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 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.

Pursuant to California Government Code Section 54953(e), members of the Police Commission, as well as the Commission’s Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.
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 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.

PUBLIC PARTICIPATION

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

OBSERVE:
- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: https://us02web.zoom.us/j/86938805668 at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: https://support.zoom.us/hc/en-us/articles/201362193, which is a webpage entitled “Joining a Meeting”
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):
  +1 669 444 9171 or +1 669 900 9128 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 931 3860
  Webinar ID: 869 3880 5668

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

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

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

If you have any questions about these protocols, please e-mail Kelly Yun at opc@oaklandcommission.org
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 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.

I. Call to Order, Welcome, Roll Call and Determination of Quorum
Chair Tyfahra Milele

Roll Call: Vice Chair Marsha Peterson; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Jesse Hsieh; Commissioner Regina Jackson, Commissioner David Jordan; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

II. Adoption of Renewal Resolution Electing to Continue Conducting Meetings Using Teleconferencing in Accordance with California Government Code Section 54953(E), a Provision of AB-361. The Commission will re-adopt findings to permit it to continue meeting via teleconference under the newly amended provisions of the Brown Act. This is a recurring item. (Attachment 1).
   a. Discussion
   b. Public Comment
   c. Action, if any

III. Open Forum Part 1 (2 minutes per speaker, 15 minutes total)
After ascertaining how many members of the public wish to speak, Vice Chair Marsha Peterson will invite 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 raise their hands and they will be called on in the order their hands were raised. 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, at the end of the agenda.

IV. Presentation and Possible Approval of Policy DGO 1-18 Member Personal Social Media and Policy DGO I-19 Electronic Communication Devices
The Commission will review and discuss Policy DGO 1-18 Member Personal Social Media and Policy DGO I-19 Electronic Communication Devices. This is a new item. (Attachment 2).
   a. Discussion
   b. Public Comment
   c. Action, if any

V. Presentation and Possible Approval of Policy K-7 (Militarized Equipment)
The Commission will review and discuss Policy K-7 (Militarized Equipment). This is a new item. (Attachment 3).
a. Discussion
b. Public Comment
c. Action, if any

VI. Motion for Approval of Presentation and Possible Approval of Policy K-6 (Department Rifles), Policy TB-III-H (Specialty Impact Munitions) and Policy TB-III-P.04 (Armored Vehicles)
The Commission will vote on whether to hear the presentation and possible approve Policy K-6 (Department Rifles) Policy TB-III-H (Specialty Impact Munitions) and Policy TB-III-P.04 (Armored Vehicles) pursuant to Oakland Municipal Code Section 2.20.080.D. (Department Rifles). This is a new item.

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

VII. Presentation and Possible Approval of Policy K-6 (Department Rifles)
The Commission will review and discuss Policy K-6 (Department Rifles). This is a new item. (Attachment 4).

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

VIII. Presentation and Possible Approval of Policy TB-III-H (Specialty Impact Munitions)
The Commission will review and discuss Policy TB-III-H (Specialty Impact Munitions). This is a new item. (Attachment 5).

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

IX. Presentation and Possible Approval of Policy TB-III-P.04 (Armored Vehicles)
The Commission will review and discuss Policy TB-III-P.04 (Armored Vehicles). This is a new item. (Attachment 6).

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

X. Committee Reports
   Representatives from Standing and Ad Hoc Committees will provide updates on their work. This is a recurring item. (Attachment 7).

Inspector General Policies
   (Commissioners Peterson, Harbin-Forte, Jackson)
The Ad Hoc is tasked with reviewing draft policies submitted by the Office of the Inspector General

Oakland Black Officers Association (OBOA)
   (Commissioners Harbin-Forte, Jackson, Karely Ordaz)
This Ad Hoc Committee is tasked with selecting an outside firm through the City’s Request for Proposals process, to investigate allegations made by the Oakland Black Officers Association that the Oakland Police Department engages in racially discriminatory hiring and promotions.

CPRA Executive Director Search
The Ad Hoc is tasked with recruiting for the open CPRA position.

- Discussion
- Public Comment
- Action, if any

XI. Open Forum Part 2 (2 minutes per speaker)
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 raise their hands and they will be called on in the order their hands were raised. Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission’s Chairperson.

XII. 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. This is a recurring item. (Attachment 8).

- Discussion
- Public Comment
- Action, if any

XIII. Adjournment

NOTICE: In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the videoconference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact Kelly Yun at opc@oaklandcommission.org for assistance. Notification at least 48 hours before the meeting will enable the Police Commission to make reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids or services.
ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND POLICE COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf; and

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See https://www.cdc.gov/aging/covid19/covid19-older-adults.html; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19
symptoms stay home. See https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html; and

WHEREAS, the City’s public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

WHEREAS, on October 14, 2021 the Oakland Police Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees’ health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

RESOLVED: that the Oakland Police Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Oakland Police Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Oakland Police Commission firmly believes that the community’s health and safety and the community’s right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it
FURTHER RESOLVED: that the Oakland Police Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Oakland Police Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

ON SEPTEMBER 8, 2022, AT A MEETING OF THE OAKLAND POLICE COMMISSION IN OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES –

NOES –

ABSENT –

ABSTENTION –

ATTEST: ____________________________

Oakland Police Commission
City of Oakland, California
MEMORANDUM

TO: Tyfahra Milele  
   Chair, Oakland Police Commission  

FROM: Mark Love  
   Human Resources  

SUBJECT: DGO – I19 – Electronic Communications Devices and DGO- I18 Member Personal Social Media  

DATE: September 2, 2022  

PURPOSE  

This memorandum and the attached policies DGO I19- Electronic Communications Devices and DGO I18 – Member Personal Social Media are the submission of policies at the conclusion of the meet and confer process with the labor organizations which represent employees of the Oakland Police Department (“OPD”).

BACKGROUND  

The Oakland Police Department and the Oakland Police Commission (via ad-hoc committee), in consultation with the Court-ordered Monitoring Team developed the DGO-I19 Electronic Communications Devices and DGO I18 – Member Personal Social Media. Per the Meyers-Milias-Brown Brown Act, state law which governs labor management relations in local agencies, the City noticed labor organizations including Oakland Police Officers’ Association (“OPOA”), Services Employees International Union Local 1021 (“SEIU 1021”) and the International Federation of Professional & Technical Engineers (“Local 21”) on or around April 13, 2022.

Meeting with Labor Organizations  

The City met three times with the OPOA to discuss both policies. Employee Relations and the OPD have had ongoing correspondence with SEIU 1021 on both policies, including a remote meeting with the Union team on DGO – I19.

The enclosed policies represent the product of a collaborative process with the City’s labor organizations, namely the OPOA and SEIU 1021. The City has completed its meetings with the OPOA and is close to concluding its discuss with SEIU 1021 with minimal changes to the policy expected.

The City listened to the Unions’ respective questions and concerns regarding both policies and in some cases made modifications to the policies drafted by the ad-hoc committees. The attached policies are substantively similar to the policies drafted by the OPD and the Commission and represent a work product that is somewhat more specific and is clearly enforceable. Below is a brief summary of the modifications made to the respective policies as a result of the meet and confer process:

DGO – I19 – Electronic Communications Devices  

- Captains (previously Lieutenants) and above will be required to have work cell phones accessible (on and off duty)
To: Chair Tyfahra Milele, Oakland Police Commission  
Subject: Ad Hoc Report and Policy Submission – DGO I-19  
Date: April 8, 2022

Attachment (2):
A – Department General Order I-19, Electronic Communication Devices  
B – Member Personal Social Media

- Requires lock screen passcode for OPD issued cell phones  
- OPD commitment to training  
- Clarification of privacy rights regarding accessing city email.  
- Definition for C-7, #3 “Hate group, racist, or anti-government material”  
- Examples of what constitutes Social Media.

DGO – I18 Member Personal Social Media

- Makes clear that the Department has an obligation to prevent employee speech that could disrupt the OPD’s mission of providing law enforcement services with the utmost respect, fairness, sound judgement and commitment to equity.  
- Further defines what constitutes “personal social media.”  
- Further defines D-2 Prohibition on Discriminatory Posts and Interactions  
- Clarifies nexus to job for non-sworn, professional staff and sworn staff

CONCLUSION AND RECOMMENDATION

The Department of Human Resources and the Oakland Police Department recommend adoption of both the DGO – I19 Electronic Communication Devices and DGO I18 – Member Personal Social Media.

Respectfully submitted,

Mark Love  
Employee Relations Manager  
Human Resources Department
DEPARTMENTAL GENERAL ORDER
D-18: MEMBER PERSONAL SOCIAL MEDIA
Effective Date: XX XX 22
Coordinator: Office of Chief of Police

COMMAND INTENT
This policy is intended to provide both guidance and rules about the use of personal social media by members of the Oakland Police Department. While this policy provides guidelines for the regulation and balancing of member speech and expression with the needs of the Department, it also addresses a larger need: that the Department and its staff commit to celebrating the best selves of the members and their service to the community while at the same time protecting members – with both guidance and accountability – against some of the pitfalls of social media. The policy also makes clear that extreme views/public speech which that denigrates others, advocates violence, or promotes harm have no place within the Department, and those who espouse those views have no place guarding our community.

The community of Oakland expects that all members of the Police Department will have a “Guardian” mindset when it comes to keeping the peace and to policing in concert with the community. With this mindset must come a recognition by police personnel, especially sworn officers, of the serious power with which they are entrusted. The Department has a commitment to serve and to prevent any information shared on social media platforms that might prejudice or seemingly prejudice the perception of OPD members beyond that they serve with the utmost respect, fairness, sound judgment, and a commitment to equity.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private individual, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Toxic, unreasonable, and inappropriate expression — such as social media posts that degrade others or promote extremism — threaten the relationship of the Department to the community and create the fear that the awesome powers given to police personnel will be misused. While this type of language may be allowed by First Amendment law, this type of expression conflicts with the values of the Oakland Police Department and will likely lead to termination of employment by the Department and the City of Oakland.
A. VALUES AND RULES OF THE OAKLAND POLICE DEPARTMENT

A - 1. Department Mission

The Oakland Police Department’s mission is to provide police service focused on public safety and the sanctity of life, to hold ourselves accountable to a high standard of conduct, efficiency, and efficacy, and to promote mutual respect between the Department and the Communities of Oakland.

A - 2. City of Oakland Administrative Instruction

The City of Oakland sets forth specific anti-discrimination and non-harassment policy in Administrative Instruction (AI) 71. AI 71 strictly prohibits any form of unlawful employment discrimination and/or harassment or other inappropriate conduct based on race, color, religion/religious creed, sex/gender, pregnancy, marital status, age, national origin/ancestry, physical and/or mental disability, medical condition, sexual orientation, gender identity, military or veteran status, or status in any other group protected by federal, state or local law.

Conduct includes not only physical conduct but also verbal conduct (epithets, slurs, derogatory or demeaning comments—even if not directed at a specific person or persons, innuendo, jokes or ridicule, hostile or more severe treatment based on a person’s protected characteristic or status, threats of violence or comments indicating stereotyping) and visual conduct (obscene, derogatory or demeaning images, photos, cartoons, e-mail, screen savers or drawings).

A - 3. Law Enforcement Code of Ethics

The Department expects that all members, both sworn and professional staff, will make every effort to adhere to the Department’s codification of the Law Enforcement Code of Ethics, including the following section:

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.


The Oakland Police Department’s Manual of Rules sets forth specific rules that members must follow. The following sections are highlighted because members’ personal social media activity must also comport with these rules and applicable law:
DEPARTMENTAL GENERAL ORDER   D-18 Effective Date
OAKLAND POLICE DEPARTMENT   XX MMM 22

- 314.03 – General Conduct
- 314.04 – Conduct Toward Others – Harassment and Discrimination
- 384.32 – Political Activity
- 384.56 – Membership in Organizations
- 384.70 – Subversive Organization

B. DEFINITIONS

B - 1. Social Media

A category of internet-based resources that integrate user-generated content and user participation. Social media includes, but is not limited to, social networking sites, local / national newspaper / news media comment sections, photo and video sharing sites, wikis, blogs, and websites/apps such as Facebook, Instagram, YouTube, LinkedIn, Snapchat, Twitter, Reddit, Discord, Twitch, and TikTok.

B - 2. Personal Social Media

Personal social media includes:

- Accounts established by Department members with third-party providers (e.g., Facebook, Instagram, Twitter, etc.) that are not officially authorized by the Department, or accounts used by Department members for purposes outside of the scope of a member’s official duties.

- Social media accounts established or administered by individual members of the Department for fraternal or charity organizations, off-duty employment, civic or community organizations, etc., are also subject to the provisions of this policy.

Personal social media does not include:

- Official accounts of the Oakland Police Department, curated and monitored as part of the job duties of members; and
- Social media accounts that are used solely for the purposes of criminal investigation, intelligence, or other job-related duties.

- Personal photo streaming applications which are limited to individuals participating by private invitation and not accessible via any public social media or internet services. These applications are generally used for sharing family photographs.
- Personal electronic email accounts.
- Social media accounts and emails utilized by individual members and the designated bargaining unit representative in conjunction with activities related to labor relations and collective bargaining.
C. GENERAL CONSIDERATIONS FOR PERSONAL SOCIAL MEDIA USE

C - 1. Personal Social Media Use May Impact Peer, Department, and Community Perception of the Member

The community of Oakland expects that all members of the Police Department will have a “Guardian” mindset (as defined by OPD) when it comes to keeping the peace and to policing in concert with the community. With this mindset must come a recognition by police personnel, especially sworn officers, of the serious power with which they are entrusted.

This trust can be easily damaged by unprofessional personal social media interactions. Furthermore, the perception of a member in the eyes of their peers, the Department, and the community can be shaken, or even broken beyond repair, due to toxic, unreasonable, and inappropriate expression on personal social media. As public servants, even associations with ideas such as hate groups, racism, discrimination, or harassment on personal social media can weaken the moral foundation upon which the legitimacy of your ability to perform your duties is based.

C - 2. Personal Social Media Use May Impact Disrupt the Operation of the Department

While members may consider the views, opinions, and actions expressed on social media as only reflecting their own personal views, this may not be the case in the eyes of the public. Once a member has been identified by the media or public as a member of the Oakland Police Department, any documented social media activity associated to the member will naturally be scrutinized. This scrutiny may increase with the member’s assignment (e.g., Internal Affairs, OIG) or holding of a higher rank within the Department. The demonstrated views, opinions, and actions may not be scrutinized in the context of a private individual, but instead in a generalized context, representing the views of Department as an institution and/or all members of the Oakland Police Department.

Any views, opinions, and actions (taken in or out of context) that erode public trust and confidence in the members of the Oakland Police Department are unnecessarily distracting, and potentially detrimental, to the overall mission and operations of the Department.

Members have the right to express themselves as private individuals speaking on matters of public concern while using social media. At the same time, members must understand that their social media activity, even on personal social media accounts, may be seen by the public as attributable to the Department and has the potential to interfere with Department operations.

To determine whether personal social media activity has a nexus to employment and is of the nature prohibited by this policy (i.e., disruptive or harassing to the Department’s public service), the Department will consider criteria including, but not limited to, the nature and context of...
the content or activity (e.g., whether the speech is a matter of private or public concern), the actual and intended audience(s), whether it is of a character that could reasonably be predicted to disrupt harm or actually disrupts harm the public service the Department provides, the nature and responsibilities of a member’s particular position (e.g., sworn versus non-sworn or professional staff), references to employment, and photos in work uniform or at work-related events.

For sworn members, the types of expression or statements prohibited under this policy are more likely than for non-sworn members to disrupt operations because the effectiveness of the Department depends on the trust of the community and the perception in the community that the Department and its officers swear to uphold the law and enforce the law fairly, even-handedly, and without bias. Even if sworn members do not post references to the Department or photos of themselves in uniform, they may be more easily identifiable via personal photos or their username as sworn officers due to their public facing role and the public nature, generally, of the fact of their employment as officers.

C - 3. Any Social Media Content May Become Public

Members must be mindful that any activities or statements made on social media are made in an online setting, where confidentiality cannot be assured even if the member creates “private” or “limited access” accounts or customizes privacy settings, or if they use another name, nickname, or moniker. Any statements, photographs, video clips, audio clips, live interactions, or other information sent over the internet may still be viewed and disseminated by third parties (including the social media provider), via screen shots or other methods, even after the content has been edited or deleted by the user.

C - 4. Personal Social Media May Create Safety Risks

Certain types of information or digital images posted on personal social media may endanger the safety of members of the Department and/or their family members, even if unintentionally. Members are urged not to disclose or allude to their status as a member of the Department on personal social media accounts. Divulging identifying information on personal social media could possibly compromise ongoing investigations, as well as limit a member’s eligibility for certain assignments (e.g., work in an undercover capacity, work in highly sensitive assignments, etc.).

C - 5. Public Content May be Reviewed by the Department

Any social media interactions by members that are public or become public through the efforts of third parties (e.g., press, hackers, authorized viewers
sharing posts) may be reviewed by the Department. If this content violates this policy or other policies, the content may lead to discipline.

**C - 6. Member Personal Social Media Content May be Used to Impeach a Member in Court**

Personal social media activity that is public or becomes public may form the basis for undermining or impeaching a member’s testimony in criminal or other court proceedings.

**C - 7. Content Accessed or Posted Using Department Resources May be Reviewed by the Department**

Members forfeit any have a reduced expectation of privacy in any content published, maintained, or viewed on any Internet website that is accessed on any Department technology system or Department-issued device.

The Department reserves asserts the right to access, audit, and disclose for whatever reason any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department. This includes the Department e-mail system, computer network, Department-issued smartphone or other device, or any information placed into storage on any Department system or device. It also includes records of all keystrokes or web-browsing history made on any Department computer or any Department-issued smartphone or other device, or over any Department network.

The fact that access to a website requires a username or password will may not create an expectation of privacy if it is accessed through a Department computer or network, or using a Department-issued device. The Department may request or require a member to disclose a personal username, password, or other method for the purpose of accessing an employer-issued electronic device. (California Labor Code § 980).

**C - 8. Department Requests for Personal Social Media Passwords or Access**

Generally, the Department may not require or request that an employee disclose a personal username or password for, or grant access to, a personal social media website, or involuntarily divulge any personal social media. However, the Department may request that an employee divulge personal social media reasonably believed to be relevant to an investigation of allegations of member misconduct or member violation of applicable laws and regulations, provided that the social media is used solely for purposes of that investigation or a related proceeding. (California Labor Code § 980). If during an investigation the Department discovers offensive social media that may violate any other policy, manual of rules, or applicable law, the appropriate action may be taken by the Department.
D. SPECIFIC RULES FOR PERSONAL SOCIAL MEDIA USE BY MEMBERS

D - 1. Compliance with City and Department Rules

Members’ social media use must comply with other City and Department rules and policies including but not limited to those rules and policies highlighted above in A - 2 through A - 4.

D - 2. Prohibition on Discriminatory Posts and Interactions

Members shall not post, transmit, share, adopt, advocate for, and/or disseminate any content, in any form, that denigrates, demeans, or shows hostility or aversion toward any person or group based on race, color, religion/religious creed, national origin/ancestry, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical and/or mental disability, matriculation, political affiliation, pregnancy, medical condition, military or veteran status, or status in any other group is inconsistent with Administrative Instruction 71 and constitutes unlawful employment discrimination and/or harassment or other inappropriate conduct based on protected status. Protected statuses include: race, color, ancestry, national origin (including immigration status, cultural or linguistic characteristics), religion, creed (including religious dress and grooming practices), age (over 40), disability (including both mental and physical), sex (including pregnancy or medical conditions related to pregnancy, childbirth, or breastfeeding), sexual orientation, gender identity, gender expression, medical condition (including cancer and genetic characteristics), genetic information (including family medical history), marital status, military and veteran status, and other characteristics protected by federal, state or local law or the putting down of persons for personal attributes or political beliefs.

D - 3. Prohibition on Harassment and Threats of Violence

Members shall not post, transmit, share, and/or disseminate on personal social media any content that constitutes or advocates unlawful harassment, violence, or threats of violence.

D - 4. Prohibition on Personal Social Media that Compromises or Detracts Disrupts from the Department’s Mission

Members shall not post, transmit, share, and/or disseminate any content on personal social media that is significantly linked to, or related to, the Department and which interferes with or has the potential to reasonably be expected to interfere with members’ performance of their job duties and/or

1 While social media is ever changing, advocating for may include such actions as “liking” or “re-posting” another user’s content, even if that content was not created or modified in any way by the member.
Department operations. Examples include, but are not limited to, the following (unless otherwise protected by applicable law):

- Expression that indicates disregard for the law or the state or U.S. Constitution.
- Expression that demonstrates support for criminal activity.
- Expression that could reasonably be expected to have a negative impact on the credibility of the member as a witness, such as any expression that glorifies or endorses dishonesty, unlawful discrimination and/or harassment, or illegal behavior.
- Expression that could reasonably be expected to have a negative impact on the safety of Department members, such as operational plans or security precautions at Department buildings.
- Content that depicts any person in an obscene or sexually explicit manner.
- Content that advocates for, celebrates, or otherwise furthers the cause(s) of extremist political, racial, or gender-based positions or groups that espouse violence, a denigration, “othering”, or subjugation or the unlawful discrimination of another person or people based on the actual or perceived race, color, religion/religious creed, national origin/ancestry, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical and/or mental disability, matriculation, political affiliation, pregnancy, medical condition, military or veteran status, or status in any other group protected by federal, state or local law or the putting down of persons for personal attributes or political beliefs.

Members are reminded that expression or content that compromises or detracts from the Department’s mission reasonably can be expected to disrupt the Department’s mission (such as the examples above) will not be excused nor ignored because it is couched or explained as humor, and abusive humor which compromises or detracts from the Department’s mission reasonably can be expected to disrupt the Department’s mission is similarly prohibited by this policy.

D - 5. Display of Department Uniforms or Logos

Members are cautioned against posting, on personal social media, images of themselves or other members in uniform. While celebration of achievements – such as successfully helping the community, progressing within the profession, or otherwise making a difference – is encouraged by the Department, members must curb their enthusiasm with an understanding of the messages their post may present, even if unintentional.

Members are cautioned against displaying images of official Department identification on their personal social media, including but not limited to patches, badges, emblems, logos, or marked/unmarked vehicles. Any such
pictures shall be in accordance with all Department policies or similar rules about conduct, both in this policy and other policies.

These warnings do not apply to images or photographs taken at official Department events or that have been released or posted to official social media by the Department (e.g., promotions, awards, official photographs, photographs released to the public by the press information office, etc.).

Members should understand that posting photographs of themselves or others in uniform, or posting images or photographs from official Department events, will identify them as members of the Department and more closely tie a member’s personal social media account and activity to the Department and opens the member’s social media activity to closer scrutiny.

D - 6. Display of Department Identification for Commercial or Endorsement Purposes

Members shall not use Department identification, including but not limited to patches, badges, uniforms, emblems, logos, or marked/unmarked vehicles, on personal social media for commercial or endorsement purposes without authorization from the Department. Such authorization shall be limited to organizations that have 501(c) tax exemption from the Internal Revenue Service and which do not take positions or engage in activities which violate this or any other Department or City policy.

D - 7. Using Department or Organizational Identifiers on Social Media

Members are urged not to use Department or organizational identifiers (including but not limited to Bureau, Division, Section, or Unit names) as part of a personal or privately held social media moniker (e.g. @OPD_JohnDoe, @BFOII_JaneDoe).

Members should understand that using Departmental or organizational identifiers more closely ties a member’s personal social media account and activity to the Department and opens the member’s social media activity to closer scrutiny.

D - 8. Limitation on Use of Personal Social Media on Duty

Members are prohibited from using personal social media while on duty, except in the following circumstances:

- When brief personal communication may be warranted by the circumstances (e.g. to inform family of extended hours); or
- During authorized breaks. Usage during breaks should be out of sight and sound of the public if feasible and shall not be disruptive to the work environment or interfere with the performance of any member’s job duties.

D - 9. Prohibition of Use of City Email for Personal Social Media
Members shall not use their City email address to sign up for personal social media. However, the Chief of Police or designee may designate a list of specified social media whose sole purpose is professional networking that is exempt from this constraint.

D - 10. Prohibition Against Disclosing Confidential Information

Members shall treat all official Department business as confidential. Members shall not post, transmit, share, and/or disseminate any information obtained as a result of their position with the Department (e.g., witness statements, crime scene photographs, etc.) on personal social media except as authorized, in writing, by a commander of the rank of Captain of Police or above.

D - 11. Removal of Personal Social Media Content

Members shall take reasonable and prompt action to remove any content posted by others on the member’s social media account (e.g., inappropriate comments) that they believe is in violation of this policy from any web page, website, or user account maintained or controlled by the member (e.g., personal social media or personal website).

Members shall take reasonable and prompt action to remove any content from their personal social media depicting another member in which the other member requests its removal.

D - 12. Mandatory Reporting of Social Media Violations

Pursuant to Manual of Rules section 314.48 and DGO M-03\(^2\), all members shall report social media content or activity by other members which violates this policy.

E. TRAINING

E - 1. Initial Training

All newly hired members, either as part of recruit training (for newly-sworn members) or within six months of hire (for lateral or professional staff members) shall receive training on this policy and on personal use of social media.

E - 2. Ongoing Training

Subject to available resources, the Department should provide training regarding member speech and the use of social media periodically to all members of the Department.

\(^2\) Ref. DGO M-03, Section II, E, 1, k.
DEPARTMENTAL GENERAL ORDER D-18
OAKLAND POLICE DEPARTMENT

By order of

LeRonne L. Armstrong
Chief of Police

Date Signed: _____________

Attachment 2
The purpose of this policy is to set forth Departmental policy on the use of Department-issued cellular phones, the use of other Department-issued electronic devices, and the use of personal cellular phones on duty. This policy includes direction on training and audit procedures.

A. DEPARTMENT-ISSUED CELLULAR PHONES

A - 1. Issuance and Control

All sworn members shall be issued a Department-issued cellular phone (“work cell phone”) upon appointment to a full-time sworn position. Annuitants and reserve sworn members may be issued a work cell phone as directed by the Chief of Police or designee.

All professional staff members at the rank of supervisor and above shall be issued a work cell phone within 90 days of appointment to the Department.

The Chief of Police or designee may authorize the issue of work cell phones to members beyond those described above, including issuance of multiple phones to a single member.

Work cell phones are property of the Department and shall be issued and controlled by the Department’s Information Technology Unit (ITU), with management of the device apps and settings by the City’s Department of Information Technology (DIT).

A - 2. Carry Requirements for Sworn Members

All sworn members shall carry their work cell phone when they are on duty, except where this requirement would interfere with their safety or duties (e.g., undercover or plainclothes assignment), where they are precluded from carrying the phone by rule or law (e.g., court appearances), or when permitted or ordered not to by a supervisor or commander.

Sworn members at the rank of Captain and above (rank of Lieutenant and above and those who are acting in those ranks) shall have their work cell phone accessible at all times, on and off duty, with the following exceptions:

1. Where this requirement would interfere with their safety or duties (e.g., undercover or plainclothes assignment);

2. Where they are precluded from carrying the phone by rule or law (e.g., court appearances, events specifically precluding the use or carrying of cell phones);

3. When permitted or ordered not to by a higher-ranking member; or
4. While on vacation, compensatory (comp) time, or other leave and there is a substitute or acting commander available in their stead.

A - 3. Carry Requirements for Professional Staff Members

Professional staff members who are issued one shall carry their work cell phone when they are on duty, except where this requirement would interfere with their safety or duties (e.g., undercover or plainclothes assignment), where they are precluded from carrying the phone by rule or law (e.g., court appearances), or when permitted or ordered not to by a supervisor or commander.

Professional staff members at the position of manager and above (and those acting in those ranks) shall have their work cell phone accessible at all times, on and off duty, with the following exceptions:

1. Where this requirement would interfere with their safety or duties (e.g., undercover assignment);
2. Where they are precluded from carrying the phone by rule or law (e.g., court appearances, events specifically precluding the use or carrying of cell phones);
3. When permitted or ordered not to by a higher-ranking member; or
4. While on vacation, comp time, or other leave and there is a substitute, acting manager, or superior available in their stead.

A - 4. On-Duty Use of Work Cell Phones

Work cell phones are meant to allow members to conduct official department business. Work cell phones supplement the use of fixed-position office phones and allow for remote meeting support.

Members are reminded that work cell phones, because of their nexus to job-related activities, are subject to public records requests, subpoenas, and discovery requests – contents of the devices may be publicly disclosed.

Members are encouraged not to conduct any personal business on their work phone, and any actions taken using the phone must comply with this policy and its prohibitions (see section C for specific prohibitions). Any personal use of a work cell phone shall be kept to a minimum and be brief. Examples include, but are not limited to:

1. Calls to notify family members, physicians, etc. regarding an injury on the job; or
2. Calls to notify family members when required to work overtime without advance notice.

A - 5. International Use of Work Cell Phones
Members who are traveling outside of the United States of America for official business, and who bring a work cell phone or other work electronic device with mobile data, shall contact the ITU at least one (1) week prior to their departure date so that the device can be moved to an international data plan.

A - 6. Evidence Procedures

Electronic material (e.g., pictures, audio, text messages, electronically generated messages) potentially related to a criminal or internal investigation and recorded on work cell phones shall be handled as evidence.

A - 7. Confidentiality and Reporting of Lost Phones

Department work phones and any confidential material stored therein shall be treated as sensitive material and shall be secured at all times with a lock screen passcode.

Lost or stolen devices shall be reported pursuant to DGO N-05, with an information copy to ITU.

B. OTHER DEPARTMENT-ISSUED ELECTRONIC DEVICES

B - 1. Issuance and Control

Workstation computers purchased through ITU shall be assigned to specific work spaces by the ITU. Laptop computers purchased by ITU may be issued to specific members based on assignment. Any ITU issuance of laptop computers shall be with the written approval of a Deputy Chief/Director or higher. Costs for laptop computers shall be paid from the requesting unit’s funding code.

All other computers shall be issued by the unit purchasing the computer, and units purchasing computers shall pay for the computers using their funding codes. Control over programs and administration of computers connecting to the City’s networks shall continue to be with DIT.

Other electronic devices, if not issued and controlled by ITU (e.g., robots, throw-phones, GPS trackers) shall be issued and controlled by the Unit/Section/Division which oversees that program, or as directed by policy.

B - 2. Work-related Use

Electronic devices assigned to members or to their unit are provided to allow members to conduct official department business.

Members may use the desktop or laptop computer assigned to them or their unit for appropriate personal business while on break (e.g., perusing the news). However, see section C, below, for prohibited activity.

B - 3. Devices with Specific Policies

Electronic devices with specific policies (e.g., as a result of Surveillance Technology Ordinance or Militarized Equipment Ordinance) shall be used and
issued according to those policies. If any provisions in a device-specific policy conflict with this policy, the provisions in the specific device policy shall supersede this policy.

B - 4. Confidentiality and Reporting of Lost Devices

Work electronic devices and any confidential material stored therein shall be treated as sensitive material and shall be secured at all times.

Lost or stolen devices shall be reported pursuant to DGO N-05, with an information copy to ITU.

C. PROHIBITED ACTIVITY FOR DEPARTMENT-ISSUED CELL PHONES, PERSONAL CELL PHONES, AND ELECTRONIC DEVICES

C - 1. Use of Any Device to the Point of Distraction or Interference with Duty

Members shall not utilize work or personal cell phones, other telecommunications devices, or personal electronic devices to the extent that such usage adversely affects their performance or productivity or interferes with their safety or the safety of others (Manual of Rules 356.80).

C - 2. Use of Cell Phones While Driving

Members shall not operate a Department vehicle while using a cell phone, whether work or personal, unless they are using a hands-free device or unless exigent circumstances exist. Use of a cell phone as a GPS navigation tool or to play work-appropriate music while driving is specifically exempted from this prohibition.

C - 3. Use of Personal Cell Phones for Department Business

Members are prohibited from using their personal cell phones or electronic communication devices for Department business except for the following:

1. Members may use city email for official business on their personal phone;
2. Members who have timecard approval responsibilities may approve timecards on their personal phone;
3. Members who do not have access to their work cell phone may make urgent work-related phone calls or text messages from their personal phones; and
4. Members who are not issued a work cell phone may conduct administrative work-related business (e.g., call in to the office, submit or approve timecards, etc.) using their personal cell phone.

1City email is a cloud-based service. Member’s authorized access of city email from a personal electronic device shall not constitute a waiver of any privacy interest in a personal electronic device, and OPD shall not justify an attempt to access contents of a member’s personal electronic device based solely on the member’s authorized access of city email via the personal device.
Members shall not monitor or operate work-related social media accounts from personal cell phones (e.g., forward-facing social media accounts that represent the Department or investigative social media accounts). This prohibition does not preclude members from engaging in non-work-related social media contacts with other members using their personal devices (e.g., being “friends” on social media, connecting over social media with other Department members regarding shared hobbies or interests, etc. Refer to DGO D-18, however, for rules around personal social media use.).

C - 4. Use of Work Cell Phones and Work Electronic Devices for Personal Business

Except for permissible brief personal use (see sections A-5 and B-2, above), work cell phones and work electronic devices shall not be used for personal business.

Without exception, no personal social media\(^2\) accounts or applications (“apps”) shall be accessed or installed on work cell phones or electronic devices (Reference DGO D-18 regarding personal social media). This does not include social media applications used for work purposes (e.g. investigative purposes or for administering and posting on the Department’s public accounts).

C - 5. International Data Access and Charges

Members must have permission from their first-level commander to bring work cell phones or electronic devices outside of the United States of America. Members who bring a work phone or work electronic device outside of the United States of America shall be responsible for any

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\(^2\) Personal social media includes: [Policy and Publication Unit Note: This footnote is reserved for the definition of “personal social media” in DGO D-18 when that policy is finalized.]

- Accounts established by Department members with third-party providers (e.g., Facebook, Instagram, Twitter, etc.) that are not officially authorized by the Department, or accounts used by Department members for purposes outside of the scope of a member’s official duties.
- Social media accounts established or administered by individual members of the Department for fraternal or charity organizations, off-duty employment, civic or community organizations, etc., are also subject to the provisions of this policy.

Personal social media does not include:

- Official accounts of the Oakland Police Department, curated and monitored as part of the job duties of members; and
- Social media accounts that are used solely for the purposes of criminal investigation, intelligence, or other job-related duties.
- Personal photo streaming applications which are limited to individuals participating by private invitation and not accessible via any public social media or internet services. These applications are generally used for sharing family photographs.
- Personal electronic email accounts.
- Social media accounts and emails utilized by individual members and the designated bargaining unit representative in conjunction with activities related to labor relations and collective bargaining.

Reference DGO D-18, Member Personal Social Media.
surcharges, fees, or increased data or calling charges that result unless the device is moved to an international plan as specified in section A-5.

**C - 6. Tampering with or Modifying Work Cell Phones and Work Electronic Devices**

Work cell phones and work electronic devices shall not be physically modified or tampered with without express written permission from the ITU. This includes, but is not limited to, the following:

1. Removing the SIM (subscriber identity module) card from a work cell phone or device and installing it into a personally owned phone and
2. Adding or removing hardware such as RAM, disc drives, or motherboards to department computers.

This section does not limit using appropriate peripheral devices such as USB memory sticks, plug-and-play external hardware, or speakers.

**C - 7. Accessing Inappropriate Material on Work Cell Phones and Electronic Devices**

Members are prohibited from accessing inappropriate content on their work cell phones and electronic devices when it is not within the scope of their duties – this behavior is prohibited by the Department’s Manual of Rules. This includes, but is not limited to, the following:

1. Pornography (MOR 356.30).
2. Any material which violates the anti-harassment or anti-discrimination policies of the Department (DGO D-20) and/or City (Administrative Instruction 71) (MORs 356.30, 314.04).
3. Hate group, racist, or anti-government material\(^3\) (MORs 356.30, 384.70).
4. Gambling websites or applications (MORs 356.30, 328.07).
5. Any material related to the member’s outside commercial or personal financial activity (MORs 356.30, 328.07).

**D. INSPECTION AND AUDITING OF DEPARTMENT CELLULAR PHONES AND ELECTRONIC DEVICES**

**D - 1. Definitions**

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\(^3\) Reference the definition in DGO D-18 of extremist content: Content that advocates for, celebrates, or otherwise furthers the cause(s) of extremist political, racial, or gender-based positions or groups that espouse violence, a denigration, “othering”, or subjugation of another person or people based on the actual or perceived race, color, religion/religious creed, national origin/ancestry, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical and/or mental disability, matriculation, political affiliation, pregnancy, medical condition, military or veteran status, or status in any other group protected by federal, state or local law or the putting down of persons for personal attributes or political beliefs.
**Inspection** – inspections of work cell phones include reviewing of call logs, messaging apps, browsing history, and social media applications with the purpose of reviewing the device for policy compliance in an efficient manner. Inspections will necessarily be limited in scope and intensity but may lead the inspecting member to perform a deeper look at the phone. Inspections involve reviewing the devices and records from the device, but do not involve using a digital forensic tool.

**Audit** – audits of work cell phones include using a digital forensic tool to extract the entirety of the data stored on the phone, including deleted data, for the purpose of reviewing the device for policy compliance. Audits involve an expanded scope and significantly more intensity than inspections, and will typically have a planned review to significantly sample and examine the data extracted from the device.

**Search** – searches are a focused attempt to find something (e.g. evidence of misconduct or criminal activity, or specific communication that could prove or disprove an allegation of misconduct) that could reasonably exist on the device. The scope and intensity of a search, and the use of digital forensic tools to conduct a search, will depend on what is being searched for.

**D - 2. Right of Department to Inspect Work Cell Phones and Electronic Devices at Any Time**

The Department may inspect, audit, or search work cell phones and work electronic devices at any time. Such inspections, audits, and searches shall not be arbitrary, capricious, or harassing, and shall not be based on personal bias or animus.

Supervisors and commanders may conduct inspections of the work phones of members in their chain of command. Inspections of work cell phones or electronic devices by supervisors or commanders outside of planned or ordered inspections, audits, or investigations shall be documented in a memorandum to the Captain of Internal Affairs, no matter the outcome of the inspection.

**D - 3. Department Work Cell Phone Inspection Plan**

**Bureau Threshold Inspections**

1. BRM will complete a written inspection plan within 180 days of this policy being signed, and will review the plan at least every two (2) years subsequently.

2. The BRM inspection plan will utilize thresholds based on data points such as
   a. Number of citizen complaints which are associated with misconduct
   b. Uses of force
   c. Amount of data used during the review period
To develop a list of at least twenty-five (25) members assigned a work cell phone per Bureau.

From the list for each Bureau, the BRM shall, at the beginning of each quarter (January, April, July, and October) randomly select\(^4\) at least four (4) per Bureau and send the names to the respective Bureau Deputy Chief or Director.

The Bureau Deputy Chief or Director shall direct the work cell phones of the members on the list **inspected** (see definition in section D-1) by supervisors or commanders in the Bureau.

3. Random inspections pursuant to thresholds shall be done by a member at least one rank higher than the member to whom the phone is assigned.

4. Violations of this policy noted during the inspections shall be reported and handled pursuant to **DGO M-03**.

5. The inspections shall be completed by the end of the quarter (March, June, September, December), and the results of these inspections shall be documented in the monthly management report (or in a memorandum to the Assistant Chief of Police with an information copy to IAD for sections that do not complete monthly management reports). If the member randomly selected is unavailable for the entirety of the quarter (e.g., on military leave, on injury leave, etc.) this shall be noted in the report or memorandum.

**Integrity Unit Random Audits**

1. The IAD Integrity Unit shall conduct a quarterly audit of no less than two (2) randomly selected\(^5\) work cell phones, with the audits conducted in accordance with Integrity Unit operating procedures. The results of these audits shall be documented in a quarterly memorandum to the IAD Commander.

**D - 4. Department Searches of Work Cell Phones and Electronic Devices**

In addition to inspections and audits, as detailed above, the Department may also search work cell phones and work electronic devices when there are reasonable grounds for suspecting that the search will reveal evidence of work-related misconduct or criminal misconduct.

**D - 5. Internal Record Keeping and Asset Management**

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\(^4\) Random selection shall be accomplished by using a random number generator, with a minimum of 1 and a maximum of 25, where the numbers generated will correspond to the row or column upon which the member’s name exists in the spreadsheet or data array.

\(^5\) Random selection shall be accomplished by using a random number generator, with a minimum of 1 and a maximum of the number of the total lines in the work phone record mentioned in D-4, and matching the first two (2) (or as many numbers need to be generated to gather the requisite number of phones to be inspected) random numbers generated to the row of the work phone record mentioned in D-4.
The ITU shall keep a record of issued work cell phones. This shall include, but is not limited to:

1. Phone number, if applicable
2. Device serial number or identifying number
3. Member assigned the device(s)

E. TRAINING

E - 1. Academy and Initial Hire Training

Upon graduating the Basic Police Academy, the Training Division shall provide training for the new police officers on the provisions of this policy and the appropriate use of work cell phones and electronic devices.

All professional staff and sworn members who join the Department outside of the Basic Police Academy process shall review and sign off on this policy via PowerDMS within 90 days of their appointment to their position.

By order of

LeRonne L. Armstrong
Chief of Police

Date Signed: _______________
COMMAND INTENT

The purpose of this policy is to provide rules for the approval, acquisition, use, and reporting requirements of military equipment, as outlined in Government Code § 7070, Oakland Municipal Code (OMC) 9.65, et. seq., in order to safeguard the public’s welfare, safety, civil rights, and civil liberties.

A. POLICY AND APPLICABILITY

It is the policy of the Oakland Police Department (OPD) to have legally enforceable safeguards, including transparency, oversight, and accountability, in place to protect the public’s welfare, safety, civil rights, and civil liberties with respect to the funding, acquisition, and use of equipment defined by statute as military equipment. The acquisition of military equipment and its deployment in our communities may impact the public’s safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in any government agency’s decision to fund, acquire, or use such equipment. Decisions regarding whether and how military equipment is funded, acquired, or used should consider the public’s welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input. The members of this Department will comply with the provisions of Assembly Bill 481, Government Code § 7070, Oakland Municipal Code (OMC) 9.65, et. seq. with respect to military equipment.

B. DEFINITIONS

The definitions related to this policy are defined in Government Code § 7070 and OMC 9.65:

**Governing body** – Means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff's department or a district attorney's office, "governing body" means the board of supervisors of the county. [Government Code § 7070(a)]. As it pertains to the City of Oakland, the Oakland City Council is the Governing body, but OPD must go through the Oakland Police Commission for requests or submitting reports pertaining to military equipment.

**Law Enforcement Agency** – A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges. [Government Code § 7070(b)(2)].

**Military equipment** – Defined military equipment includes, but not limited to, the following [Government Code § 7070(c)(1)-(15)] and [OMC 9.65]:

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**Controlled equipment** – This term and term “Military equipment” are used interchangeably.

- Unmanned, remotely piloted, powered aerial or ground vehicles [Government Code § 7070].
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision [Government Code § 7070].
- Wheeled vehicles that are built or modified to provide ballistic protection to their occupants, such as mine-resistant ambush protected (MRAP) vehicles or armored personnel carriers. Police versions of standard consumer vehicles are specifically excluded from this section [OMC 9.65].
- High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision [Government Code § 7070].
- Wheeled vehicles that are built to operate both on-road and off-road, such as a high mobility multipurpose wheeled vehicle (HMMWV), commonly referred to as a Humvee, a two and one-half (2½)-ton truck, or a five (5)-ton truck, or vehicles built or modified to use a breaching or entry apparatus as an attachment. Unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this section [OMC 9.65].
- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion [Government Code § 7070].
- Tracked vehicles that are built or modified to provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion [OMC 9.65].
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units [Government Code § 7070].
- Weaponized aircraft, vessels, or vehicles of any kind [Government Code § 7070].
- Weapon-bearing aircraft, vessels, or vehicles of any kind, whether manned or unmanned [OMC 9.65].
• Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision [Government Code § 7070].

• Breaching apparatus designed to provide rapid entry into a building or through a secured doorway, including equipment that is mechanical, such as a battering ram, equipment that is ballistic, such as a slug, or equipment that is explosive in nature, but excluding handheld battering rams that can be operated by one person [OMC 9.65].

• Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision [Government Code § 7070] and [OMC 9.65].

• Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision [Government Code § 7070] and [OMC 9.65].

• Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in § 30510 and §30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or state agency [Government Code § 7070] and [OMC 9.65].

• Any firearm or firearm accessory that is designed to launch explosive projectiles [Government Code § 7070].

• Active area denial weapons, such as the taser shockwave, microwave weapons, water cannons, and the long-range acoustic device (LRAD). [Government Code § 7070]. [OMC 9.65].

• The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons, and "riot guns" used to disperse chemical agents [OMC 9.65]. [Government Code § 7070]. ¹

• Any weapon designed for hand-to-hand combat, including any knife designed to be attached to the muzzle of a rifle, shotgun, or long gun for purposes of hand-to-hand combat, but excluding service-issued telescopic or fixed-length straight batons [OMC 9.65].

¹ Riot guns was added to this section from OMC 9.65.
• Explosives and pyrotechnics, such as "flashbang" grenades and explosive breaching tools, and chemical weapons such as "teargas" and "pepper balls" but excluding standard, service-issued handheld pepper spray [OMC 9.65] [Government Code § 7070].

• Crowd-control equipment, such as riot batons, riot helmets, and riot shields, but excluding service-issued telescopic or fixed-length straight batons [OMC 9.65].

• Military surplus equipment [OMC 9.65].

• Any other equipment as determined by a governing body (City Council) or a state agency to require additional oversight [Government Code § 7070] and [OMC 9.65].

**Controlled Military Equipment Impact Report** - means a publicly released, written document that includes, at a minimum, all of the following [OMC 9.65]:

1. **Description:** A description of each type of controlled equipment, the quantity sought, its capabilities, expected lifespan, intended uses and effects, and how it works, including product descriptions from the manufacturer of the controlled equipment.

2. **Purpose:** The purposes and reasons for which the Oakland Police Department (hereinafter, "Police Department") proposes to use each type of controlled equipment.

3. **Fiscal Cost:** The fiscal cost of each type of controlled equipment, including the initial costs of obtaining the equipment, the estimated or anticipated costs of each proposed use, the estimated or anticipated costs of potential adverse impacts, and the estimated or anticipated annual, ongoing costs of the equipment, including operating, training, transportation, storage, maintenance, and upgrade costs.

4. **Impact:** An assessment specifically identifying any potential impacts that the use of controlled equipment might have on the welfare, safety, civil rights, and civil liberties of the public, and what specific affirmative measures will be implemented to safeguard the public from potential adverse impacts.

5. **Mitigations:** Specific, affirmative technical and procedural measures that will be implemented to safeguard the public from such impacts.

6. **Alternatives:** A summary of all alternative method or methods the Police Department considered to accomplish the purposes for which the controlled equipment is proposed to be used, the annual costs of alternative method or methods, and the potential impacts of alternative method or methods on the welfare, safety, civil rights, and civil liberties of the public.
7. Location: The location(s) it may be used, using general descriptive terms.

8. Third Party Dependence: Whether use or maintenance of the controlled equipment will require the engagement of third-party service providers.

9. Track Record: A summary of the experience (if any) other entities, especially government entities, have had with the proposed controlled equipment, including, if available, quantitative information about the effectiveness of the controlled equipment in achieving its stated purpose in other jurisdictions, and any known adverse information about the controlled equipment (such as unanticipated costs, failures, or civil rights and civil liberties abuses).

10. Additionally, the Annual Impact Report will include the following from the Government Code 7072:

- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- The quantity possessed for each type of military equipment.
- If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

Some of these additions are already captured on Appendix A - Military Equipment List.

**Controlled Equipment Use Policy** - means a publicly released, legally enforceable written document governing the use of controlled equipment by the Oakland Police Department that addresses, at a minimum, all of the following [OMC 9.65] and [Government Code § 7070]:

A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment [Government Code § 7070] and Appendix A.

Purpose: The specific purpose or purposes that each type of controlled equipment is intended to achieve [OMC 9.65] and [Government Code § 7070].

Authorized Use: The specific uses of controlled equipment that are authorized, and rules and processes required prior to such use [OMC 9.65] and [Government Code § 7070].
The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment [Government Code § 7070].

The legal and procedural rules that govern each authorized use [Government Code § 7070].

Prohibited Uses: A non-exclusive list of uses that are not authorized.

Training: The course of training that must be completed before any officer, agent, or employee of the Police Department is allowed to use each specific type of controlled equipment [OMC 9.65]. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy [Government Code § 7070].

Auditing and Oversight: The mechanisms to ensure compliance with the controlled equipment use policy, including which independent persons or entities have oversight authority, and what legally enforceable sanctions are put in place for violations of the policy [OMC 9.65] and [Government Code § 7070].

Transparency: The procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of controlled equipment, and how the Police Department will ensure that each complaint, concern, or question receives a response in a timely manner [OMC 9.65] and [Government Code § 7070].

**Annual Controlled Equipment Report** - means a publicly released written document that includes, at a minimum, all of the following information for the immediately preceding calendar year:

1. Production descriptions and specifications for controlled equipment and inventory numbers of each type of controlled equipment in the Police Department’s possession. The Police Commission may waive the remaining obligations for annual reporting for a specific type of equipment if the Police Department certifies, in advance of issuing the Annual Controlled Equipment Report, that the equipment was not used or purchased in the immediately preceding calendar year.

2. A summary of how controlled equipment was used.

3. If applicable, a breakdown of where controlled equipment was used geographically by police area. For each police area, the Police Department shall
report the number of days controlled equipment was used and what percentage of those daily reported uses were authorized by warrant and by non-warrant forms of court authorization.

4. A summary of any complaints or concerns received concerning controlled equipment.

5. The results of any internal audits, any information about violations of controlled equipment use policies to the extent permitted by law, and any actions taken in response.

6. The estimated annual cost for each type of controlled equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for controlled equipment in the calendar year following submission of the annual report.

7. Impact: An updated assessment specifically identifying any potential impacts that the use of the controlled equipment might have on the welfare, safety, civil rights, and civil liberties of the public, and what specific affirmative measures will be implemented to safeguard the public from potential adverse impacts.

8. Mitigations: Specific, affirmative technical and procedural measures that have been implemented to safeguard the public from such impacts.

9. Alternatives: An updated summary of all alternative method or methods the Police Department considered to accomplish the purposes for which the controlled equipment is proposed to be used, the annual costs of alternative method or methods, and the potential impacts of alternative method or methods on the welfare, safety, civil rights, and civil liberties of the public.

C. MILITARY EQUIPMENT COORDINATOR

The Chief shall designate the Special Operations Section Commander or designee as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

1. Acting as liaison to the governing body for matters related to the requirements of this policy.

2. Identifying equipment that qualifies as military equipment in the current possession of the Oakland Police Department, or the equipment OPD intends to acquire that requires approval by the governing body.

3. Facilitate an inventory of all military equipment at least annually.
4. Collaborating with any allied agency that may use military equipment within the jurisdiction of Alameda County (Government Code § 7071).

5. Preparing for, scheduling, and coordinating the annual community engagement meeting to include:

   a. Publicizing the details of the meeting.

   b. Preparing for public questions regarding the Oakland Police Department’s funding, acquisition, and use of equipment.

6. Preparing the annual military equipment report for submission to the governing body and ensuring that the report is made available on the Oakland Police website (Government Code § 7072) (OMC 9.65).

D. APPROVAL FOR FUNDING, ACQUISITION, AND USE

The Oakland Police Department or authorized designee shall submit to the Oakland Police Commission a Controlled Equipment Impact Report and a Controlled Equipment Use Policy prior to engaging in any of the following:

- Requesting the transfer of Controlled Equipment pursuant to Section 2576a of Title 10 of the United States Code.
- Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- Accepting funds for Controlled Equipment, including, but not limited to, private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- Acquiring Controlled Equipment either permanently or temporarily, including by borrowing or leasing.
- Collaborating with another law enforcement agency, such as commanding, controlling, or otherwise directing that agency or its personnel, in the deployment or other use of Controlled Equipment within Oakland.
- Using any new or existing Controlled Equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to OMC 9.65.
- Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- Acquiring military equipment through any means not provided above.

The Police Department shall not accept funding for, acquire, or use Controlled Equipment without the review and recommendation, by the Police Commission, and approval, by City Council, of a Controlled Equipment Impact Report and a Controlled Equipment Use Policy submitted pursuant to OMC 9.65.
The Police Department shall not seek or apply for state, federal or private funds or in-kind or other donations for Controlled Equipment without prior review and approval by the Police Commission at a regularly noticed meeting. The Police Department may seek such approval here without submitting an Impact Report and/or a Controlled Equipment Use Policy, by informing the Police Commission of the needs for the funds and/or equipment, or otherwise justifying the request.

Submission to the Police Commission

- When seeking the review and recommendation of the Police Commission, the Police Department shall submit to the Police Commission a Controlled Equipment Impact Report and Controlled Equipment Use Policy.

- The Controlled Equipment Impact Reports and Controlled Equipment Use Policies shall be made publicly available on the Department’s website for as long as the Controlled Equipment is proposed or approved for use.

- The Police Commission shall consider Controlled Equipment Impact Reports and Controlled Equipment Use Policies as an agenda item for review at least one open session of regularly noticed meeting.

Annual Reports on the Use of Controlled Equipment

The Oakland Police Department shall submit an Annual Controlled Equipment Report to the Police Commission no later than March 15th of each year, unless the Police Commission advises the Police Department that an alternate date is preferred. The Police Department shall make each annual report available on its website for as long as the Controlled Equipment is available for use. Within 60 days of the Police Department’s submission and publication of an Annual Controlled Equipment Report, the Police Commission shall place the report as an agenda item for an open session of a regular meeting.

Notwithstanding the above, the Oakland Police Department may acquire military equipment without first obtaining City Council approval in the following situations:

1. In the event of an emergency, the Oakland Police Department may acquire additional stock of approved military equipment without City Council approval only if the Chief determines that doing so is necessary to respond to the emergency.

2. If there is an unanticipated exhaustion or reduction in the stock of ammunition, flash bangs, or chemical agents covered by this policy that would impair the Oakland Police Department’s ability to maintain essential public safety functions or ensure the safety and security of the jails, OPD may acquire the minimum
additional stock necessary to maintain these functions until City Council approval can be obtained. This exception applies only to ammunition, flash bangs, or chemical agents, and does not permit OPD to acquire any other military equipment without prior Council approval.

3. The Chief of Police shall submit a report within 30 days through the Police Commission to the City Council documenting the emergency. At a minimum the report shall contain the following:

- Summary
- Dates of the emergency
- Items purchased by OPD that are defined as “Military equipment.”
- Describe if items were used and the reason for the use.
- Fiscal Cost
- Purchased items used during the emergency

E. MILITARY EQUIPMENT USE CONSIDERATIONS

Military equipment shall only be used by an OPD employee only after applicable training, including any course required by the Commission on Peace Officer Standards and Training (POST) has been completed, unless exigent circumstances arise. The military equipment acquired and authorized by the Oakland Police Department is:

1. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. Reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
3. The acquisition of the Military equipment is necessary to safeguard officer and public safety.

F. MILITARY EQUIPMENT REPORTING

Upon approval of a military equipment policy, OPD or the authorized designee shall submit a military equipment report to the Police Commission for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (OMC 9.65) [Government Code § 7072].

1. The Oakland Police Department shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use.
2. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:
   a. A summary of how the military equipment was used and the purpose of its use.
   b. A summary of any complaints or concerns received concerning the military equipment.
   c. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
   d. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
   e. The quantity possessed for each type of military equipment.
   f. If OPD intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

G. COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Oakland Police Department through the Police Commission shall hold at least one well-publicized and conveniently located community engagement meeting, at which the department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

H. COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the category for the military equipment is approved for use in accordance with this policy.

Mutual Aid requests for Crowd Management will be managed in accordance with General Order L-03, Training Bulletin III-G, and any other Court Order.
I. INQUIRY AND COMPLAINT PROCESS

(Government Code 7070 d (7)) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

The Oakland Police Department DGO M-3: Complaints Against Departmental Personnel or Procedures will inform all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct.²

Any member of the public can also use the OPD Internal Affairs 24-hour Complaint Hotline at (866) 214-8834 to file your complaint - leave a detailed message describing the complaint.

Anyone can also send their complaint via U.S. Mail:
Oakland Police Department - Internal Affairs Division
455 - 7th Street
Oakland, CA 94607

Oakland Community Police Review Agency (CPRA):
Anyone can also file a complaint in person by visiting CPRA at 250 Frank Ogawa Plaza, Suite 6302 Oakland, CA 94612 (near City Hall) and file the complaint with an Intake Technician. The phone number at CPRA is (510) 238-3159. Office hours are Monday through Friday, 9:00 a.m. to 5:00 p.m.

For general inquiries regarding OPD Military equipment can be made by the following:

1. By email at militaryequipmentinquiries@oaklandca.gov.
2. By mail to:

   Oakland Police Department
   Special Operations Section
   Re: Military Equipment Coordinator
   2651 73rd Ave
   Oakland, CA 94607

² DGO M-3 states, “IAD investigations shall be completed, reviewed, and approved within 180 days unless approved by the IAD commander.”
General questions or concerns will be routed to the Military Equipment Coordinator for response in a timely manner. The Military Equipment Coordinator shall track all inquiries and responses for inclusion into the Military Equipment Report.

J. AUDITING AND OVERSIGHT

Government Code 7072 (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

OMC 6.95 (5) 5. Auditing and Oversight: The mechanisms to ensure compliance with the controlled equipment use policy, including which independent persons or entities have oversight authority, and what legally enforceable sanctions are put in place for violations of the policy.

The Oakland Police Department will conduct a yearly internal audit and provide any information on violations of this policy. This report will be added to the yearly Annual Report.

The Oakland Police Commission will be the independent entity with oversight authority. The Office of Inspector General (OIG) will conduct audits to ensure compliance and accuracy of the inventory list.

K. REPORTING/ RECORDS KEEPING

The Support Operations Commander will keep records of the Military equipment used by the Oakland Police Department. Defined Military equipment will have a reporting section in each of the policies to assure accurate usage is captured.

L. MILITARY EQUIPMENT INVENTORY

The attached list is the current qualifying list of equipment utilized by the Oakland Police Department. The Office does not currently possess controlled or prohibited equipment acquired from the United States military. Instead, the department’s current inventory consists of commercially available equipment.

Please refer to the attached list.

• Appendix A – Military Equipment Inventory

By order of
LeRonne L. Armstrong
Chief of Police

Date Signed: ____________
### Current Committees

<table>
<thead>
<tr>
<th>Standing Committee</th>
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<td>Personnel</td>
<td>Jackson</td>
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<td>Milele, Peterson</td>
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<td>Body Worn Cameras Policy</td>
<td>Peterson, Harbin-Forte, Hsieh</td>
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<tr>
<td>Chief of Staff Search</td>
<td>Milele, Jackson, Jordan</td>
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<tr>
<td>Community Outreach</td>
<td>Howell, Hsieh, Jordan</td>
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<tr>
<td>CPRA Executive Director Search</td>
<td>Milele, Jackson, Peterson</td>
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<tr>
<td>CPRA Director + IG Performance Evaluation</td>
<td>Milele, Peterson</td>
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<td>IG Policies</td>
<td>Peterson, Harbin-Forte, Jackson</td>
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<tr>
<td>CPRA Policies</td>
<td>Harbin-Forte, Jackson-Castain, Ordaz</td>
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<tr>
<td>Militarized Equipment Policy</td>
<td>Hsieh, Jordan</td>
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<tr>
<td>OBOA Allegations Investigation</td>
<td>Harbin-Forte, Jackson</td>
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<td>Racial Profiling Policy</td>
<td>Milele, Jackson, Jordan</td>
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<td>Rules of Procedure</td>
<td>Harbin-Forte</td>
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<td>OBOA Association</td>
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### Recently Completed/Paused/Dormant

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<td>Electronic Communication Devices</td>
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<td>Police Chief Goals and Evaluation</td>
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<td>Risk Management Policy</td>
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<td>Social Media Policy</td>
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<tr>
<td>White Supremacists and Other Extremist Groups</td>
<td>Harbin-Forte, Jackson</td>
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<tr>
<td>Community Policing (15-01)</td>
<td>Harbin-Forte, Howell, Hsieh</td>
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For a roster of current Commissioners and their emails, visit: [https://www.oaklandca.gov/teams/police-commission](https://www.oaklandca.gov/teams/police-commission)
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<th>Additional Information/Details</th>
<th>Reference for AMENDMENTS TO CITY CODE</th>
<th>Measure &amp; Ordinance Numbers/Code Sections Evaluated:</th>
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<td>1</td>
<td>Perform Bimonthly Review of CPA, Director and OPD Chief</td>
<td>Convene performance reviews of the agency director and/or chief</td>
<td>the Commission shall delineate the performance criteria for evaluating the chief and the agency director, and communicate those criteria to the chief and the agency director one month before conducting the evaluations.</td>
<td>Ord. Section 2.45.207(b)</td>
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<td>Public Policy: Gender to Cross-Directors or Cross-Northeast</td>
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<td>Ord. § 2.45.070(g)</td>
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<td>Agenda: OIG of Police, Firearms, &amp; Duties</td>
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<td>Solid/Current Public Input in Equity of Interactions with CPA and Commission</td>
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<td>Ord. § 2.45.070(f)</td>
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<td>5</td>
<td>Review and Comment on Proposed Budget for Education and Training on job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues</td>
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<td></td>
<td>Charter § 608.05(3) and Ord. § 2.45.090</td>
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<td>Prepare a Budget for Education and Training on job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues</td>
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<td>Ord. § 2.45.070(f) &amp; (g)</td>
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<td>The number of meetings per year held - &quot;Community Board&quot;</td>
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<td>Ord. § 2.45.070(f) &amp; (g)</td>
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<td>The number of meetings per year held - &quot;Community Board&quot;</td>
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<td></td>
<td>Charter § 609.05(3)</td>
<td>Ord. § 2.45.090</td>
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<td>9</td>
<td>Establish Annual Beddown/Resolution of Certificates of Achievement</td>
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<td>Ord. § 2.45.300(b)</td>
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<td>10</td>
<td>Service and Community On Department’s Policies/Procedures in Reporting And Publishing Data On Its Activities</td>
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<th>D</th>
<th>Measure U (&quot;Charter&quot;) and Enabling Ordinance (&quot;Ord.&quot;) Sections</th>
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<td>Review OPO’s Grouping &amp; Presentation policy</td>
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