oakland – both the Police Department and CPRA – use a set of terms to explain the conclusions they reach about those allegations, which are called “findings.” Some findings come from state law, and some from Police Department

policies. Below are those terms, their definitions, and some hypothetical examples of each to provide more insight into what each finding means.

### 1. Sustained.

This term means that the events a complainant alleged were more likely than not to have actually happened, and that those events were a violation of Oakland Police Department Policy. Some examples would include an officer using tear gas in violation of Police Department Policy, or an officer hitting someone in violation of Police Department Policy. In either case, one would see in this report an Allegation labelled “Use of Force” and a Finding of “Sustained.”

It is important to note here that CPRA used this combination (a sustained finding on a Use of Force violation) for all improper uses of tear gas, fists, hands, elbows, batons, taking a person to the ground, or any other type of Use of Force by an officer at a protest. In this regard, there were numerous sustained findings for Use of Force at protests, as Chief Armstrong has previously reported publicly. These are not reported here as violations of the Crowd Control policy in part because the Use of Force violation is more specific, and more accurately describes the officer’s violation of policy. The Sustained Use of Force Allegation is also a very serious one for an officer to have in their disciplinary history, and thus is an effective tool to hold them accountable. That said, there is no question that most of the Use of Force violations documented here occurred at protests, which is arguably a crowd control problem, even if not a literal violation of the OPD Crowd Control policy.

### 2. Unfounded.

This term means that CPRA concluded that the events a complainant alleged were more likely than not to not have happened. In these cases, CPRA might have concluded that a complainant misperceived the events, or perhaps heard about the event from someone else so wouldn’t have had first-person knowledge about the events. While this finding is used when CPRA concludes a complainant was not truthful, it is far more common that CPRA actually concludes that the complainant simply did not have all the facts. For example, CPRA often receives complaints from adults who are reporting an experience their juvenile or even adult child told them about, but which the complainant did not witness. CPRA also receives complaints from persons making complaints about events they saw in the news. It is not surprising that these individuals might not always have the full picture of the true events when making their complaint. Regardless of the information provided by the complainant, CPRA always makes an independent assessment of the facts, and may or may not agree with the complainant.

### 3. Exonerated

This term means that the events the complainant reported were more likely than not a correct recitation of what really happened, but that the officers’ behavior was consistent with policy. In many cases, this signals that the way in which officers are trained to

perform their duties is not acceptable to the complainant. For example, if a complainant were to allege that they should not have been arrested after the 8 pm curfew imposed during the protests, on the ground that the curfew should not have been ordered by the City of Oakland in the first place, that allegation would result in a finding of Exonerated, because making such arrests was consistent with Police Department policy at the time. Such a case would be reflected in CPRA reports as an allegation of “Unlawful Arrest or Detention” and a finding of “Exonerated.”

#### 4. No M.O.R.

If a complainant raises an Allegation that does not describe a violation of Police Department Policy, CPRA reaches a finding of “No M.O.R. Violation.” This means that the conduct the person described in their complaint is not listed in the Police Department’s code of conduct for officers, which is called the “Manual of Rules.” So, for example, if a complainant were to allege that too many officers were armed with firearms (i.e., complaining that officers should not be armed with firearms at protests), that allegation would result in a finding of No M.O.R. Violation, because there is no rule at OPD that restricts how many officers should be armed with a firearm at protests.

#### 5. No Jurisdiction

This finding means that an Allegation was found to more likely than not be about an officer who was not from the Oakland Police Department. CPRA and the City of Oakland generally have no ability to hold officers from other agencies accountable for violations of Oakland Police Department policy. When CPRA receives complaints about officers from other agencies, we forward those complaints to those agencies (assuming we can identify the agency). That said, the state laws noted above prohibits those agencies from telling CPRA what, if any, finding they reached on those allegations.

#### General Observations About The Cases in This Report

It is striking how many allegations in this set of cases resulted in a finding of “No Jurisdiction,” meaning that ultimately the alleged misconduct was committed by an officer from another jurisdiction. This is an ongoing challenge for the City of Oakland: with too few officers to adequately staff protests of this scale, OPD must ask for help from other agencies, but has very limited tools with which to direct such officers in the field, or to hold officers from those agencies accountable.

The Police Department has publicly stated that they use no rubber or wooden projectiles, and in fact do not even possess any. Their policies say the same. That said, the media has reported many claims from people attending the George Floyd protests that they were hit by rubber or wooden projectiles. One can infer from these claims that rubber and wooden projectile wounds suffered by people attending the protests were likely inflicted by officers from other agencies that do permit such projectiles. This, too, remains an ongoing challenge for the City of Oakland. Developing stronger controls to

prevent outside agencies from deploying prohibited weapons in Oakland should be a priority.

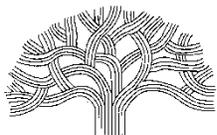
It is also significant that many Use of Force allegations resulted in sustained findings. Of those reported here, over 30 uses of force by OPD officers were sustained, meaning the force used violated policy.

### Policy Recommendations

CPRA's policy and training recommendations stemming from these cases are included in the attached statistical report, as has been the custom in CPRA's monthly statistical reports. Among those recommendations are two overall trends worth highlighting here:

1. OPD should improve training for officers who are responsible for meeting, guiding, and overseeing mutual aid agencies that assist Oakland. In particular, making sure more officers properly understand how to recognize prohibited weapons – like rubber bullets and other projectiles prohibited in Oakland – and the importance of reporting these prohibited weapons up the chain of command at OPD is essential. OPD Command Staff cannot take action to keep these weapons off Oakland's streets if lower level officers don't recognize and report them.
2. Existing OPD policies allow patrol officers to use gas for crowd control in "exigent circumstances" even if not ordered by a supervisor. More detailed, and more frequent, training about what this term really means in a crowd control situation is needed. The ordinary dictionary definition is merely "pressing; demanding," but in the context of criminal law and law enforcement it generally refers only to imminent danger to life or property. Conveying this distinction will allow for better compliance with policy.

While all the policy recommendations noted in the attached report are important, CPRA would flag these as the top two priorities.



CITY OF OAKLAND  
**COMMUNITY POLICE REVIEW AGENCY**  
*Completed Investigations of Incidents Occurring 5/29/20 – 6/1/20*  
*(Allegations in bold were discovered by CPRA investigators)*

6/18/21  
**Page 1 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
KT	20-0638	5/29/20	4/25/21	5/29/21	Subject Officer 1	Failure to Accept or Refer a Complaint	<i>Unfounded</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 3	Failure to Accept or Refer a Complaint	<i>Unfounded</i>
						Refusal to Provide Name or Serial Number	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – General	<i>Exonerated</i>
						Performance of Duty – Care of Property	<i>Not Sustained</i>

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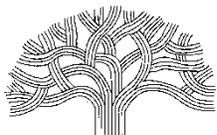
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**No Jurisdiction:** The subject of the allegation is not a sworn member of the OPD.

**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.



CITY OF OAKLAND  
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*Completed Investigations of Incidents Occurring 5/29/20 – 6/1/20*  
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6/18/21  
**Page 2 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Use of Force	<i>Unfounded</i>
						Failure to Accept or Refer a Complaint	<i>Unfounded</i>
					Subject Officer 4	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – Care of Property	<i>Not Sustained</i>
						Use of Force	<i>Unfounded</i>
						Failure to Accept or Refer a Complaint	<i>Unfounded</i>
						Failure to Accept or Refer a Complaint	<i>Not Sustained</i>
					Subject Officer 5	Use of Force (Level 4)	<i>Unfounded</i>

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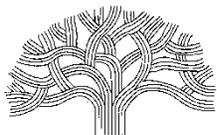
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6/18/21  
**Page 3 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Care of Property	<i>Unfounded</i>
						Failure to Accept or Refer a Complaint	<i>Unfounded</i>
					Subject Officer 6	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 7	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – Care of Property	<i>Not Sustained</i>
						Failure to Accept or Refer a Complaint	<i>Unfounded</i>
						Failure to Accept or Refer a Complaint	<i>Sustained</i>

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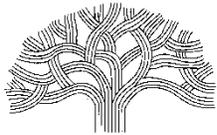
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6/18/21  
**Page 4 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Subject Officer 8	Failure to Accept or Refer a Complaint	<i>Sustained</i>
KT	20-0641	5/29/20	5/7/21	5/28/21	Unknown Officer	Service Complaint	<i>Service Related</i>
						Service Complaint	<i>Service Related</i>
						Service Complaint	<i>Service Related</i>
KT	20-0705	5/29/20	4/6/21	6/12/21	Unknown Officer	Use of Force (Level 2)	<i>Unfounded</i>
KT	20-0711	5/29/20	5/7/21	6/10/21	Unknown Officer	Use of Force	<i>No Officer</i>
KT	20-0787	5/29/20	3/21/21	5/29/21	Subject Officer 1	Failure to Provide a Serial Number	<i>Not Sustained</i>
KT	20-0853	5/29/20	4/6/21	7/6/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Not Sustained</i>
						Use of Force (Level 3)	<i>Not Sustained</i>

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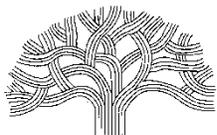
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CITY OF OAKLAND  
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6/18/21  
**Page 5 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Subject Officer 2	Use of Force (Level 3)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 4	Use of Force (Level 3)	<i>Unfounded</i>
					Subject Officer 5	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
						Use of Force (Level 3)	<i>Unfounded</i>
					Subject Officer 6	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
KT	20-0871	5/29/20	4/2/21	6/10/21	Subject Officer 1	Use of Force (Level 3)	<i>Unfounded</i>
					Subject Officer 2	Use of Force	<i>Unfounded</i>
JW	20-0938	5/29/20	5/24/21	5/28/21	Subject Officer 1	<b>Performance of Duty – General</b>	<b>Sustained</b>

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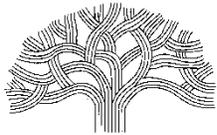
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6/18/21  
**Page 6 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
		5/29/20				<b>Supervisors – Authority and Responsibilities</b>	<b><i>Sustained</i></b>
		6/1/20			Subject Officer 2	Performance of Duty – General	<i>Sustained</i>
		6/1/20				<b>Supervisors – Authority and Responsibilities</b>	<b><i>Sustained</i></b>
		5/31/20			Subject Officer 3	Use of Force	<i>Unfounded</i>
		5/29/20			Subject Officer 4	Use of Force	<i>Unfounded</i>
		5/29/20			Subject Officer 5	Use of Force	<i>Unfounded</i>
		5/31/20			Subject Officer 6	Use of Force	<i>Unfounded</i>
KT	20-1086	5/29/20	5/7/21	5/29/21	Unknown Officer	No Duty/No MOR Violation	<i>No MOR Violation</i>
						No Duty/No MOR Violation	<i>No MOR Violation</i>
KT	20-1157	5/29/20	4/8/21	9/8/21	Subject Officer 1	General Conduct	<i>Sustained</i>

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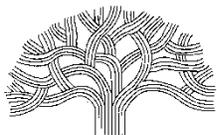
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6/18/21  
**Page 7 of 32**  
 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
KT	20-1575	5/29/20	4/6/21	11/25/21	Subject Officer 1	Use of Force (Level 3)	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>
					Subject Officer 2	Use of Force (Level 3)	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>
					Subject Officer 3	Use of Force (Level 3)	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>
					Subject Officer 4	Use of Force (Level 3)	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>
KT	20-1579	5/29/20	4/6/21	11/25/21	Subject Officer 1	Use of Force (Level 3)	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>

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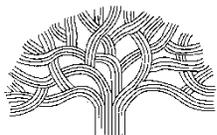
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 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
KT	20-0640	5/30/20	5/7/21	5/29/21	Unknown Officer	No Duty/No MOR Violation	<i>No MOR Violation</i>
KT	20-0644	5/30/20	4/2/21	5/31/21	Unknown Officer	Use of Force (Level 2)	<i>Unfounded</i>
KT	20-0652	5/30/20	4/2/21	5/31/21	Subject Officer 1	Use of Force (Level 3)	<i>Exonerated</i>
					Subject Officer 2	Use of Force (Level 3)	<i>Exonerated</i>
					Subject Officer 3	Use of Force (Level 3)	<i>Exonerated</i>
					Subject Officer 4	Use of Force (Level 3)	<i>Exonerated</i>
					Subject Officer 5	Use of Force (Level 3)	<i>Exonerated</i>
KT	20-0670	5/30/20	5/7/21	5/29/21	Unknown Officer	No Duty/No MOR Violation	<i>No MOR Violation</i>
KT	20-0683	5/30/20	5/7/21	5/29/21	Unknown Officer	Service Complaint	<i>Service Related</i>
KT	20-1099	5/30/20	5/7/21	6/7/21	Unknown Officer	Use of Force	<i>Unfounded</i>

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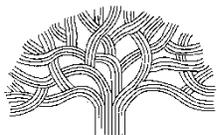
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
KT	20-1178	5/30/20	5/14/21	9/14/21	Subject Officer 1	Use of Force (Level 3)	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 2	Conduct Toward Others – Demeanor	<i>Sustained</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 4	Performance of Duty – General	<i>Not Sustained</i>
KT	20-1378	5/30/20	4/5/21	10/28/21	Subject Officer 1	Use of Force (Level 4)	<i>Not Sustained</i>
						Performance of Duty – General	<i>Not Sustained</i>
KT	20-1380	5/30/20	4/1/21	10/26/21	Subject Officer 1	Conduct Toward Others – Demeanor	<i>Sustained</i>

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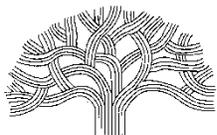
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KT	20-1568	5/30/20	4/2/21	11/25/21	Unknown Officer	Use of Force (Level 2)	<i>No Officer</i>
KT	20-0639	5/31/20	5/7/21	5/30/21	Unknown Officer	Use of Force	<i>Exonerated</i>
KT	20-0642	5/31/20	5/7/21	5/30/21	Unknown Officer	Use of Force	<i>Exonerated</i>
KT	20-0643	5/31/20	3/20/21	6/1/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 2	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty – PDRD	<i>Exonerated</i>
						Failure to Accept or Refer a Complaint (Unintentional)	<i>Not Sustained</i>
					Subject Officer 4	Use of Force (Level 4)	<i>Exonerated</i>
						Conduct Toward Others – Demeanor	<i>Unfounded</i>
					Subject Officer 5	Use of Force (Level 4)	<i>Exonerated</i>

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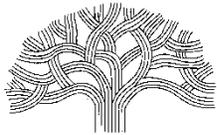
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						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 6	Use of Force (Level 4)	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					Subject Officer 7	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 8	Use of Force (Level 4)	<i>Exonerated</i>
KT	20-0645	5/31/20	5/7/21	5/31/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Care of Property	<i>Sustained</i>
					Subject Officer 2	Performance of Duty – General	<i>Not Sustained</i>
						Performance of Duty – Care of Property	<i>Sustained</i>
					Subject Officer 3	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>

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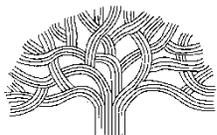
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						<b>Commanding Officers – Authority and Responsibilities</b>	<b><i>Sustained</i></b>
					Subject Officer 4	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 5	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 6	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 7	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 8	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>

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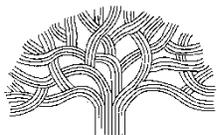
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					Subject Officer 9	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
ED	20-0646	5/31/20	5/13/21	6/1/21	Subject Officer 1	Use of Force (Level 1)	<i>Sustained</i>
						Refusal to Provide Name or Serial Number	<i>Sustained</i>
						<b>Supervisors – Authority and Responsibilities</b>	<b><i>Sustained</i></b>
						Truthfulness	<i>Not Sustained</i>
						Compromising Criminal Cases	<i>Not Sustained</i>
					Subject Officer 2	<b>Supervisors – Authorities and Responsibilities</b>	<b><i>Sustained</i></b>
						<b>Performance of Duty – Miranda</b>	<b><i>Sustained</i></b>
						<b>Insubordination – Failure or Refusal to Obey a Lawful Order</b>	<b><i>Not Sustained</i></b>
						Truthfulness	<i>Not Sustained</i>

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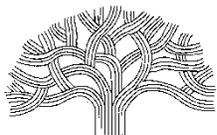
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Subject Officer 3	Performance of Duty – Miranda	<i>Sustained</i>
						Custody of Prisoners – Treatment and Maintaining Control	<i>Sustained</i>
					Subject Officer 4	Performance of Duty – Miranda	<i>Sustained</i>
					Subject Officer 5	Custody of Prisoners – Treatment and Maintaining Control	<i>Sustained</i>
					Subject Officer 6	<b>Performance of Duty – General</b>	<b><i>Sustained</i></b>
						<b>Interfering with Investigations</b>	<b><i>Not Sustained</i></b>
						Truthfulness	<i>Not Sustained</i>
						<b>Performance of Duty – PDRD</b>	<b><i>Not Sustained</i></b>
					Subject Officer 7	<b>Performance of Duty – General</b>	<b><i>Sustained</i></b>
						Truthfulness	<i>Not Sustained</i>

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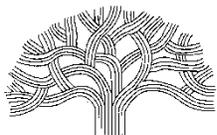
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						<b>Interfering with Investigations</b>	<b><i>Not Sustained</i></b>
					Subject Officer 8	General Conduct	<i>Not Sustained</i>
					Subject Officer 9	General Conduct	<i>Not Sustained</i>
KT	20-0647	5/31/20	3/10/21	6/1/21	Subject Officer 1	Use of Force (Level 3)	<i>Unfounded</i>
						Refusal to Provide Name or Serial Number	<i>Unfounded</i>
						Performance of Duty – PDRD	<i>Exonerated</i>
					Subject Officer 2	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 4)	<i>Unfounded</i>
						Refusal to Provide Name or Serial Number	<i>Unfounded</i>
						Performance of Duty – PDRD	<i>Exonerated</i>

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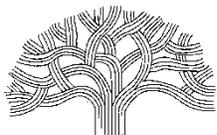
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					Subject Officer 3	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 4)	<i>Unfounded</i>
						Refusal to Provide Name or Serial Number	<i>Unfounded</i>
						Performance of Duty – PDRD	<i>Exonerated</i>
					Subject Officer 4	Refusal to Provide Name or Serial Number	<i>Unfounded</i>
						Performance of Duty – PDRD	<i>Sustained</i>
						Use of Force (Level 3)	<i>Unfounded</i>
					Subject Officer 5	Use of Force (Level 3)	<i>Unfounded</i>
KT	20-0666	5/31/20	3/21/21	5/30/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>

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						Conduct Toward Others – Demeanor	<i>Unfounded</i>
					Subject Officer 3	Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 4	Performance of Duty – General	<i>Exonerated</i>
KT	20-1379	5/31/20	3/21/21	10/26/21	Subject Officer 1	Conduct Toward Others – Demeanor	<i>Sustained</i>
KT	20-0197	6/1/20	3/5/21	6/1/21	Subject Officer 1	Performance of Duty – General	<i>Exonerated</i>
						Performance of Duty – General	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
KT	20-0648	6/1/20	3/20/21	6/1/21	Subject Officer 1	Use of Force (Level 1)	<i>Exonerated</i>
					Subject Officer 2	Use of Force (Level 4)	<i>Exonerated</i>
						Use of Force (Level 4)	<i>Unfounded</i>

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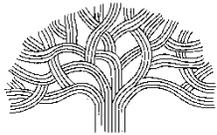
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					Subject Officer 3	Use of Force (Level 4)	<i>Unfounded</i>
KT	20-0658	6/1/20	3/20/21	6/1/21	Subject Officer 1	Use of Force (Level 4)	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
						Conduct Toward Others – Profiling by Race or Ethnicity	<i>Unfounded</i>
						Conduct Toward Others – Demeanor	<i>Unfounded</i>
						Refusal to Provide Name or Serial Number	<i>Unfounded</i>
KT	20-0659	6/1/20	5/7/21	5/31/21	Unknown Officer	Service Complaint	<i>Service Related</i>
KT	20-0660	6/1/20	3/21/21	6/1/21	Subject Officer 1	Conduct Toward Others – Identity Profiling by Race or Ethnicity	<i>Unfounded</i>
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
					Subject Officer 2	Conduct Toward Others – Demeanor	<i>Unfounded</i>

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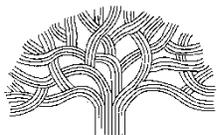
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding				
KT	20-0661	6/1/20	4/9/21	6/1/21	Subject Officer 1	Use of Force (Level 4)	<i>Exonerated</i>				
						Use of Force (Level 2)	<i>Unfounded</i>				
						Use of Force (Level 4)	<i>Unfounded</i>				
						Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>				
										Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest	<i>Exonerated</i>				
						Use of Force (Level 2)	<i>Unfounded</i>				
Use of Force (Level 4)	<i>Unfounded</i>										
KT	20-0662	6/1/20	3/25/21	6/1/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>				
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>				

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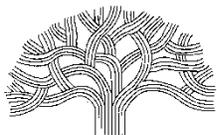
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 (Total Completed = 48)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Sustained</i>
						Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
KT	20-0667	6/1/20	4/9/21	6/1/21	Subject Officer 1	Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 2	Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 3	Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 4	Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 5	Performance of Duty – General	<i>Unfounded</i>
					Unknown Officer	Conduct Toward Others – Demeanor	<i>Unfounded</i>
KT	20-0961	6/1/20	4/2/21	6/1/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest	<i>Exonerated</i>
KT	20-0685	6/1/20	4/2/21	6/4/21	Subject Officer 1	Performance of Duty – Unintentional/ Improper Arrest	<i>Exonerated</i>

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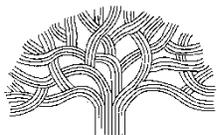
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Performance of Duty – Care of Property	<i>Sustained</i>
						Performance of Duty – General	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty – Unintentional/ Improper Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 3	Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 4	Performance of Duty – General	<i>Exonerated</i>
KT	20-0988	6/1/20	4/2/21	6/2/21	Unknown Officer	Use of Force (Level 2)	<i>No Officer</i>
KT	20-0668	6/1/20	5/7/21	6/1/21	Unknown Officer	No Duty/No MOR Violation	<i>No MOR Violation</i>

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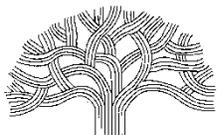
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KT	20-0669	6/1/20	5/7/21	6/1/21	Unknown Officer	No Duty/No MOR Violation	<i>No MOR Violation</i>
KT	20-0957	6/1/20	4/25/21	6/1/21	Unknown Officer	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 2)	<i>Unfounded</i>
						General Conduct	<i>Unfounded</i>
KT	20-0958	6/1/20	5/24/21	5/29/21	Subject Officer 1	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 2	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 3	Use of Force (Level 3)	<i>Unfounded</i>

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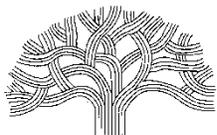
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						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 4	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 5	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 6	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 7	Use of Force (Level 3)	<i>Sustained</i>

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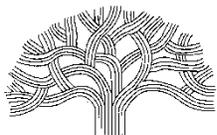
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 8	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 9	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 10	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
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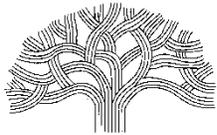
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Subject Officer 11	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 12	Use of Force (Level 3)	<i>Sustained</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 13	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 14	Use of Force (Level 3)	<i>Unfounded</i>
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 15	Use of Force (Level 3)	<i>Unfounded</i>

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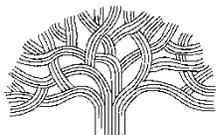
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						Use of Force (Level 3)	<i>Sustained</i>
					Subject Officer 16	Performance of Duty - Unintentional/Improper Search, Seizure, or Arrest	<i>Exonerated</i>
					Subject Officer 17	Use of Force (Level 2)	<i>Exonerated</i>
					Subject Officer 18	Use of Force (Level 2)	<i>Exonerated</i>
KT	20-0959	6/1/20	4/25/21	6/1/21	Unknown Officer	Performance of Duty – Unintentional/Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Exonerated</i>
						Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 1	Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 2	Performance of Duty – Unintentional/Improper Search Seizure or Arrest	<i>Exonerated</i>

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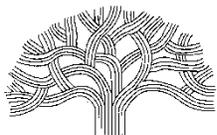
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KT	20-0960	6/1/20	4/25/21	6/1/21	Officer Unknown	Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 1	Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	<i>Exonerated</i>
						Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 2	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 3	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 4	Use of Force (Level 4)	<i>Exonerated</i>
KT	20-0962	6/1/20	5/4/21	6/3/21	Unknown Officer	Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 1	Use of Force (Level 4)	<i>Exonerated</i>
						Use of Force (Level 1)	<i>Unfounded</i>
						Use of Force (Level 4)	<i>Unfounded</i>

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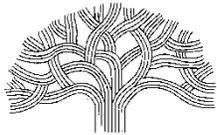
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						Performance of Duty – General	<i>Exonerated</i>
					Subject Officer 2	Use of Force (Level 4)	<i>Exonerated</i>
						Use of Force (Level 1)	<i>Unfounded</i>
						Use of Force (Level 4)	<i>Unfounded</i>
						Performance of Duty – General	<i>Exonerated</i>
KT	20-1554	6/1/20	4/25/21	6/1/21	Unknown Officer	Performance of Duty – General	<i>Exonerated</i>
						Use of Force (Level 2)	<i>Unfounded</i>
					Subject Officer 1	Use of Force (Level 2)	<i>Unfounded</i>
					Subject Officer 2	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 3	Use of Force (Level 4)	<i>Exonerated</i>

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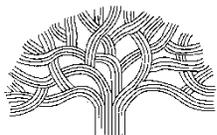
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					Subject Officer 4	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 5	Use of Force (Level 4)	<i>Exonerated</i>
					Subject Officer 6	Performance of Duty – General	<i>Unfounded</i>
					Subject Officer 7	Performance of Duty – General	<i>Unfounded</i>

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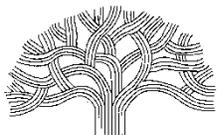
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**CPRA Made the following Training Recommendations with Respect to Investigations in this Report**

CPRA recommends that an officer receive training related to the Operations Plan and with Department policy regarding mutual aid and prohibited chemical agents/munitions

**CPRA Made the following Policy Recommendations with Respect to Investigations in this Report**

1. OPD should distill policies and procedures and any other relevant documents (including applicable court orders) applying to the conduct of mutual aid agencies into a separate document. This document should list the procedures that mutual aid agencies should follow, note prohibited munitions and interdicted uses of force, and permissible uses of force (especially regarding SIMs). This should be distributed to line officers responding as mutual aid. OPD should ensure that this document, and all relevant OPD policies are regularly distributed to regional law enforcement agencies likely to respond to a request for mutual aid.
2. OPD should hold a virtual or in-person meeting at least yearly with regional law enforcement agencies likely to respond to a request for mutual aid to review and discuss OPD's crowd control and use of force policies, procedures for utilizing mutual aid, and dynamics of crowd control situations in Oakland.

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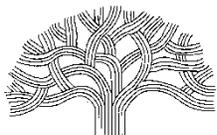
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<p>3. OPD should prepare presentations for use during briefings of mutual aid agencies during crowd control events. The presentation should focus on OPD crowd control, use of force, and less-lethal munitions policies.</p>
<p>4. A standard operating procedure (SOP) be developed regarding the process for checking in and checking out mutual aid agencies at the Staging area. It should be updated to reflect the most current OPD policies regarding mutual aid, including those mandated by court order. It should list and define each specific role officers will be required to perform and should include step-by step instructions.</p>
<p>5. An officer with expertise regarding less-lethal munitions and chemical agents should always be present at Staging to inspect a mutual aid agency's munitions and identify any that are prohibited for crowd control use by OPD policy.</p>
<p>6. Training should be conducted yearly for all officers in CID who are likely to be called up to work at Staging and for all Lieutenants and Captains who could be called upon to serve as Staging Manager.</p>
<p>7. An SOP for Pathfinders should be created, listing and defining each specific task Pathfinders must perform. OPD should provide annual training to all officers likely to be assigned to serve as Pathfinders.</p>
<p>8. To avoid confusion or ambiguity about the munitions OPD prohibits for crowd control, OPD should consider revising relevant portions of TB III-H: under No. 2 in the section headed "Crowd Control and Crowd Management Usage" (and similar language in TB III-G).</p>

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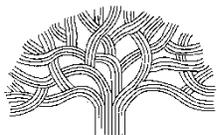
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**No MOR Violation:** The alleged conduct does not violate any department rule or policy.

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



CITY OF OAKLAND  
**COMMUNITY POLICE REVIEW AGENCY**  
*Completed Investigations of Incidents Occurring 5/29/20 – 6/1/20*  
*(Allegations in bold were discovered by CPRA investigators)*

6/18/21  
**Page 32 of 32**  
(Total Completed = 48)

- |   |
|---|
| 9. OPD should establish a written protocol for obtaining reports and body worn camera footage from mutual aid agencies.   |
| 10. OPD should consider incorporating protocols for production of reports and body worn camera footage by mutual aid agencies into its mutual aid agreements.   |
| 11. OPD should revise its Crowd Control Operations training for its Basic Academy and for Advanced Officer training to list Stinger Grenades, Stinger Rubber Ball rounds and other non-directional, non-target specific munitions among weapons prohibited for crowd control use. |

**Definitions:**

**Sustained:** The act(s) alleged by the complainant occurred and constituted misconduct.

**Exonerated:** The act(s) alleged by the complainant occurred. However, the act(s) were justified, lawful, or proper per OPD policy.

**Unfounded:** The act(s) alleged by the complainant did not occur.

**Not Sustained:** The available evidence can neither prove nor disprove the act(s) alleged by the complainant.

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