TRAINING

BULLETIN

Evaluation Coordinator: Training Division

“Department Training Bulletins shall be used to advise members of current police techniques and procedures and shall constitute official policy.”

Index Number: III-P.06

Alpha Index: High Risk Incidents

Barricaded Subject Incidents

Critical Incidents

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XX XXX XX



EXPLOSIVE BREACHING

**Purpose**

## The purpose of this policy is to establish guidelines for the utilization of explosive breaching for tactical and life saving measures.

**Overview**

The Oakland Police Department Tactical Operations Team, as outlined in Departmental General Order K-05, brings additional resources and specialized equipment to aid field units during critical incidents. The goal of this unit is the safe and non-violent resolution of those incidents. It may become necessary for the Tactical Operations Team to execute an urgent entry. It is critical that the point of entry be breached as quickly and safely as possible. An immediate and positive breach is but one key to a successful tactical mission designed to reduce the violence of the encounter.

Explosive breaching can be an effective option in tactical operations. An effective breaching charge is a tool designed to use the minimal amount of explosives necessary to achieve our breaching and mission objectives. Effective breaching techniques reduce damage inside and outside the target, allow team personnel to stack closer to the charge thereby increasing the speed of response, and provide maximum safety to all present.

In addition, explosive breaching techniques are not limited to tactical operations. In the event of disasters and applicable rescue operations, explosive breaching may be employed to rescue victims entrapped in buildings or other structures where conventional access is restricted or unavailable.

The Oakland Police Department is committed to safeguarding the community and preserving life. The Department has implemented measures and policies to ensure none are violated. Regardless of deployment, explosive breaching will be utilized in accordance with OPD Core Values and our Mission.

**Definitions**

**Breach:** To make a gap in, or break through, a wall, door, or other barrier.

**Breacher:** A member designated to breach a medium via non-explosive means.

**Entry Team:** The Tactical Operations Team element as described in Departmental General Order K-05 and used, in part, to execute tactical actions such as building entries, rescues, and tactical responses to exigent circumstances.

**Explosive Breach:** The use of an explosive device, constructed of both explosive and non-explosive materials, to successfully achieve a desired breaching objective. For the purposes of this Training Bulletin, further references to “breaching” will imply explosive breaching.

**Explosive Breaching Charge/Device:** A construction of explosive materials created for the specific purpose of using explosives as an industrial breaching tool.

**Explosive Breacher:** A Tactical Operations Team member who is trained and certified in the construction, placement, and initiation *of explosive* breaching devices. Absent the Breaching Sergeant, the Explosive Breacher will have the final say if a breach can be conducted.

**Breaching Sergeant:** A Tactical Operations Team Leader trained as an Explosive Breacher. The Breaching Sergeant shall have the final say as to the tactical placement of Explosive Breaching Charges/Devices. The Breaching Sergeant is responsible for ensuring all documentation related to Explosive Breaching is completed and the training and deployment related to Explosive Breaching is safely run. The Breaching Sergeant’s immediate supervisor is the Tactical Team Commander.

**Range Safety Officer**: An Explosive Breacher who has been assigned (during non-operational activities where explosives are utilized) to ensure that standard safety precautions are being met during the event.

**Training**

Explosive Breachers shall attend and pass the OPD Tactical Operations Entry Team School and be current Entry Team members. An Entry Team member must then successfully complete an approved explosive breaching course prior to being authorized to transport and deploy explosive breaching charges/devices, and be deemed an Explosive Breacher.

While there are presently no POST-certified explosive breaching courses, those presently offered by Forced Entry Tactical Training (FETT) USA are deemed approved explosive breaching courses. Approved courses are subject to change as training, industry standards and practices, and instructional agencies emerge and evolve.

Breaching Sergeants are responsible for vetting and approving acceptable courses, which shall minimally include the following topics:

* Explosive safety and handling
* Explosive breaching hazards and safety
* Fundamentals of explosives, charge construction, and effects
* Documentation, storage and transportation
* Safety recommendations set by the explosive device or component manufacturers
* Construction and deployment of live devices
* Physical effects on structures effected by explosive breaches
* Physiological and psychological effects of explosive breaches on nearby persons

In addition to the initial approved explosive breaching course described above, Explosive Breachers shall attend and complete annual in-house refresher training totaling no fewer than 10 hours. All refresher training will include construction and detonation of a minimum of one explosive breaching charge. All training, and live operations, shall require the presence of at least two Explosive Breachers.

Additional explosive breach training may include research and development (R&D) of new techniques and load data. However, attendance for R&D training is optional.

Twice annually, explosive breaching shall be employed as part of Entry Team training.

Explosive Breachers who have not completed their annual training requirements are not authorized to transport or deploy Explosive Breaching Charges/Devices.

**Explosive Breacher Selection**

Any active member of the Entry Team may apply to become certified as an Explosive Breacher. The member shall attend a tactical/explosive breaching course as described in the Training section above.

In addition to obtaining chain-of-command approval to attend the course, the member’s immediate supervisor shall consult with the member’s respective Tactical Operations Team Leader for endorsement. The Tactical Operations Team Leader shall consider the member’s tactical performance, dependability, mathematical aptitude, and decision-making when endorsing a member.

**Authorized Uses**

Explosive Breaching may be used in the following situations, and only when non-explosive breaching options are deemed impractical or have been exhausted, or the delay caused by employing those options would significantly contribute to the imminent loss of life:

* Training as described above.
* Incidents involving both the activation of the Tactical Operations Team (as defined in DGO K-05) and the following, as defined in Training Bulletin III-P.02:
	+ Barricaded subjects
	Any individual who is reasonably believed to be a threat to commit serious bodily injury or death to hostages, officers, or others in the community, and who is in a stronghold position.
	+ Hostages
	Any person held by another against their will, by force or threat, expressed or implied.
	+ Active shooters
	One or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their primary objective appears to be that of mass murder, rather than other criminal conduct, such as robbery, hostage taking, etc.
* Disasters and rescue operations where victims are entrapped in buildings or other structures.

Explosive Breaching of a vehicle shall only be done when the incident meets the above criteria, and only when the need to explosively breach outweighs the risk to the vehicle occupant(s) and bystander(s). Otherwise, it is prohibited.

**Legal and Procedural Rules**

* Explosive Breaching shall be used at the discretion of the Tactical/Incident Commander. The Tactical/Incident Commander must provide prior authorization for transporting explosive breaching charges/devices for any planned or unplanned Tactical Team operation. Activation of the Tactical Operations Team, in and of itself, is not sufficient to authorize Explosive Breaching.
* The Tactical/Incident Commander and Explosive Breacher(s) shall consider the following when determining whether Explosive Breaching will be utilized:
	+ The age(s) of those within the area to be breached.
	+ The presence of a potential drug lab.
	+ The presence of other potential hazards that, in conjunction with an Explosive Breach, has the probability of creating a negative consequence that outweighs the need and benefits of an Explosive Breach.
* Whenever possible, scouting and target analysis is the responsibility of the Explosive Breacher(s).
* Explosive Breaching devices shall be constructed to only use the minimum effective amount of explosive materials necessary to safely achieve the objective.
* Only Explosive Breachers are authorized to transport and/or use Explosive Breaching Charges/Devices and related explosive materials.
* The construction of all Explosive Breaching Charges/Devices shall be constructed by at least two (2) Explosive Breachers.
* Construction of the Explosive Breaching Charge/Device varies for each specific operational target. Each charge/device is designed, in composition and construction, on the target analysis, the nature and type of mission, the severity of the crime at hand, and the probable risks to the public, officers, and suspect(s) as a direct result of the breach. Consideration of composition is designed to only use the minimum amount necessary to achieve a successful breach.
* Prior to setting the explosive breach, the Explosive Breacher will present a briefing to the Tactical Commander and all team members involved in the entry.
* An Explosive Breacher shall perform the placement of an explosive breaching charge/device.
* Placement of the Entry Team during the explosive breach will be the responsibility of the Tactical Team Leader in charge of the entry with input from the Explosive Breacher(s).
* If it is the opinion of the Explosive Breacher that the breach would place the team or public in unnecessary danger, the breach shall not be conducted.
* Each tactical situation will dictate the best initiation sequence of the explosive breach.
* A fire extinguisher shall be available, if needed as a result of an explosive breach, for immediate use when safe to do so.
* Explosive Breachers shall use protective gear, to include ear and eye protection, and flame-resistant gloves, when conducting an explosive breach.
* When providing mutual aid, Explosive Breaching shall only be used in accordance with this Training Bulletin.
* Handling of misfires and non-functioning Explosive Breaching Charges/Devices are the responsibility of the Explosive Breacher(s).
* In the event of a misfire, an Explosive Breacher may elect to re-cock the initiator and fire the device again, unless doing so compromises the safety of tactical personnel.
* In the event of a second misfire (or a compromised first attempt), the Explosive Breacher(s) will call for a secondary breach, after which the Explosive Breachers will remove the Explosive Breaching Charge/Device and place it safely away from team members.
* In the event of a failed initiation of an Explosive Breaching Charge/Device in which the firing device functioned accordingly, movement to an alternate breach location may be immediately considered.

**Prohibited Uses**

Explosive breaching shall not be used when:

* The construction of the doors, walls, building, or medium to be breached via Explosive Breaching Charges/Devices is unknown, absent when needed to prevent the imminent loss of life. Such uses require specific, articulable facts that would necessitate an explosive breach.
* There is a presence of known flammable/unstable chemicals or there are other incendiary materials with the potential of combusting as a result of an explosive breach.
* Non-explosive breaching options are more effective or practical.

Further, Explosive Breaching Charges/Devices shall not be thrown at or otherwise employed to target a person or animal.

Mutual aid shall not be utilized for the purpose of bypassing any listed prohibition outlined in this Training Bulletin.

 **Post-deployment Responsibilities**

**Tactical/Incident Commander:** After the operational use of an Explosive Breaching Charge/Device, the respective Tactical/Incident Commander shall complete the requisite military equipment deployment notification report.

# The commander shall also submit a report to the Chief of Police within 30 days, detailing the incident and the reason for the use of Explosive Breaching.

**Explosive Breacher(s):** The Explosive Breacher(s) shall complete a crime or supplemental report detailing Explosive Breaches done as part of an operation, and collect and dispose of any remnants from the Explosive Breaching Charge/Device.

All Explosive Breachers shall maintain a log (notebook style or computer file) documenting all Explosive Breaches they have conducted/participated in, whether in training or actual operations.

**Special Operations Section Commander:** The Special Operations Section shall maintain a master log of all explosives in inventory and make the necessary reporting regarding the use and storage of the devices.

 **Inspection and Storage**

The Special Operations Section Commander is responsible for ensuring that all explosives are inspected annually. This inspection will ensure that the Department's explosives are properly stored and in good condition. Expired explosives beyond their recommended lifetimes shall be designated for use in training only. Explosives shall be stored in compliance with all regulations of the Oakland Fire Department and the Bureau of Alcohol, Tobacco, and Firearms. Devices may be temporarily issued to Explosive Breachers, or other designated personnel who have completed the necessary training, provided appropriate records are maintained. Explosives shall be transported to training or an operational site in the appropriate ATF-specified magazine. Explosives shall only be carried on the person of an Explosive Breacher who has received the necessary training. Loans of Departmentally-owned equipment to other agencies must be pre-approved by the Chief of Police or his/her designee.

All new purchases of explosives are registered with the Bureau of Alcohol, Tobacco, and Firearms (ATF). Typically, the purchase of new devices is reported directly (by lot number and product description) to ATF by the distributer.

Once a year, the Special Operations Section Commander will conduct an audit of all explosive breaching materials to ensure that all explosives and their operating components are accounted for. This audit will be submitted to the Support Operations Division Captain on the last calendar day of January of each year. This audit will be included in the Annual report.

**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.

Refer to DGO K-7 for Inquiries or details of the Complaint Process.[[1]](#footnote-2)

1. DGO K-7: Military Equipment Funding, Acquisition and Use Policy [↑](#footnote-ref-2)