

Lindsey, Drennon

From: Downing, David
Sent: Monday, March 03, 2014 6:00 PM
To: Lindsey, Drennon
Subject: FW: Public Records Request Log #2920 [REDACTED]

Since we did not video tape this event, this one will be easy. ✓ Why we had a video unit will be easy, it is required by our crowd control policy. It is in two sections of our policy.

From: Downing, David
Sent: Monday, March 03, 2014 5:54 PM
To: Lindsey, Drennon
Subject: FW: Public Records Request Log #2920 [REDACTED]

Drennon,

This public records act request is coming your way. I will work with you on how to respond.

D/C Downing

From: Joshi, Holly J.
Sent: Monday, March 03, 2014 5:40 PM
To: Downing, David
Subject: FW: Public Records Request Log #2920 [REDACTED]

DC,

This PRR came in. Which commander should I make contact with in order to find out the requesting info? Cpt. Lindsey?

Thanks,

Hj

From: Fuller, Amber
Sent: Monday, March 03, 2014 3:30 PM
To: Joshi, Holly J.
Subject: Public Records Request Log #2920 [REDACTED]

Good afternoon Sgt. Joshi:

Below is request #2920 from [REDACTED]. I'm not sure if OCOP has anything for this but please let me know if you have any releasable information for this request and I will provide it to the requestor. The response due date is (11 Mar 14).

Thank you,

Amber Fuller
PRR Unit

PRR

CITY OF OAKLAND

Memorandum

TO: Bureau of Field Operations
ATTN: Captain D. Lindsey
FROM: Lieutenant M. Allison
DATE: 18 Feb 14

RE: After Action Report for 140218 DAC City Council Meeting

Date of Operation	18 Feb 14
Time Period	1700-0100
Location of Event	City Council Chambers, City Hall
Name of Event	18 Feb 14 DAC Protest
Name of Operation	140218 City Council Meeting DAC
Incident Number	904
Report Number(s)	None
Incident Commander	Lt. Allison

Background Information	What information and/or incident(s) occurred which caused the event and/or operation? How many subjects or protesters were expected?
The City of Oakland City Council Meeting was originally set to discuss the Domain Awareness (DAC) Phase Two Proposal. The council members postponed the vote for the agenda item twice before. Protestors planned to pack the meeting to voice their opposition to the DAC. Approximately 100 protestors attended, inside the chambers and in the Frank Ogawa Plaza (FOP).	

Objectives	What were the primary objectives and sub-tasks for this event?
Monitor and facilitate the Public Safety Meeting, protect life and property, and protect First amendment rights.	

Operations	Was there an Operations Chief for this event? Who were the key personnel assigned operational tasks during this event? Was there a field Command Post(C/P)? Where
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	did the event take place and did it move to another location? Where was the location of the C/P? Was the C/P mobile? Was the Emergency Operations Center (EOC) activated?
N/A	

Significant Events	Describe the following significant events: When did the event start? When did crimes and arrests take place? When did the event conclude? How many subjects or protesters were at the event? Precede each significant event with the time it occurred.
<p>The event began at 1800 hours. There were no crimes or arrests. The crowd inside the council chambers had several outbursts and the council had to remind them of the ground rules but the council never ordered the chambers to be cleared. We partially demobilized the bike units and TNT at 2130 hours. We released the PSO 4 and 5 around 2300 hours. We released the video team at 0030 hours. The meeting adjourned at 0030 hours with the plan to revisit in two weeks on 4 Mar 14. The group gathered in FOP and dispersed around 0100 hours. There were no significant events.</p>	

Planning	Was there a Planning Chief assigned to this event? Who was the lead planner for the event? Who else took part in the planning meetings? Who completed the operations plan, briefing and personnel detail?
N/A	

Logistics	Was there a Logistics Chief assigned to this event? Did all personnel bring their own equipment? Was any specialized equipment or munitions needed or utilized during the event? Did any other agency provide specialized equipment?
Video team on standby; No recordings took place during this operation.	

Finance	Was there a Finance Chief assigned to this event? Were personnel required to work overtime for this event? Was a mass overtime sheet used for this event? What were the pay codes for this event? Was there any unusual/extraordinary expenditures for this event?
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Mass overtime sheet for the extra assistance (video team, TNT, bike units)

Intelligence	Was there an Intelligence Officer assigned to this event? What was the intelligence information for this event? Was it open source information? Was it provided by an informant? Was information obtained through negotiations with event organizers? Were negotiators assigned to this event?
We had TNT on scene to assist with the event. The intelligence was from the social media calling people to attend this event and pack the city council chambers.	

Safety	Was there a Safety Officer assigned to this event? Were there any significant safety issues? Were there any accidents? Were there any equipment failures?
No injuries	

Liaison	Was there a Liaison Officer assigned to this event? Did outside agencies respond for assistance? What other agencies (city, state or federal) responded or assisted? Was there a mutual aid request?
N/A	

Public Information Officer	Was there a Public Information Officer assigned to this event? Was the media present? Did anyone provide information to the media? Was the media coverage favorable to the agency and/or City?
N/A	

Staging Area	Was a staging area established? Was a staging manager assigned? Who was the staging manager? Where was the staging area located? Did outside agencies respond to the staging area?
N/A	

Use of Force	Were there any significant uses of force? Were impact
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	weapons used? Were chemical agents used? Were chemical agents checked out and deployed in the field? Was a police firearm used? Were there significant injuries to subjects?
None	

Arrests	Were there any significant arrests? Did mass arrests take place? What were the predominant charges for arrests?
None	

Statistical Data

Nomenclature	Number
Number of OPD Personnel Assigned to Event	32
Number of Outside Agency Personnel Assigned to Event	0
Number of Subjects, Participants or Protesters at Event	130
Complaints	0
Use of Force Level 1	0
Use of Force Level 2	0
Use of Force Level 3	0
Use of Force Level 4	0
Total Uses of Force	0
Overtime Expenditures (hours)	Lt 2, Sgt.18.5, Officer 46.5
Arrests Adult (includes NTA)	0
Arrests Juvenile (includes NTA)	0
Citations (moving, ped & registration)	0
Firearms Recovered	0
Vehicles Towed	0
Vehicle Pursuits	0
Police Vehicles/Property Damaged	0
Reported Civilian Property Damage	0
Officers Injured	0
Subject Injuries	0
Uninvolved Party Injuries	0

Successes	What was done well? Was the event successfully
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	planned? Did everyone know their mission? Were all end-states achieved? Did the tactics and deployment methods work?
The City Council Meeting was uneventful from start to finish; successful implementation of objectives.	

Shortfalls	Was there a significant failure? Did anyone or any unit fail to complete their mission? What was missed or forgotten? Did the tactics and deployment methods work? Was certain equipment or technology needed to be more effective or efficient?
There was enough resources to deal with the situation. Since the crowd did not march, we had sufficient personnel to address the event.	

Training Needs	What training needs to be conducted to better prepare for the next event.
None	

Deliverable Items	Has anyone been assigned a specific task to complete as a result of the debriefing or after action reporting?
N/A	

Michelle Allison
Lieutenant of Police
SRS 1



140218 City Council Meeting/DAC Protest

OAKLAND POLICE DEPARTMENT Operations Plan TF-3116 (Rev. Dec 10)

☒ Risk Assessment Overview Prepared and Attached

(A Risk Assessment Overview is not required for all operations. It is a tool to determine whether a Tactical Operations Team callout is recommended. Refer to TB III-Q, Risk Assessment Overview & Operations Plan)

Date of Operation 18 Feb 14	Time of Operation 1700-Undetermined	Incident Number	RD Number
Prepared By Lt. M. Allison	Serial No. 8164	Contact Number #1 510-750-4567	Contact Number #2
Supervisor Sgt. J. Thomason	Serial No. 8083	Contact Number #1 510-773-1076	Contact Number #2
Investigator	Serial No.	Contact Number #1	Contact Number #2
Tactical Commander Lt. M. Allison	Serial No. 8164	Contact Number #1 510-750-4567	Contact Number #2
Incident Commander A/Captain D. Lindsey	Serial No. 8179	Contact Number #1 510-773-0984	Contact Number #2

Briefing Date 18 Feb 14	Time 1600	Location PAB Line Up Room	Conducted By Lt. M. Allison
Staging Date 18 Feb 14	Time 1730	Location City Hall and Surrounding Plaza	

TYPE OF OPERATION

<input type="checkbox"/> Buy Bust	<input type="checkbox"/> Search Warrant (Must be reviewed and approved by commander)	<input type="checkbox"/> Probation Search	<input type="checkbox"/> 290 Enforcement
<input type="checkbox"/> Reverse Buy Bust		<input type="checkbox"/> Parole Search	<input type="checkbox"/> Internet Sting
<input type="checkbox"/> Buy Walk	<input type="checkbox"/> Arrest Warrant	<input type="checkbox"/> Trolling	<input type="checkbox"/> Massage Parlor
<input type="checkbox"/> Controlled Buy	<input type="checkbox"/> Probable Cause Arrest	<input type="checkbox"/> Decoy	<input checked="" type="checkbox"/> Other: City Council Mtg
<input type="checkbox"/> Surveillance	<input type="checkbox"/> Vehicle Stop	<input type="checkbox"/> SOAP	
	<input type="checkbox"/> Walking Stop		

TARGET LOCATION

Address:	1 City Hall, Frank Ogawa Plaza (FOP)		
City:	<input checked="" type="checkbox"/> Oakland <input type="checkbox"/> Other:		
Jurisdiction:	<input checked="" type="checkbox"/> Oakland <input type="checkbox"/> Other:		
Describe Location:	City Hall and Surrounding Plaza		
Site Security:	PSO 1		
Counter Surveillance:	Anticipate		
Other Info:	<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Rural	<input type="checkbox"/> Perimeter Gate <input type="checkbox"/> Security Door <input type="checkbox"/> Wood Door	<input type="checkbox"/> Steel Door <input checked="" type="checkbox"/> Other: City Council Chambers

OTHER INFORMATION

<input type="checkbox"/> Handguns	<input type="checkbox"/> Physical Fortification(s)	<input type="checkbox"/> Gang Affiliation
<input type="checkbox"/> Rifles	<input type="checkbox"/> Proximity to Schools	<input type="checkbox"/> Approach Difficulties
<input type="checkbox"/> Assault Weapons	<input type="checkbox"/> Children/Elderly/Disabled	<input checked="" type="checkbox"/> Frequented by Public
<input type="checkbox"/> Automatic Weapons	<input type="checkbox"/> Counter Surveillance	<input checked="" type="checkbox"/> High Foot Traffic
<input type="checkbox"/> Explosives	<input type="checkbox"/> High Crime Area	<input type="checkbox"/> Chemical/Bio Hazards
<input type="checkbox"/> Other Weapons:	<input type="checkbox"/> Animals:	<input type="checkbox"/> Other:

SUSPECT #1 INFORMATION

Name Unknown			Alias			Race Select One		
Date of Birth		Age	Sex				Height	Weight
Hair	Eyes	Marks/Scars/Tattoos			Other			
Home Address					Phone Number			
Work Address/Secondary Address					Phone Number			
Suspect Known To Be Armed <input type="checkbox"/> Yes <input type="checkbox"/> No			Photograph Attached <input type="checkbox"/> Yes <input type="checkbox"/> No					
CRIMINAL HISTORY (Arrests and Convictions)								
<input type="checkbox"/> Felony Arrests			<input type="checkbox"/> Felony Convictions			<input type="checkbox"/> History of Violence		
<input type="checkbox"/> 3 Strike Candidate			<input type="checkbox"/> Gang Member			<input type="checkbox"/> Probation/Parole		
Felony Convictions:								
Misdemeanor Convictions:								
Arrests:								
Probation/Parole:								
Other:								
SUSPECT VEHICLE(S)								
Year	Make	Model	Body Style	Color	Plate			
Year	Make	Model	Body Style	Color	Plate			
Year	Make	Model	Body Style	Color	Plate			
Year	Make	Model	Body Style	Color	Plate			
ADDITIONAL INFORMATION								
Mental Illness / Type Select One /			Substance Abuse / Type Select One / If Yes, select one /			Specialized Training / Type Select One / Select One /		
Gang Affiliation / Name of Gang Select One /			Anti-Government Select One			Other		



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OAKLAND POLICE DEPARTMENT Risk Assessment Overview TF-3115 (Rev. Dec 10)

MISSION

Mission

On 18 Feb 14, following the briefing at 1600 hours, this detail will monitor and facilitate, as necessary, the City Council Meeting. The goals are:

1. To protect life (City leaders and those in attendance)
2. Maintain officer safety
3. Protect property
4. Uphold Constitutional rights of free speech and lawful assembly

Commander's Intent:

Purpose – This operation's purpose is to facilitate the City Council Meeting. This operation will be conducted in accordance with Department policy. Every effort should be made to avoid confrontation and not allow the police presence to become the "center of attention." Violent behavior, major destruction of property, or other criminal activity will not be tolerated. Those who participate in such acts may be arrested.

Key Tasks – The following is a list of the mission and essential tasks:

1. Be visibly present throughout City Hall and identified entry points.
2. Monitor the City Council Meeting
3. Prevent acts of violence and major acts of vandalism. Failing prevention; respond and arrest those responsible for the acts if directed by A/Capt. Lindsey.
4. Be prepared to clear the City Council Chambers if directed to do so by A/Capt. Lindsey or Lt. Allison, if the meeting is disrupted by specific individuals inside the chambers; and the meeting can no longer continue, via City Council President Patricia Kernighan.

End State – This operation will be successful if the following conditions are achieved:

1. Participants are able to express their First Amendment rights
2. City Council is able to address agenda items
3. No acts of violence or vandalism
4. No injuries
5. Only objectively reasonable force is used while executing the mission, or no use of force.

Case Background / Intelligence

General – A City Council Public Safety Meeting took place on 24 Jan 14 to discuss the proposal for DAC. This issue has created an increased presence in the Council Chambers, with numerous citizens wanting to speak on the issue. The City council meeting decided to postpone their decision about the issues for the DAC. On 4 Feb 14, there was a City Council Meeting that was supposed to discuss the DAC but the council postponed the discussion. Approximately 100 protestors showed up. While the City council meeting was uneventful, the protestors still demonstrated and began an impromptu march to the EOC, the PAB, and NCJ. There were no acts of violence, vandalism, or any arrests.

Background—The City of Oakland is currently in the process of building a surveillance hub called the Domain Awareness Center (DAC). On July 30th, 2013 the Oakland City Council unanimously approved a \$2M grant for Phase 2 of the DAC, which will integrate public and private cameras and sensors from all over the city into one \$10.9M mass surveillance system, funded by grants from the Department of Homeland Security (DHS), and implemented by the military contractor Science Applications International Corporation (SAIC).

The DAC will act as a fusion center, aggregating video feeds and real-time data from a number of sources around Oakland. Possible program components for the DAC include integration of closed-circuit video feeds (CCTV) from all over Oakland, including 700 cameras at Oakland public schools and 135 cameras at the Oakland Coliseum complex. Video and data feeds from all over Oakland are to be aggregated and monitored at the DAC, then analyzed with license plate recognition software, thermal imaging and body movement recognition software, possibly facial recognition software, and more, all with absolutely no privacy or data-retention



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policies in place, or substantive debate at the committee or council level about the program.

The stated intent of the DAC is to improve the response time and coordination of first responders, rather than as a crime prevention strategy, but neither the city nor the program implementer has provided any data showing that DAC implementation would improve response times for emergency personnel or reduce violent crime.

Analysis of the use of video surveillance by the American Civil Liberties Union concludes, "Meta-analyses from the UK, along with preliminary findings from the US, indicate strongly that video surveillance has little to no positive impact on crime."

Specific – The protestors plan to pack the City Chambers and speak on the DAC. The city plans to endorse the contract for stage 2 of the DAC. This will not be well received by the anticipated protestors.

Evidence Anticipated

Unknown

Perimeter Plan

One squad will maintain a presence in the City Council Chambers and in the balconies if necessary. The Quick Reactionary Force (QRF) will be stationed in a room near the chambers to address any chamber threats. One squad will maintain a presence in FOP. One Squad will be ready to follow crowd on foot should they decide to march with their follow cars. Squads will rotate for relief as necessary.

Approach Plan

Not applicable

Entry Plan

Not applicable

Search Plan

Not applicable

Rules Of Engagement

The following Department Policies apply to this operation:

BFO Policy 10-02, Preserving Order at City Council Meetings

DGO K-3, Use of Force

DGO K-4, Reporting and Investigating the Use of Force

Crowd Control and management, PDRD, and all applicable Departmental policies

Sub-Team Mission

Concept of Operation

1. At 1600 hours, the Supervisors of the Detail will be briefed on the details of the operations plan in the PAB Line-up Room.
2. At 1730 hours, the Detail will establish positions in City Hall.
3. Again, the intent is to facilitate a safe and efficient meeting.

Anticipated Scenarios:

1. Protesters take over/occupy the City Council chambers and refuse to leave and/or commit law violations.
2. City Council President requests that Council Chambers are cleared.
3. Protesters commit vandalism/assault police or other persons.

NEAREST HOSPITAL

Name ACH	Address 1411 E. 31st Street	Emergency Room Phone Number 510 437-4559 Life Flight Phone Number (800) 321-7828
Primary Driver TBD	Alternate Driver	Route TBD

CONTINGENCY PLANS**During Meeting**

Each of these scenarios requires an assessment of the threat to life and property so that the Incident Commander/Supervisor can decide the appropriate response. "Sit ins" will be allowed, unless life is threatened, serious bodily injury is threatened, significant property damage occurs, or it causes significant disruption to normal business activities for a prolonged period of time (to be determined by the Incident Commander).

In the event a decision is made by the Incident Commander/Supervisor to confront any number of protesters for any reason, the safety of officers and uninvolved protestors shall be considered. Additionally, the likelihood of increased police presence agitating supporters and the capacity for police resources to manage a hostile crowd shall also be considered.

Our mission is not to arrest every law violator but instead to manage the entire event. Police shall strive to not create a situation -- unless necessary to prevent the loss of life, serious bodily injury, and property damage -- whereby the crowd becomes hostile and violent towards the police forcing police to defend themselves with various levels of force.

In the case that the City Council President orders the Chambers cleared, persons refusing to leave may be arrested for 403 PC at the direction of the City Council President. "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor." Officers shall have CARs ready for the Council President's signature should arrests be necessary for this violation. Video team is on standby to record specific incidents when directed as deemed necessary.

After Meeting

If the crowd intends to march, one squad will follow the crowd on foot behind the crowd, close enough to deter crime and react if necessary. Another squad will parallel and attempt to telegraph the route of the crowd. Other squads will leap frog ahead or form to protect buildings of interest (history has shown FOP, EOC, PAB, and NCJ, including the freeways).

PSO3 will be the first to follow the crowd on foot with drivers/enough cars behind
2L71 and 2L 72 will be the first to protect the PAB, NCJ, or EOC

Sgt. Basset will be tasked with calling the front desk to lock lobby.

SUB-TEAM MISSION

Animal Control Services Needed? ☐ Yes ☒ No – If yes, staging location: _____

Police Canine Needed? ☐ Yes ☒ No – If yes, staging location: _____

EMS On-Scene Stand-by? ☐ Yes ☒ No – If Yes, staging location: _____

NOTIFICATIONS

Area Commander Notification: When applicable, outside agencies shall be notified of Operations, especially those involving undercover personnel. A record of these notifications shall be made below:

Unit/Agency	Person Notified	Date Notified	Time Notified	Contact Number	Other Info
<input checked="" type="checkbox"/> Area 1 Commander	Captain Lindsey	14 Feb 14	0800		
<input checked="" type="checkbox"/> Area 2 Commander	Captain Orozco	14 Feb 14	0800		
<input checked="" type="checkbox"/> Area 3 Commander	Captain Toribio	14 Feb 14	0800		
<input checked="" type="checkbox"/> Comm. Div. Supv.	Supervisor Acia	14 Feb 14	0800		
<input type="checkbox"/> North County Jail					
<input type="checkbox"/> Alameda PD					
<input type="checkbox"/> ACSO					
<input type="checkbox"/> Berkeley PD					
<input type="checkbox"/> CHP					
<input type="checkbox"/> Emeryville					
<input type="checkbox"/> San Leandro					
<input type="checkbox"/>					
<input type="checkbox"/>					
<input type="checkbox"/>					
<input type="checkbox"/>					
<input type="checkbox"/>					

COMMUNICATIONS AND CONTROL

Dispatcher/Recording Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Dispatcher:
Primary Frequency: Tac 4	Secondary Frequency: Patrol 1
PIO Needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, Name of PIO:
Arrest/Bust Signals Discussed to include: Audible; Visual; Trouble (Audible); Trouble (Visual); Other. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

PERSONNEL

Span of Control must reflect a maximum 8:1 ratio unless approved by the Incident Commander.

Call Sign	Name	Serial #	Equipment	Assignment	Vehicle	Phone
7L71	J. Thomason	8238	Handgun	Supervisor		773-1076
VT01	I. Ramirez	7964	Handgun	Videographer		773-0654
7L02	J. Keating	8984	Handgun	Inside City Council Chambers		
7L03	A. Bowie	9053	Handgun	Inside City Council Chambers		
7L04	A. Bicker	8942	Handgun	Inside City Council Chambers		
7L05	J. Jochim	8846	Handgun	Inside City Council Chambers		
7L06	K. Perea	8985	Handgun	Inside City Council Chambers		
7L07	N. Walker	8938	Handgun	Inside City Council Chambers		
VT01	A. Pierce	8434	Handgun	Videographer		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
7L72	J. Bassett	8563	Handgun	Supervisor		773-7379
7L09	J. Warford	8862	Handgun	Monitor Lower Overflow		
7A10	D. Lane	8851	Handgun	Monitor Lower Overflow		
	H. Castro	8955	Handgun	Monitor Lower Overflow		
7L12	G. Lee	8660	Handgun	Monitor Lower Overflow		
TNT1	D. Chavarria	8677	Handgun	Negotiator	ATV	
	S. Lorda	8610	Handgun	Negotiator	ATV	
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
7L73	F. Rojas		Handgun	Supervisor		
7A20	K. Yslava	8913	Handgun	Monitor FOP		
	J. Turner	9017	Handgun	Monitor FOP		
7L16	M. Madlansacay	8650	Handgun	Monitor FOP		
7A18	G. Pertoso	8958	Handgun	Monitor FOP		
	R. PonceDeLeon	9086	Handgun	Monitor FOP		
7L22	J. Belote	8847	Handgun	Monitor FOP		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
6L71	S. Valle	8586	Handgun	Supervisor		
6A03	S. Bezner	8902	Handgun	QRF		
	B. Lowe	9142	Handgun	QRF		
6A04	D. Fowler	8911	Handgun	QRF		
	C. Remo	9125	Handgun	QRF		



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Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
2L71	D. Covington	7180	Handgun	Supervisor		750-4548
2L01	D. Burke	8506	Handgun	Standby		
2J02	A. Dadgar	8484	Handgun	Standby		
	W. Uttapa	9254	Handgun	Standby		
2L03	J. Fong	8652	Handgun	Standby		
2L04	T. Lonis	8619	Handgun	Standby		
2L05	B. Miller	8120	Handgun	Standby		
2L06	M. Miller	8444	Handgun	Standby		
2J07	M. Osanna	8410	Hangun	Standby		
	C. Faeth	9252	Handgun	Standby		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
2L72	J. Rullamas	7967	Handgun	Supervisor		
2J08	R. Coglio	8630	Handgun	Standby		
	B. Nelson	9166	Handgun	Standby		
2L09	R. Kirkland	8347	Handgun	Standby		
2L11	D. Hofacre	8226	Handgun	Standby		
2L12	P. Davis	8343	Handgun	Standby		
2L13	S. Hewison	8339	Handgun	Standby		
2L14	K. Tikkanen	9190	Handgun	Standby		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
2L73	M. Rhoden	8740	Handgun	Supervisor		750-4580
2L15	M. Russo	7561	Handgun	Standby		
2L16	B. Kline	8222	Handgun	Standby		
2L17	T. Jew	8445	Handgun	Standby		
2L18	M. Perez	8077	Handgun	Standby		
2L19	J. Skrdlandt	8417	Hangun	Standby		
2L20	J. Ruiz	8684	Handgun	Standby		
2L21	J. Wingate	9174	Handgun	Standby		
2L22	B. Ocampo	8557	Handgun	Standby		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	



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2L74	J. Haney	8487	Handgun	Supervisor		773-1079
2L64	C. Hunt	8234	Handgun	Standby		
2L23	R. Binder	9097	Handgun	Standby		
2J24	M. Finnicum	8609	Handgun	Standby		
	M. Ugarte	9253	Handgun	Standby		
2L25	S. Seder	8532	Handgun	Standby		
2L26	D. Smitheram	8585	Handgun	Standby		
2L27	G. Rosin	9195	Handgun	Standby		
2L28	J. Ruiz	8400	Handgun	Standby		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
2L75	G. Dutton	7981	Handgun	Supervisor		
2L29	J. Lancaster	8265	Handgun	Standby		
2L30	B. Beckwith	9088	Handgun	Standby		
2L31	J. Cid	8520	Handgun	Standby		
2L32	M. Castillo	8751	Handgun	Standby		
2L33	N. Windham	8658	Handgun	Standby		
2L34	R. San Andres	8662	Handgun	Standby		
2L35	D. Lee	9119	Handgun	Standby		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	
				Supervisor		
Signature required from commander authorizing more than 8:1 ratio:				Actual Ratio:	SIGNATURE	

UNDERCOVER INFORMATION

- All undercover officers SHALL attend the operations briefing in person in U/C attire.
- Check appropriate box regarding how undercover officers were identified to Patrol Line-ups (in person in U/C attire, when practical, and/or have a picture (in attire) available for distribution).

	Name	Physical and Clothing Description	U/C Vehicle	Phone	Patrol Line Up
1					Select One
2					Select One
3					Select One
4					Select One
5					Select One
6					Select One
7					Select One
8					Select One
9					Select One
10					Select One

ADDITIONAL OPERATIONS INFORMATION

Include additional operations information not contained in another section

Coordinating Instructions:

1. Uniform for the operation – Utility Uniforms. Safety equipment in vehicles.
2. No Stop Data Forms will be required for this operation.
3. All reports will be completed using FBR.
4. PDRDs shall be activated per policy.
5. Lt. Allison will complete an After Action Report at the end of the operation. A/Capt. Lindsey will email this report to Chief David Downing.

RISK ASSESSMENT OVERVIEW

GENERAL RISK INFORMATION

LOCATION	YES	NO
Urban	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rural	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Daylight	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INFORMATION ASSESSMENT	YES	NO
Confidential Informant	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Concerned Citizen	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other: Internet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reliability Factor:	76 - 100%	

RISK ASSESSMENT CALCULATION

(a) Criminal History	(b) No. of Suspects	(c) Yes (2 pts. per Suspect)	(d) No (0 pts)	(e) Unknown (1 pt. per Suspect)	(f) Multiplier	(g) Risk Factor
Homicide				X	x 4	4
ADW				X	x 2	2
Armed Robbery				X	x 2	2
Other Violent Felony: _____				X	x 1	1
Other: _____			X		x 1	0
Probation: _____				X	x 2	2
Parole: _____				X	x 2	2
Total						13

(a) Other Factors	(b) No. of Suspects	(c) Yes* (2 pts. per Suspect)	(d) No (Enter 0 pts)	(e) Unknown (1 pt. per Suspect)	(f) Multiplier	(g) Risk Factor
Alcohol / Drug Abuser: _____				X	x 1	1
Mental Condition: _____				X	x 1	1
Military / Police Background* _____			X		x 2	0
Drug Gang* _____			X		x 2	0
Prison Gang* _____			X		x 2	0
Hate Group* _____			X		x 2	0
Total						2

* A YES response requires a Tactical Team Commander/Leader Consultation

(a) Weapons Assessment	(b) No. of Suspects	(c) Yes (2 pts. per Suspect)	(d) No (Enter 0 pts)	(e) Unknown (1 pt. per Suspect)	(f) Multiplier	(g) Risk Factor
Firearms: _____				X	x 1	1
Explosives: _____				X	x 1	1
Knives/Stabbing Instruments: _____				X	x 1	1
Animals: _____			X		x 1	0
Other: _____			X		x 1	0
Total						3

(a) Site Assessment	(b) Yes (2 pts. per Suspect)	(c) No (Enter 0 pts)	(d) Unknown (1 pt. per Suspect)	(e) Multiplier	(f) Risk Factor
Geographic Barriers (open ground, water, thick brush)		X		x 1	0



140218 City Council Meeting/DAC Protest

OAKLAND POLICE DEPARTMENT Risk Assessment Overview TF-3115 (Rev. Dec 10)

Fortified:		X		x 1	0
Booby Trapped:		X		x 1	0
Counter Surveillance: _____			X	x 1	1
Counter Surveillance Monitoring: _____		X		x 1	0
Additional Persons: _____			X	x 1	1
Chemicals: _____			X	x 1	1
Interior Unknown:		X		x 1	0
Locked Perimeter / Gate:		X		x 1	0
Other: _____		X		x 1	0
Total					3
RISK ASSESSMENT POINT TOTALS					
Criminal History					13
Other Factors					2
Weapons Assessment					3
Site Assessment					3
GRAND TOTAL*					21

* Assessment must also consider the time factor. The less time available for planning, the higher the risk factor.

- 01 - 24 Pts Optional Tactical Team Consultation
18 - 24 Pts Consider Tactical Team Consultation
25 + Pts Recommended Tactical Team Consultation

Tactical Team Callout Yes ☐ No ☒



PRE / POST OPERATIONS PLAN REVIEW AND SIGNATURE PAGE

PRE INCIDENT REVIEW

I have reviewed and approved the following documents:

- ☒ Risk Assessment Overview (if prepared)
- ☒ Pre-Incident Operations Plan
- ☐ Search Warrant documentation reviewed and approved (if applicable)

Reviewing Commander's Signature **SIGNATURE REQUIRED** Date:

DEBRIEFING / AFTER ACTION REPORT

Debrief (Location TBD by Incident Commander) Conducted By: Date: Time:

After Action Report (if required by Incident Commander) – Prepared By:

COPIES FORWARDED TO:

<input type="checkbox"/> BOI D/C	Date:	By:
<input type="checkbox"/> BFO D/C	Date:	By:
<input type="checkbox"/> BOS D/C	Date:	By:
<input type="checkbox"/> OIG	Date:	By:
<input type="checkbox"/> Other:	Date:	By:
<input type="checkbox"/> Other:	Date:	By:
<input type="checkbox"/> Other:	Date:	By:

OFFICE OF CHIEF OF POLICE
OAKLAND POLICE DEPARTMENT

MEMORANDUM

TO: All Personnel

DATE: 04 Oct 13

SUBJECT: Revision of Training Bulletin III-G, CROWD CONTROL AND CROWD
MANAGEMENT POLICY (Rev. 28 Oct 05)

The purpose of the revision to this order is to update Departmental policy and procedures regarding crowd control and crowd management.

This following summary of the substantive changes to TB III-G shall not take the place of the review and understanding of the entire document:

- Added Part III, A, 4 (General Principles-Planning): Internal Affairs personnel and civilian staff will not have operational/tactical assignments or decision making roles for crowd control events.
- Added Part III, A, 4 (General Principles-Planning): Internal Affairs and Criminal Investigations Division shall have sufficient personnel available to conduct internal and criminal investigations during a crowd control event.
- Added Part III, A, 5 (General Principles-Planning): The Incident Commander of a crowd control event shall coordinate with the City Attorney and County District Attorney to ensure policies and case law information are current.
- Deleted the following from Part III, C, 1 (General Principles-Policing a Crowd): "Where additional resources are needed, they should be deployed to the greatest extent possible so they are not readily visible to the crowd".
- Deleted the following from Part V, H, 1 (Display of Officers): "Once this tactic is selected, officers should be assembled in formation at a location outside the view of the crowd" and "Do not bluff the crowd."
- Deleted from Part V, H, 3, c (Police Formations and Use of Batons): "When reasonably necessary for protection of the officers or to disperse individuals in the crowd pursuant to the procedures of this policy, batons may be used in a pushing or jabbing motion. Baton jabs should not be used indiscriminately against a crowd or group of persons but only against individuals who are physically aggressive or actively resisting arrest. Baton jabs should not be used in a crowd control situation against an individual who is physically unable to disperse or move because of the press of the crowd or some other fixed obstacle".
- Added Part V, H, 4, d (Non Hand-held Crowd Control Chemical Agents): Indirect use of chemical agents shall not be used unless approved by the Incident Commander. Under exigent circumstance, a commander or supervisor can use chemical agents. The Incident Commander shall be notified immediately upon an exigent use of chemical agents.
- Added Part V, H, 5, a (Hand-thrown chemical agents or pyrotechnic gas dispersal devices): Hand-thrown chemical agents or pyrotechnic gas dispersal devices shall not be used unless approved by the Incident Commander.


Under exigent circumstance, a commander or supervisor can use hand-thrown chemical agents or pyrotechnic gas dispersal devices chemical agents. The Incident Commander shall be notified immediately upon an exigent use of hand-thrown chemical agents or pyrotechnic gas dispersal devices.

- Added Part VI, G (Electronic Immobilizing Devices): "Officers are not restricted from using Tasers in accordance with Department General Order K-3, USE OF FORCE."
- Added Part VI, I (Munitions Inventory Log): Documentation and responsibilities for a munitions inventory log.
- Added Part VIII, B (Cite/Release and Booking Procedures): "...officers may cite and release arrestees from temporary processing stations or police facilities as near the site of the arrest as possible. While detained during the citation and release process, arrestees shall have reasonable access to toilet facilities and to appropriate medical attention."
- Added Part VIII, C (Cite/Release and Booking Procedures): "No fingerprinting will be done as part of the citation and release process. Arrestees may be instructed to appear for booking prior to or after arraignment. Commanders shall exercise discretion as to whether property searches are necessary. Property of persons who qualify for citation and release will not be confiscated unless it is found to contain contraband. The intention of this policy is to release citation-eligible arrestees as promptly as possible, and to obviate the need to transfer such arrestees to the Sheriff's custody. Persons for whom a valid warrant is confirmed, or who do not produce valid identification or who are otherwise found ineligible for citation will be transferred to the Sheriff's custody".
- Added Part IX, 1-7 (Mutual Aid and Multi-Agency Coordination). Roles and responsibilities.
- Added Part X, 1 (Documentation): "Officers shall utilize their Personal Digital Recording Device (PDRD) in accordance with DGO I-15.1. In addition, officers shall activate their PDRDs whenever taking any enforcement action during a crowd control situation or when ordered to activate their PDRD by a supervisor or commander".
- Added Part XI, B, C, 1-5 (Reporting): The Incident Commander will be responsible for conducting a debrief of the crowd control event within 72 hours and an After Action Report within 30-days.
- Added Part XIV Crowd Management Coordinator): The responsibilities of the Crowd Control Coordinator.

The provisions of Special Orders 7088 and 8135 are incorporated into this order and are hereby canceled.

Personnel shall acknowledge receipt, review, and understanding of this directive in accordance with the provisions of DGO A-1, DEPARTMENTAL PUBLICATIONS.

By order of


for Sean Wheat
Interim Chief of Police

Date Signed: 03 OCT 13

TRAINING



BULLETIN

Date of Issue / Revision
07/06/13

Index Number: 11-0
Alpha Index: Crowd Control and
Crowd Management

Evaluation Coordinator: BFO Deputy Chief
Automatic Revision Cycle: 3 Years

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

OPD Crowd Control and Crowd Management Policy

The purpose of this Training Bulletin is to set forth policy and procedures regarding crowd control and crowd management.

I. POLICY

The Oakland Police Department crowd management and crowd control policy is to

- Apply the appropriate level of direction and control to protect life, property, and vital facilities;
- Maintain public peace and order; and
- Uphold constitutional rights of free speech and assembly while relying on the minimum use of physical force and authority required to address a crowd management or crowd control issue.

II. DEFINITIONS

A. Crowd Management

Crowd management is defined as techniques used to manage lawful public assemblies before, during, and after an event for the purpose of maintaining the event's lawful status. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.

B. Crowd Control

Crowd control is defined as those techniques used to address unlawful public assemblies, including a display of formidable numbers of police officers, crowd containment, dispersal tactics, and arrest procedures.

C. First Amendment Activities

First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression.

Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, displaying banners or signs, use of puppets to convey a message, street theater, and other artistic forms of expression.



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All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution (First Amendment) and the California Constitution (Article 1, Sections 2 & 3.)

All persons have the right to march, demonstrate, protest, rally, or perform other activities protected by the First Amendment of the United States Constitution and the California Constitution.

The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information.

D. Demonstration

Demonstration is used generically in this Training Bulletin to include a wide range of First Amendment activities which require, or which may require, police traffic control, crowd management, crowd control, crowd dispersal, or enforcement actions in a crowd situation.

As used in this Training Bulletin, the term, demonstration, means a public display of a group's or individual's feeling(s) toward a person(s), idea, cause, etc and includes, but is not limited to, marches, protests, student walk-outs, assemblies, and sit-ins. Such events and activities usually attract a crowd of persons including participants, onlookers, observers, media, and other persons who may disagree with the point of view of the activity.

E. Crowd Event or Crowd Situation

This Training Bulletin covers all crowd events or crowd situations, including sporting events, festivals, concerts, celebratory crowds, and demonstrations as defined above.

III. GENERAL PRINCIPLES

The Oakland Police Department's Crowd Management/Crowd Control Policy consists of the general principles discussed below.

A. Planning

1. Command staff shall be notified immediately of large or potentially disruptive demonstrations and/or crowd events.
2. The Incident Commander shall be responsible for the development of a written operations plan.
3. The Incident Command System shall be used for managing crowds and acts of civil disobedience.
4. Internal Affairs personnel and civilian staff shall not be included in any planning, tactical or strategy component of an anticipated crowd control or management scenario, other than to help plan for the specific role of IAD functions such as complaint intake and investigations.



Ensure there are sufficient Criminal Investigation Division (CID) and Internal Affairs Division (IAD) personnel that are not assigned to uniformed field assignments where a reasonable possibility of confrontation, force, or subsequent alleged misconduct or officer involved criminal complaints may occur, so that they are available for investigating such allegations.

5. The Incident Commander shall coordinate with the City Attorney and County District Attorney to solicit and ensure information is current regarding but not limited to:
 - a. Criteria for unlawful assembly.
 - b. Appropriate penal codes for enforcement and arrest criteria.
 - c. Appropriate Oakland Municipal Codes for enforcement and arrest criteria.
 - d. Legal updates regarding force, search and seizure and arrest.
6. OPD shall make every effort to follow the principle of establishing contact and communication with the event or demonstration planners.

Stakeholder involvement is critical to the overall success of managing crowd events and/or civil disobedience during demonstrations. If knowledge exists that a demonstration or crowd event may happen or will happen, OPD shall proactively and repeatedly make every reasonable attempt to establish and to maintain communication and cooperation with representatives or leaders of the demonstration or crowd event, without regard to whether a permit has been applied for or issued.

When planning for and responding to demonstrations, crowd events, and civil disobedience situations, Incident Commanders assigned to these incidents shall facilitate the involvement of stakeholders. If and when communication is established, personnel shall make every effort to identify representatives or leaders of the event and identify a primary police liaison. The primary police liaison should be requested to be in continuous contact with an assigned police representative, preferably the Incident Commander or someone with continuous access to the Incident Commander.

A group's failure to respond to OPD attempts to establish communication and cooperation prior to a demonstration shall not mitigate OPD's efforts to establish liaison and positive communication with the group as early as possible at the scene of the demonstration or crowd event.

7. Spontaneous demonstrations or crowd events, which occur without prior planning and/or without prior notice to the police, present less opportunity for OPD planning and prevention efforts. Nonetheless, the same policies and regulations concerning crowd management, crowd control, crowd dispersal, and police responses to violence and disorder apply to a spontaneous demonstration or crowd event situation as to a planned demonstration or crowd event. Incident Commanders shall involve representatives of demonstrators or crowd events when planning and responding to both planned and spontaneous events.



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B. Deployment

1. Decisions about crowd dispersal and general strategies about crowd containment or crowd redirection, multiple simultaneous arrests, planned individual arrests, or planned use of force shall be made at the level of the Incident Commander or higher.
 - a. If such decisions are made by higher ranking off-site OPD officials, it is required that the Incident Commander first be consulted about the state of affairs in the field and the potential consequences of the decision.
 - b. All such decisions shall be documented in writing with regard to time, the identity of the person making the decision, and the precise decision and directions given. Such documentation shall be made at the time of the decision or as soon thereafter as possible and included in an After Action Report.

This directive shall not preclude individual commanders, supervisors, and officers from defending themselves or others from imminent danger when the delay in requesting permission to take action would increase the risk of injury.

2. OPD recognizes that the designated police liaison may change during the course of an event and that leadership of certain groups may not exist nor desire to be identified. No retaliatory practices or adverse action shall be taken by OPD against a group because it has failed or refused to appoint a police liaison or otherwise establish lines of communication with OPD.
3. Communication with the identified police liaison shall continue even if enforcement actions commence.
4. As staffing permits, officers should be deployed to the best available vantage points to observe and report crowd actions.
5. Lines of control should be established, especially in events that involve protesters with opposing views. Whenever possible, hostile factions should be separated.
6. Considering the type of crowd involved is an important factor in responding properly to its behavior.
7. Crowds may vary from cooperative or celebratory to non-compliant, hostile, and combative. Organized demonstrations in which some engage in coordinated, nonviolent civil disobedience should be distinguished, to the extent possible, from crowds in which substantial numbers of people are engaged in other types of unlawful acts.

C. Policing a Crowd

1. Sufficient resources to make multiple simultaneous arrests should be available at demonstrations where such arrests are a reasonable possibility. However, this need must be balanced against the fact that a large and visible police presence may have a chilling effect on the exercise of free speech rights.
2. When possible, officers should be at their posts well in advance of arriving participants. If possible, officers should be positioned at a reasonable distance from the crowd to avoid a perception of intimidation.



3. In general, OPD officers shall work together in squads or platoons when policing a demonstration.
4. Each officer shall wear a badge, nameplate, or other device on the outside of his or her uniform or on his or her helmet which bears the identification number or the name of the officer, as required by Penal Code § 830.10.

The number or name shall be clearly visible at all times. The letters or numerals on helmets, jackets, and vests shall be clearly legible at a distance sufficient to provide a measure of safety for both officers and demonstrators/observers and, in no case, shall be less than two inches in height on helmets.

5. Crowd control and crowd dispersal, as well as a show of force in crowd control situations, should be accomplished whenever possible using specialized units of OPD rather than on-duty patrol officers.
6. Regardless of whether a parade permit has been obtained, OPD officers will try to facilitate demonstrations that may temporarily block traffic and/or otherwise use public streets subject to time, place, and manner of circumstances, by regulating and/or rerouting traffic as much as practical.

For a demonstration without a pre-planned route, the Incident Commander shall evaluate the size of the crowd with regard to whether demonstrators should be required to stay on the sidewalk or whether demonstrators should be allowed to be in one or more lanes of traffic.

This directive does not mean demonstrations must be allowed to deliberately disrupt commuter traffic and/or bridge approaches.

The Incident Commander shall balance the level of disruption to traffic against the OPD policy of facilitating First Amendment activity, the practicality of relegating the crowd to sidewalks or an alternate route, the expected duration of the disruption, and the traffic disruption expected in making a mass arrest if demonstrators refuse to leave the street.

OPD shall seek to communicate with organizers through their police liaison to resolve a problem if possible. Traffic control may also be essential at varying points in a demonstration and may help accomplish crowd containment, crowd isolation, or crowd dispersal.

7. It is essential to recognize that all members of a crowd of demonstrators are not the same.

Even when some members of a crowd engage in violence or destruction of property, other members of the crowd are not participating in those acts. Once some members of a crowd become violent, the situation often turns chaotic, and many individuals in the crowd who do not want to participate in the violent or destructive acts may be blocked from leaving the scene because the crowd is so large or because they are afraid they will move into a position of heightened danger.

This understanding does not mean OPD cannot take enforcement action against the crowd as permitted under this policy, but OPD shall seek to minimize the risk that force and arrests may be directed at innocent persons.



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Verbal abuse against officers shall not constitute a reason for an arrest or for any use of force against such individuals. Officers shall avoid responding to abusive comments

8. Officers must not be affected by the content of the opinions being expressed nor by the race, gender, sexual orientation, physical disabilities, appearances, or affiliation of anyone exercising their lawful rights.
9. Department personnel must maintain professional demeanor and remain neutral in word and deed despite unlawful or anti-social behavior on the part of crowd members. Unprofessional police behavior can inflame a tense situation and make control efforts more difficult and dangerous.

Strong supervision and command are essential to maintaining unified, measured, and effective police response. A response incorporating strong leadership and based upon teamwork is crucial to maintaining control and safety. Impulsive or independent actions by officers are to be avoided.

10. Officers in non-violent crowd situations shall not display weapons before a dispersal order is given or other enforcement action is implemented.

11. OPD officers shall not be sent into an obviously hostile crowd solely for the purpose of communication. OPD officers shall not penetrate a crowd for an individual arrest unless the targeted individual is involved in criminal conduct which endangers persons or property, and the decision to move into the crowd is made by a supervisor or commander.

12. The Incident Commander and supervisors shall make every effort to ensure that the police mission is accomplished as efficiently and unobtrusively as possible with the highest regard for the human dignity and liberty of all persons and with minimal reliance on the use of physical force.

The use of force shall be restricted to circumstances authorized by law and to the degree reasonably necessary in light of the circumstances confronting members. This directive does not preclude police officers from taking appropriate action to direct crowd and vehicular movement; enforce ordinances and statutes; and employ the physical force necessary to maintain the safety of the crowd, the general public, law enforcement personnel, and emergency personnel.

IV. RESPONSES TO CROWD SITUATIONS

A. Spontaneous Event or Incident

1. The Watch Commander shall respond to the scene of spontaneous events, when practical, and take command of the incident as the Incident Commander until relieved by a ranking officer.
2. The Incident Commander shall declare over the police radio that he or she has assumed command of the incident. When practical, a command post shall be established as soon as possible.



3. An immediate assessment of the situation is essential for effective police response. The Incident Commander must ascertain the following information at the earliest possible time:
 - a. The location and type of event.
 - b. First Amendment activities will be evaluated by the Incident Commander to determine lawfulness of the actions by groups and individuals.
 - c. The approximate number of specific individuals engaged in unlawful conduct.
 - d. The likelihood that unlawful behavior will spread to other crowd participants (mimicking).
 - e. Immediate threats to the safety of the public and/or police officers.
 - f. The number of structure(s) or vehicle(s) involved.
 - g. The size of the involved area.
 - h. The number of additional officers and police resources needed as well as requirements for specialized units (Traffic, Tactical Operations Team, Crime Reduction Teams, etc.).
 - i. The appropriate manner of response (Code 2 or 3).
 - j. The staging area.
 - k. The location for a media staging area.
 - l. The ingress and egress routes.
 - m. Additional resources needed (paramedic, fire department, outside agencies, etc.).

B. Planned Event Involving Potentially Large Crowds

1. Upon notification, the Special Operations Division Commander or designee (Incident Commander) shall develop a written operations plan.

The Incident Commander of planned events shall be responsible for the overall coordination of the event as well as for crowd control and management.

Operations plans for large events requiring the redeployment of personnel from regular assignments shall be approved by the Deputy Chief of Field Operations.

2. The following factors shall be considered and addressed in developing the operations plan for a large crowd event, including but not limited to:
 - a. What type of event is to occur?
 - b. Who are the organizers? What is their past record of conduct (peaceful, violent, cooperative, etc.)?



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- c. Will outsiders visibly and/or physically oppose the planned event?
- d. Will the event involve the use or abuse of alcohol or other substances?
- e. Where is the event to occur? Consider the size, location, and ingress and egress points.
- f. What is the optimal site for a command post as well as staging areas?
- g. Have the appropriate permits been issued?
- h. Have other agencies, bureaus, and divisions been notified and included in the planning process (paramedics, fire department, Communications, Intel, etc.)?
- i. Will the EOC be needed? Is Mutual Aid needed?
- j. Will off-duty personnel be involved? Has the commander of any off-duty personnel been made part of the planning process?
- k. Is it possible and appropriate to coordinate with group organizers and explain the Department's mission, preparation, and potential responses?

Information considered sensitive or confidential shall not be released to group organizers if it will jeopardize the safety or effectiveness of police personnel.

- 1. Have the proper number of personnel been scheduled to safely handle the event? Should a reserve force be available?
 - m. Has an enforcement policy been formulated and communicated to affected personnel?
3. The OPD Event Coordinator shall perform the following tasks.
- a. Gather and analyze intelligence information about future crowd events, including review of information from both internal and external sources.
 - b. Coordinate with Special Events regarding permits and various Department sections, including bureaus, divisions, and specialized units, to prepare for a planned special event.
 - c. Meet in advance with event sponsors and group leaders to exchange information and to present the Department's philosophy and intent. Details of the department plan and preparation shall not be disclosed except when necessary to ensure success of the operation.
 - d. Coordinate with affected bureaus, divisions, police service areas, and special units to prepare and coordinate the development of an operations plan for a given event that details assignments, traffic and crowd flow, communications, tactics, and training.
 - e. Prepare operations plan as requested.
 - f. Coordinate inspection of protest/event area prior to an event to locate any pre-positioned equipment staged by demonstrators.



- g. Ensure that appropriate equipment and supplies are available.
 - h. Ensure that a video team(s) is established and required video equipment is available (see Part X.)
 - i. Establish protocols and procedures for the processing of arrestees and collection of evidence.
4. Personnel creating an operations plan to address a large crowd event should anticipate a variety of scenarios and devise a police response for each. Such scenarios and responses should be made part of the final plan and communicated to the affected personnel.
 5. When practical, personnel preparing for a large event with the potential for violence shall be retrained; training to include physically practicing various aspects of crowd management and crowd control.

Topics may include but are not limited to Mobile Field Force (MFF), multiple simultaneous arrest procedures, functioning in a tear gas environment, use of specialty impact munitions, applicable ordinances and statutes, protected speech, etc.

6. Personnel shall be briefed on the operations plan and their particular assignments before deployment.

Specific instructions covering topics such as applicable laws, community concerns, appropriate enforcement actions, chain of command, tactics, traffic patterns, etc., shall be clearly presented to personnel. All personnel shall be given a copy of the operations plan.

V. PERMISSIBLE CROWD CONTROL AND CROWD DISPERSAL TECHNIQUES

- A. In the event of a declared unlawful assembly, it is the general policy of the OPD to use multiple simultaneous arrests to deal with a non-violent demonstration that fails to disperse and voluntarily submits to arrest as a form of political protest rather than dispersing the demonstrators by using weapons or force beyond that necessary to make the arrests.
- B. The Incident Commander shall make the final decision as to what control action, if any, will be taken to address a given crowd situation.

Crowd size and available Department resources will also factor into the police response. The following factors will be considered prior to determining what action to take:

1. Will police action likely improve the situation?
2. Will targeting specific violent or disruptive individuals for arrest be more effective or appropriate than applying control tactics to the entire crowd?
3. Are sufficient resources available to effectively manage the incident?



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4. Have clear and secure escape routes been established for both the crowd and the police?
 5. Has the dispersal order been given (loudspeaker, personal contact, etc.)?
 6. Have contingency plans been established in the event initial police efforts are ineffective?
- C. Commanders shall constantly reassess and adjust tactics, as necessary, as the crowd's actions change.
- D. The Incident Commander shall consider and take reasonable and appropriate steps to ensure the safety of bystanders.
- E. When officers take action to move or disperse a crowd, steps should be taken to ensure that the crowd is not moved into a position or place that could be dangerous to persons in the crowd or bystanders, such as pushing them up against glass windows.
- F. When an Unlawful Assembly May Be Declared

1. The definition of an unlawful assembly has been set forth in Penal Code Section 407 and interpreted by court decisions. The terms, "boisterous" and "tumultuous," as written in Penal Code Section 407, have been interpreted as "conduct that poses a clear and present danger of imminent violence" or when the demonstration or crowd event is for the purpose of committing a criminal act.

The police may not disperse a demonstration or crowd event before demonstrators have acted illegally or before the demonstrators pose a clear and present danger of imminent violence.

2. The mere failure to obtain a permit, such as a parade permit or sound permit is not a sufficient basis to declare an unlawful assembly. There must be criminal activity or a clear and present danger of imminent violence.
3. The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.
4. Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques shall not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease and the First Amendment activity can continue.
5. If after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it has been determined that it is an unlawful assembly and the required official declaration has been adequately given.



G. Declaration of Unlawful Assembly

1. When the only violation present is unlawful assembly, the crowd should be given an opportunity to disperse rather than face arrest.

Crowd dispersal techniques shall not be initiated until OPD has made repeated announcements to the crowd, asking members of the crowd to voluntarily disperse and informing them that, if they do not disperse, they will be subject to arrest.

These announcements must be made using adequate sound amplification equipment in a manner that will ensure that they are audible over a sufficient area.

Announcements must be made from different locations when the demonstration is large and noisy. The dispersal orders should be repeated after commencement of the dispersal operation so that persons not present at the original broadcast will understand that they must leave the area. The announcements shall also specify adequate egress or escape routes. Whenever possible, a minimum of two escape/egress routes shall be identified and announced.

It is the responsibility of the on scene OPD commanders to ensure that all such announcements are made in such a way that they are clearly audible to the crowd.

2. Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with police commands before action is taken.
3. Dispersal orders should be given in English and in other languages that are appropriate for the audience.
4. The Incident Commander should ensure that the name of the individual making the dispersal order and the date/time each order was given is recorded.
5. Dispersal orders should not be given until officers are in position to support/direct crowd movement.
6. Personnel shall use the following Departmental dispersal order:

I am (rank/name), a peace officer for the City of Oakland. I hereby declare this to be an unlawful assembly, and in the name of the people of the State of California, command all those assembled at to immediately leave. If you do not do so, you may be arrested or subject to other police action, including the use of force which may result in serious injury.

Section 409 of the Penal Code prohibits remaining present at an unlawful assembly. If you remain in the area just described, regardless of your purpose, you will be in violation of Section 409. The following routes of dispersal are available (routes). You have (specify amount) minutes to leave. If you refuse to move, you will be arrested.

* If you refuse to move, chemical agents will be used. (* Provide the chemical warning only if use is anticipated).



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7. When a command decision is made to employ crowd dispersal techniques, attempts to obtain voluntary compliance through announcements and attempts to obtain cooperation through negotiation shall both be continued. At any point at which a crowd is dispersing, whether as a reaction to police dispersal techniques, through voluntary compliance, or as a result of discussion or negotiation with crowd leaders, OPD dispersal techniques shall be suspended and the crowd shall be allowed to disperse voluntarily. This directive does not preclude a command decision by OPD to reinstate dispersal techniques if crowd compliance ceases.

H. Approved Tactics and Weapons to Disperse or Control a Non-Compliant Crowd

If negotiation and verbal announcements to disperse do not result in voluntary movement of the crowd, officers may employ additional crowd dispersal tactics, but only after orders from the Incident Commander or designated supervisory officials.

The permissible tactics to disperse or control a non-compliant crowd include all of the following (not in any specific order of use):

The use of these crowd dispersal tactics shall be consistent with the Department policy of using the minimal police intervention needed to address a crowd management or control issue in accordance with Department General Order K-3, USE OF FORCE.

1. Display of police officers (forceful presence).

A police formation may be moved as a unit to an area within the crowd's view to assist with crowd management. If a display of police officers, motorcycles, police vehicles, and mobile field forces, combined with a dispersal order, is not effective, more forceful actions may be employed.

Generally, officers should be assigned to squads of sufficient size to be effective. At larger events, the crowd can be divided (with a commander in charge of each squad).

2. Encirclement and Arrest

If the crowd has failed to disperse after the required announcements, officers may encircle the crowd or a portion of the crowd for purposes of making multiple simultaneous arrests (see Section VII).

Persons who make it clear (e.g., by sitting down, locking arms) that they seek to be arrested shall be arrested and not subjected to other dispersal techniques, such as the use of batons or chemical agents.

Arrests of non-violent persons shall be accomplished by verbal commands and persuasion, handcuffing, lifting, carrying, the use of dollies and/or stretchers, and/or the use of control holds including the bent-wrist control hold and twist-lock control hold (See Training Bulletin III-I.1, WEAPONLESS DEFENSE, pages 28-31.)

When dealing with non-violent or passive persons, control holds should only be used when a Supervisor or Commander determines that control holds are necessary to accomplish the policing goal after other methods of arrest have failed or are not feasible under the circumstances and when the use of control holds would be a lawful use of force.



In the event control holds are necessary, precautions should be taken to assure that arrestees are not injured or subjected to unnecessary or excessive pain.

A decision to authorize control holds and the reasons for said decision should be documented.

3. Police Formations and Use of Batons

- a. If a crowd refuses to disperse after the required announcements, the police may use squad or platoon formations (skirmish line, wedge, echelons, etc.) to move the crowd along.
- b. Batons shall not be used for crowd control, crowd containment, or crowd dispersal except as specified below.
- c. Batons may be visibly displayed and held in a ready position during squad or platoon formations.
- d. Batons shall only be used as set forth in Department General Order K-3, USE OF FORCE and Department Training Bulletin III-H.2, USE OF THE LONG BATON.

Officers shall not intentionally strike a person with any baton to the head, neck, throat, kidneys, spine, or groin or jab with force to the left armpit except when the person's conduct is creating an immediate threat of serious bodily injury or death to an officer or any other person. Batons shall not be used against a person who is handcuffed.

4. Non Hand-Held Crowd Control Chemical Agents

- a. Crowd control chemical agents are those chemical agents designed and intended to move or stop large numbers of individuals in a crowd situation and administered in the form of a delivery system which emits the chemical agent diffusely without targeting a specific individual or individuals.
- b. Chemical agents can produce serious injuries or even death. The elderly person or infant in the crowd or the individual with asthma or other breathing disorder may have a fatal reaction to chemical agents even when those chemical agents are used in accordance with the manufacturer's recommendations and the Department's training. Thus, crowd control chemical agents shall be used only if other techniques, such as encirclement and multiple simultaneous arrest or police formations have failed or will not accomplish the policing goal as determined by the Incident Commander.
- c. Members shall use the minimum amount of chemical agent necessary to obtain compliance in accordance with Department General Order K-3, USE OF FORCE.
- d. Indirect delivery or crowd dispersal spray and/or discharge of a chemical agent shall not be used in demonstrations or other crowd events without the approval of the Incident Commander. Only under exigent circumstances may a supervisor or commander authorize the immediate use of chemical agents.



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The Incident Commander shall be notified immediately when an exigent use of chemical agents has occurred.

- e. Chemical agents shall not be used for crowd control or dispersal without first giving audible warning of their imminent use and giving reasonable time to the crowd, media, and observers to disperse.
- f. If chemical agents are contemplated in crowd situations, OPD shall have medical personnel on site prior to their use and shall make provision for decontamination and medical screening to those persons affected by the chemical agent(s).

5. Hand-thrown chemical agents or pyrotechnic gas dispersal devices

- a. Hand-thrown chemical agents or pyrotechnic gas dispersal devices shall not be used for crowd control or crowd dispersal without the approval of the Incident Commander. Only under exigent circumstances may a supervisor or commander authorize the immediate use of hand-thrown chemical agents or pyrotechnic gas dispersal devices. The Incident Commander shall be immediately notified when an exigent use of hand-thrown chemical agents or pyrotechnic gas dispersal devices has occurred.

- b. The use of hand-thrown chemical agents or pyrotechnic gas dispersal devices may present a risk of permanent loss of hearing or serious bodily injury from shrapnel. Said devices shall be deployed to explode at a safe distance from the crowd to minimize the risk of personal injury and to move the crowd in the direction that will accomplish the policing objective.

- c. Hand-thrown chemical agents or pyrotechnic gas dispersal devices shall not be used for crowd control without first giving audible warnings to the crowd and additional reasonable time to disperse.
- d. Hand-thrown chemical agents or pyrotechnic gas dispersal devices shall be used only if other techniques such as encirclement and mass arrest or police formations have failed or will not accomplish the policing goal as determined by the Incident Commander.

VI. WEAPONS PROHIBITED FOR CROWD CONTROL AND CROWD DISPERSAL PURPOSES

A. Lethal Force

The use of lethal force by OPD members is governed by the Department's Use of Force Policy. Nothing about a crowd control situation eliminates or changes any of the constraints and criteria governing the use of lethal force in the Department's Use of Force Policy.

B. Canines

Canines shall not be used for crowd control, crowd containment, or crowd dispersal.



C. Horses

Horses shall be used only for purposes of crowd control in the event of a riot involving substantial numbers of people actively engaged in violence or serious property destruction. Horses shall never be used to disperse non-violent crowds, including persons who are seated or lying down.

Horses may be used for crowd management during festivals and sporting events.

D. Fire Hoses

Fire hoses shall not be used for crowd control, crowd containment, or crowd dispersal.

E. Motorcycles

The technique referred to as the Basic Use of Motorcycle Push Technique (B.U.M.P.) is prohibited. Motorcycles and police vehicles may not be used for crowd dispersal but may be used for purposes of observation, visible deterrence, traffic control, transportation, and area control during a crowd event.

F. Specialty Impact Less-Lethal Weapons

1. Skip Fired Specialty Impact Less-Lethal Munitions (Wooden Dowels and Stinger Grenades) are prohibited.

- a. Any and all less-lethal specialty impact weapons designed to be skip fired or otherwise deployed in a non-directional non-target specific manner, including but not limited to the Multiple Wood Baton Shell (264W) manufactured by Armor Holdings, Inc. shall not be used at all by OPD during demonstrations or crowd events.

- b. The use of the Stinger Grenade containing rubber pellets designed to be deployed in a non-directional non-target specific manner is also prohibited for all crowd control use.

2. Uses of Direct Fired Specialty Impact Less-Lethal Munitions (SIM)

Direct Fired SIM are less-lethal specialty impact weapons that are designed to be direct fired at a specific target, including but not limited to flexible batons ("bean bags"), and shall not be used for crowd management, crowd control or crowd dispersal during demonstrations or crowd events. Direct Fired SIM may never be used indiscriminately against a crowd or group of persons even if some members of the crowd or group are violent or disruptive.

- a. Direct Fired SIM may be used against a specific individual who is engaging in conduct that poses an immediate threat of loss of life or serious bodily injury to him or herself, officers, or the general public or who is engaging in substantial destruction of property which creates an immediate risk to the lives or safety of other persons.

In such instances, Direct Fired SIM shall be used only when other means of arrest are unsafe and when the individual can be targeted without endangering other crowd members or bystanders.



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- b. The use of Direct Fired SIM must cease when the violent or destructive actions cease. These weapons must not be used for the purpose of apprehension or to otherwise prevent escape unless escape would present a substantial risk of continued immediate threat to loss of life or serious bodily injury.
- c. Members shall only deploy Direct Fired SIM during a demonstration or crowd event under the direction of a supervisor.
- d. When circumstances permit, the supervisor on the scene shall make an attempt to accomplish the policing goal without the use of Direct Fired SIM as described above, and, if practical, an audible warning shall be given to the subject before deployment of the weapon.
- e. Any person struck by a round shall be transported to a hospital for observation and any necessary treatment. Ambulance service, if required, shall be ordered per Department General Order I-4, AMBULANCE SERVICE. First aid, when necessary, shall be administered per Training Bulletin III-K, FIRST AID.
- f. No member shall use Direct Fired SIM without formal training.
- g. Direct Fired SIM shall not be used against a person who is under restraint.
- h. Members shall not discharge a Direct Fired SIM at a person's head, neck, throat, face, left armpit, spine, kidneys, or groin unless deadly force would be justified.

G. Electronic Immobilizing Devices (EID)

EID's such as tasers, stun guns, and stun shields shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events. Officers are not restricted from using Tasers in accordance with Department General Order K-3, USE OF FORCE.

H. Aerosol Hand-held Chemical Agents

Aerosol, hand-held, pressurized, containerized chemical agents that emit a stream shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events. Aerosol hand held chemical agents may not be used indiscriminately against a crowd or group of persons, but only against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.

Members shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance in accordance with Department General Order K-3, USE OF FORCE.

Officers must be familiar with OPD Training Bulletin V-F.2, USE OF OLEORESIN CAPSICUM (OC), and, specifically, the risk factors associated with aerosol chemical agents and the treatment for individuals subjected to them.

Aerosol chemical agents shall not be used in a demonstration or crowd situation or other civil disorders without the approval of a supervisor or command officer.



When possible, persons should be removed quickly from any area where hand-held chemical agents have been used. Members shall monitor the subject and pay particular attention to the subject's ability to breathe following the application of OC. As soon as practical, members and employees shall obtain professional medical treatment for all persons who have had OC applied to them. Paramedics in the field may administer treatment if no other medical treatment is required. If paramedics are not available in a timely manner, subjects shall be transported to a hospital for treatment within 45 minutes of the application of OC.

A subject who has been sprayed with hand-held chemical agents shall not be left lying on his/her stomach once handcuffed or restrained with any other device.

I. Munitions Inventory Log

The Training Section shall maintain the munitions inventory log for all less-lethal munitions which are checked out during crowd control events. Officers shall update the munitions inventory log after each event to specify how many munitions were used and by which person. A copy of the inventory log shall be included in the after-action report.

VII. ARRESTS

A. Multiple Simultaneous Arrests

1. When a large-scale event involving possible arrests is to be conducted, OPD planners will estimate the number of potential arrestees and will configure arrest teams capable of managing multiple arrests safely.

2. When arrests are necessary, the Incident Commander shall attempt to ensure that sufficient numbers of police officers are present to effect arrests. This tactic can be effective in dispersing the remaining crowd members wanting to avoid arrest.

3. When multiple arrests are contemplated in advance and it is impracticable for arrestees to be cited at the scene as further discussed below, pre-arrangement of transportation shall be made.

4. The Incident Commander or his/her designee shall make the decisions to engage in selective individual arrests or multiple simultaneous arrests as a crowd control technique with consideration given to the following factors:

- The likelihood that police action will improve the situation relative to taking no action.
- The seriousness of the offense(s) as opposed to the potential for the arrest to escalate violence or unlawful activity by crowd members.
- Whether individual or mass arrests will be more effective in ending the criminal activity at issue.
- Whether clear and secure escape routes have been established for the crowd and police.
- Whether communication has been established with crowd representatives.
- What contingency plans are available?
- What types of force can be used in effecting the arrests, if necessary.



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5. Probable cause for each individual arrest:

Individuals may not be arrested based on their association with a crowd in which unlawful activity has occurred. There must be probable cause for each individual arrest.

This principle means the officer must have objective facts based on his own knowledge or information given him by other officers sufficient to believe that each specific individual being arrested committed the offense.

Thus, the only proper basis for a multiple simultaneous arrest of all the individuals encircled at a demonstration is failure to disperse (Pen. Code §409), when the dispersal was properly ordered based on the existence of an unlawful assembly and adequate notice and opportunity to disperse has been given.

To make arrests for violating Vehicle Code §2800 (non-compliance with lawful police order), the officer must have probable cause to believe that each individual arrested willfully failed or refused to comply with a lawful order.

6. The Incident Commander shall ensure that evidentiary items are recovered and preserved, when possible, to corroborate unlawful acts observed by personnel.

B. Arrests for Civil Disobedience

1. Some demonstrators commit "civil disobedience," by sitting down or otherwise blocking streets, intersections, sidewalks, and/or entranceways or by occupying a targeted office.

The proper response to such actions is to verbally advise the demonstrators that they will be subject to arrest if they choose to remain, allow time for some or all the demonstrators to cease the unlawful activity, and to arrest those who deliberately remain in violation of the law.

When practical, demonstrators committing civil disobedience shall be persuaded into compliance rather than being forcibly removed.

2. Passively resisting arrestees (i.e., arrestees who go limp) shall be arrested by handcuffing and then either by verbal persuasion, lifting, carrying, the use of dollies or stretchers, and/or control holds (See Training Bulletin III-I.1, WEAPONLESS DEFENSE, pages 28 - 31) depending on the circumstances and the decision of the Supervisor.

Control holds should be used only when the Supervisor determines that control holds are necessary to accomplish the policing goal after other methods of arrest have failed or are not feasible under the circumstances and when the use of control holds would be a lawful use of force.

In the event control holds are necessary, precautions must be taken to ensure that arrestees are not injured or subjected to unnecessary or excessive pain.

A Supervisor's decision to authorize control holds and the reasons for said decision should be documented.



Planning for demonstrations where civil disobedience and passive resistance to arrest are a possibility should take into account these different arrest techniques for passive demonstrators.

3. In some cases, demonstrators may lock arms or use lock boxes to slow down the arrest process.

Where such demonstrators have been advised that they will be subject to arrest if they choose to remain and refuse to disperse, a member of the arrest team shall individually advise each demonstrator that he or she is under arrest prior to the application of any force to remove locking devices or to move the demonstrators. The officer shall continue to give verbal directions to give the arrestee a chance to comply before force is used to unlock arms or implements used to remove lock boxes.

4. Although dealing with passive resistance may frustrate officers, civil disobedience is usually a nonviolent means of making a political statement, and officers shall remain neutral, non-antagonistic, and professional at all times in their response.

C. Use of Handcuffs

1. All persons subject to arrest during a demonstration or crowd event shall be handcuffed in accordance with department policy, orders, and Training Bulletins.

2. Officers should be cognizant that flex-cuffs may tighten when arrestees' hands swell or move, sometimes simply in response to pain from the cuffs themselves.

Each unit involved in detention and/or transportation of arrestees with flex-cuffs should have a flex-cuff cutter and adequate supplies of extra flex-cuffs readily available. The officer applying flex-cuffs shall write his serial number in indelible marker on the cuffs whenever used. When arrestees complain of pain from overly tight flex cuffs, members shall examine the cuffs to ensure proper fit

D. Arrest of Juveniles

Juveniles arrested in demonstrations shall be handled consistent with OPD policy on arrest, transportation, and detention of juveniles.

VIII. CITE/RELEASE AND BOOKING PROCEDURES

- A. Individuals arrested for minor offenses may be cited and released in compliance with Penal Code §853.6 and Department General Order M-7, CITATIONS FOR ADULT MISDEMEANORS, Part III, A-N.
- B. When it is impractical to cite arrestees at or near the site of the demonstration because of a substantial risk that this procedure would allow the unlawful activity to continue or because of specific geographic factors, officers may cite and release arrestees from temporary processing stations or police facilities as near the site of the arrest as possible. While detained during the citation and release process, arrestees shall have reasonable access to toilet facilities and to appropriate medical attention.
- C. No fingerprinting will be done as part of the citation and release process. Arrestees may be instructed to appear for booking prior to or after arraignment.



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Commanders shall exercise discretion as to whether property searches are necessary. Property of persons who qualify for citation and release will not be confiscated unless it is found to contain contraband. The intention of this policy is to release citation-eligible arrestees as promptly as possible, and to obviate the need to transfer such arrestees to the Sheriff's custody. Persons for whom a valid warrant is confirmed, or who do not produce valid identification or who are otherwise found ineligible for citation will be transferred to the Sheriff's custody.

- D. An officer seeking to book a misdemeanor arrestee into jail must have an articulable basis to believe that one of the specified statutory exceptions to mandatory cite and release applies to that individual. This basis must be documented in the police report.
- E. The mere fact that further demonstrations are likely to be held in the near future is not a proper basis to apply subdivision (7) of P.C. 853.6 ("reasonable likelihood that the offense may continue or resume") to individual demonstrators.
- F. There must be an articulable objective basis to believe that, if cited out, those specific individuals would continue the same illegal activity for which they were arrested.
- G. Individuals may not be booked into jail on the sole basis of a felony charge consisting of conspiracy to commit a misdemeanor.

IX. MUTUAL AID & MULTI-AGENCY COORDINATION

For large demonstrations and mass gatherings, OPD may be required to rely on Mutual Aid Agencies for assistance (see DGO L-3, ASSISTANCE TO OUTSIDE JURISDICTIONS AND MUTUAL AID.) The Department is responsible for following the protocols of the Mutual Aid Plan in accordance with the California Emergency Services Act, commencing at Government Code Section 8550, for contacting law enforcement partners for assistance. Department leaders and commanders should be familiar with the process and responsibilities of requesting and receiving law enforcement mutual aid. See, the Law Enforcement Mutual Aid Plan and its companion document, Law Enforcement Guide for Emergency Operations, at www.calema.ca.gov. In addition, the IC shall be responsible for ensuring to the extent possible that mutual aid agencies:

1. Are briefed and in agreement with OPD's Unity of Command structure under which only OPD Commanders may authorize the use of less lethal munitions for crowd control and dispersal;
2. Are briefed on OPD's policy on prohibited weapons and force;
3. Do not bring or use any weapons or force that is prohibited under OPD's policy;
4. Are provided a copy of OPD's Crowd Control Policy and Use of Force policies;
5. Are not assigned to front-line positions or used for crowd intervention, control or dispersal unless there is a public safety emergency;
6. Complete required reports prior to being released from duty. Agencies should provide the following documents/reports when they are applicable: Use of force report, arrest report, crime report, injury report, equipment damage report and list of responding personnel; and



7. These provisions do not affect an OPD or mutual aid officer from taking action or using force against an individual in self-defense or in defense of another person or officer.

X. DOCUMENTATION

A. Video and Photographic Recording

1. It is the policy of the Department to videotape and photograph in a manner that minimizes interference with people lawfully participating in First Amendment activities.

Videotaping and photographing of First Amendment activities shall take place only when authorized by the Incident Commander or other supervisory officer.

Officers shall utilize their Personal Digital Recording Device (PDRD) in accordance with DGO I-15.1, PORTABLE VIDEO MANAGEMENT SYSTEM. In addition, officers shall activate their PDRDs whenever taking any enforcement action during a crowd control situation or when ordered to activate their PDRD by a supervisor or commander.

2. Individuals should not be singled out for photographing or recording simply because they appear to be leaders, organizers, or speakers.

3. Each camcorder operator shall write a supplemental report at the end of his/her duty assignment documenting the camcorder operations.

4. Unless they provide evidence of criminal activity, videos or photographs of demonstrations shall not be disseminated to other government agencies, including federal, state, and local law enforcement agencies. If videos or photographs are disseminated or shared with another law enforcement agency, a record should be created and maintained noting the date and recipient of the information.

5. If there are no pending criminal prosecutions arising from the demonstration or if the video recording or photographing is not relevant to an Internal Affairs or citizen complaint investigation or proceedings or to civil litigation arising from police conduct at the demonstration, the video recording and/or photographs shall be destroyed in accordance with Department and city policies.

This directive shall not prohibit the OPD from using these videos or footage from such videos as part of training materials for OPD officers in crowd control and crowd dispersal techniques and procedures. The destruction of any such videos or photographs shall be documented in writing with regard to the date of the destruction and the identity of the person who carried it out.

6. Nothing in this section is intended to alter the disclosure requirements of the California Public Records Act (Government Code §6250 et seq.) or the City of Oakland's Sunshine Ordinance (O.M.C. §2.20 et seq.).



XI. REPORTING

- A. The Incident Commander shall ensure that the Deputy Chief of the Bureau of Field Operations is notified of the incident in a timely manner.
- B. The Incident Commander shall ensure that a debrief is conducted within 72 hours of the critical incident.
- C. The IC shall evaluate the need for an After-Action report which outlines the lessons learned and training opportunities, as well as an assessment of the effectiveness and quality of the Operations Plans. An After Action Report will be completed within 30 days of the event if one of the following events occurs:
 - 1. Mutual Aid is requested;
 - 2. An unlawful assembly is declared;
 - 3. Arrests are made for acts of civil disobedience;
 - 4. Significant police resources are used to control the event; or
 - 5. Chemical agents or SIMS are used

The Operations Plan and After Action Report shall be reviewed by the chain of command and forwarded to the Bureau of Risk Management and the Crowd Control Coordinator for retention.

XII. PUBLIC INFORMATION AND THE MEDIA

- A. The media have a right to cover demonstrations, including the right to record the event on video, film, or in photographs.
- B. OPD members shall accommodate the media in accordance with Department policy.
- C. The media shall be permitted to observe and shall be permitted close enough access to the arrestees to record their names. Even after a dispersal order has been given, clearly identified media shall be permitted to carry out their professional duties in any area where arrests are being made unless their presence would unduly interfere with the enforcement action.
- D. Self-identified legal observers and crowd monitors do not have the same legal status as the professional media and are, therefore, subject to all laws and orders similar to any other person or citizen.
- E. Said personnel must comply with all dispersal orders similar to any other person or citizen. A supervisor or commander may allow a person who self-identifies as a legal observer or crowd monitor to remain in an area after a dispersal order if circumstances permit and if the person's presence would not unduly interfere with the enforcement action.



- F. On request, the Incident Commander or a supervisor may inform the media, legal observers, crowd monitors, police liaison, and/or organizers about the nature of any criminal charges to be filed against arrestees, the location where arrestees are being taken, and the Department's intent for arrestees to be cited out or booked at a custodial facility.
- G. The media, legal observers, crowd monitors, police liaison, and/or organizers shall never be targeted for dispersal or enforcement action because of their status.

XIII. TRAINING

- A. All OPD crowd control policies and procedures shall be set forth in a Crowd Control Training Bulletin.

All other OPD orders and Training Bulletins will be reviewed to ensure consistency with the new policy and Training Bulletin.

- B. All officers must receive training consistent with these new policies and procedures.

All training on crowd control shall include substantial coverage of these Department policies. No officers shall use less-lethal weapons unless they have received the training required by Department policies.

- C. Every OPD officer shall receive this training.

Either independently or in conjunction with other scheduled training, each officer shall receive periodic instruction regarding the key elements of this policy. The Department will seek to improve its ability to manage crowd control events through study and evaluation of past incidents occurring in Oakland and other jurisdictions. Training in crowd management is crucial and shall be an ongoing process. All members of OPD shall be trained in these crowd control policies and procedures and shall then receive additional periodic crowd control refresher training thereafter. Crowd control training shall also become an integral part of the recruit academy curriculum.

- D. All training called for in this section shall be documented with regard to individual officer attendance, dates of training, test scores or other evidence of successful completion of training, and identity of each instructor, and copies of both student curriculum materials and instructor curriculum materials shall be archived.

XIV. CROWD MANAGEMENT COORDINATOR (CMC)

- A. The Chief of Police shall designate a Departmental Crowd Management Coordinator whose responsibilities will include:
 - 1. Coordinating the training of personnel on crowd control, planning, operations and after-action reporting.
 - 2. Conducting reviews of crowd control policies and case law.



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3. Conducting quarterly reviews of all crowd control incidents and their respective operation plans and after action reports and providing a quarterly report to the Chief of Police. In the course of the producing the quarterly reports, the Crowd Management Coordinator shall:
 - a. Look to identify training points for publication in Training Bulletins;
 - b. Look to identify Departmental training needs;
 - c. Ensure Departmental policy and training comports with new case law and industry standards;
 - d. Ensure that the City Attorney and District Attorney are consulted when revising Departmental policy and planning Departmental training on crowd control and management and related topics; and
 - e. Produce a non-classified public quarterly crowd control report