



USE OF FORCE REPORT
Oakland Police Department
 TF-967g (Rev. May 10)

☐ Risk Management
 Advisement

LEVEL 4 FORCE ONLY			
Incident Number LOP120710000031	RD Number NONE	Use of Force Control No. 2F-0743	IAD Case No.

Part 1 - (List additional Subjects on a Level 4 Continuation Report)

Incident Date 10 Jul 12	Day Tue	Time 0053	Location 894 56 th St.	CP Beat 10x
#1 Subject's Name [REDACTED]		Sex F	Race O	DOB [REDACTED]
Address [REDACTED]		<input checked="" type="checkbox"/> Oakland	City/Zip [REDACTED]	Contact Number [REDACTED]
#2 Subject's Name		Sex	Race	DOB
Address		<input type="checkbox"/> Oakland	City/Zip	Contact Number
#3 Subject's Name		Sex	Race	DOB
Address		<input type="checkbox"/> Oakland	City/Zip	Contact Number

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JUL 11 2012

BFO Admin

Part 2 - List all involved members/employees, indicate the subject(s), and all the Force Type(s) used by numeric identifier (Chart on back page). (List additional Members/Employees on a Level 4 Narrative Report)

Member/Employee	Serial No.	Force Type #	Subject # Force Used on	Regularly Assigned Supervisor	Regularly Assigned Division Commander
#1 D. Hofacre	8226P	22	1	Sgt. B. Wehrly 8240P	Capt. J. Isreal
#2 S. Hall	8225P	22	1	Sgt. B. Wehrly 8240P	Capt. J. Isreal
#3					
#4					

Part 3 - List all witnesses to the use of force. (If more room is needed use a Level 4 Continuation Report) Do not list additional persons. List members and employees before private person witnesses. If there are no known private person witnesses, specify "NO KNOWN WITNESSES" under "Witness Name."

Witness Information (Include Rank & Serial No., or Agency Affiliation if appropriate)			
#1 Witness Name [REDACTED]	Sex M	Race O	DOB [REDACTED]
Address OR Agency Affiliation [REDACTED]	<input checked="" type="checkbox"/> Oakland	City/Zip [REDACTED]	Contact Number [REDACTED]
#2 Witness Name [REDACTED]	Sex M	Race O	DOB [REDACTED]
Address OR Agency Affiliation [REDACTED]	<input type="checkbox"/> Oakland	City/Zip [REDACTED]	Contact Number [REDACTED]
#3 Witness Name [REDACTED]	Sex F	Race O	DOB [REDACTED]
Address OR Agency Affiliation [REDACTED]	<input checked="" type="checkbox"/> Oakland	City/Zip [REDACTED]	Contact Number [REDACTED]
#4 Witness Name No other known witnesses	Sex	Race	DOB
Address OR Agency Affiliation	<input type="checkbox"/> Oakland	City/Zip	Contact Number

Part 3a - Level 4 Approving Supervisor/Commander

I responded to the scene, evaluated, and approved reporting the Level 3 force option as a Level 4.	Signature X	Serial No.
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Part 4

UOF Report Prepared By S. Hall	Serial No. 8225P	Date of Report 10 Jul 12	Supervisor Notified Sgt. B. Wehrly	Serial No. 8240P	Date \ Time Notified 10 Jul 12 \ 0054	Page 1 of 3
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USE OF FORCE
LEVEL 4 - NARRATIVE REPORT
Oakland Police Department
TF-967g-2 (May 10)

Date of Incident 10 Jul 12	Incident No./RD No. LOP120710000031 /		
# 1 Member/Employee's Name D. Hofacre	Serial No. 8226P	#1 Subject's Name [REDACTED]	

Part 5 - Level 4 Narrative

Summary:

Today 10 July 10, 2012 at 0053 hrs, Ofc. D. Hofacre 8226P and I were working as OPD unit 3A10. We were both wearing full OPD uniform and operating from marked OPD veh #1798 which Ofc. Hofacre drove. At this time we responded to 894 56th St. to inv. a report of a residential burglary in progress. OPD dispatch advised that the r/p [REDACTED] arrived home and obs somebody inside of his residence. Upon arrival I obs R/P and the other above listed witnesses standing in the street ifo the residence. Ofc. Hofacre and I made contact with [REDACTED] and he said that he obs somebody inside of his residence. Ofc. Hofacre asked [REDACTED] if there was a back door and he said "yes". Ofc. Hofacre and I walked down the side paved path along the west side of the residence. Ofc. Hofacre and I both had our PDRD's activated. We also had our Glock 22 service weapons drawn as we moved towards the rear. While walking to the rear I was checking windows for suspect movement and looking for a POE. When we got to the rear yard I obs that the rear door was closed and there did not appear to be any signs of forced entry. While we were in the rear yard I heard a male voice (whom I suspect was [REDACTED]) yell "They're coming out of the front!". I notified OPD dispatch that a suspect was coming from the front of the residence. I ran back down the path along the west side of the residence towards the front. As I got to the area where the front proch faces 56th St. I obs a person covered in a white blanket. I intentionally pointed my firearm at the subj. I intentionally pointed my firearm at the subj because I know through training and experience that burglars are often armed with firearms in case they encounter home owners or law enforcement officials. I also know that burglars also carry burglary tools (screwdrivers, tools, pipes ets) to defeat windows and enter dwellings. I also could not see the hands of the subj because they were covered by the white blanket. As I pointed my weapon at the subj, I immediately obs the face of a young FB (later id'd as the above subj [REDACTED]). [REDACTED] looked at me and appeared surprised. [REDACTED] did not appear to be a threat and I discontinued pointing my weapon at her. [REDACTED] walked to us and said that [REDACTED] was her sister. [REDACTED] explained that [REDACTED] arrived home a day early from a trip to Minnesota and initially thought she was a burglar. I advised OPD dispatch of our "Code34" status and also advised via the radio to notify Sgt. Wehrly that we had a level 4 K-4.

I did not obs Ofc. Hofacre point his weapon at [REDACTED] due to the short length of the use of force and I was fixated on the subj during the incident.

Sgt. Wehrly arrived on scene and we briefed him of the details.

Other than the witnesses listed above there are no other known witnesses.

Ofc. Hofacre and I both had our PDRD's activated.

There was no other use of force, and nobody was handcuffed or searched.

Reporting Member S. Hall	Serial No. 8225P	Date of Report 10 Jul 12
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Supervisor's Signature <i>[Signature]</i>	Serial No. [REDACTED]	Date of Review 10 JUL 12	Commander's Signature <i>[Signature]</i>	Serial No. 8139	Date of Review 11 JUL 12	Page 2 of 3
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Part 2a
Type of Force Used
Numeric Identifiers

(Chart Rev. Jan 09)

Use the appropriate numeric identifier and document the reasons for elevating an investigation in the Use of Force Report Narrative for any force investigation elevated to a higher level.

Level 3 Force Type			
11	Taser® Probes Impact Clothing, Penetrates Skin, or Push Stun	18	Taser Fired but Probes Miss
16	Weaponless Defense Technique Other than Control Hold	19	Non-Striking Use of Baton
17	O/C Applied to a Person	20	Attempted Impact Weapon Strike, but Misses
17a	Other Chemical Agent Deployed / Applied to a Person	21	On-Duty Firearm Discharge at Animal Other than to Dispatch an Injured Animal
Level 4 Force Type			
22	Intentionally Pointing a Firearm at a Person	25	A Weaponless Defense Technique Control Hold is applied: Escort (elbow); Twist lock; Arm-bar; or Bent-wrist.
23	Weaponless Defense Technique applied to a vulnerable area, excluding strikes (e.g., hair grab, pressure to mastoid, shoulder grab)		
24	On-Duty Firearm Discharge to Dispatch an Injured Animal	26	A level 3 use of force incident meeting the criteria to be reported as a Level 4 AND reviewed and approved by supervisor or commander. (Also indicate the Level 3 force type used in the Force Type # box.).

Use the diagrams below, if appropriate, and mark with an "X" and the numeric identifier
Indicate where on the body the force (Level 1-3) was used. (e.g., X--17 to indicate OC spray) Double-click on body and enter an "X" to indicate location. If more than one subject, use CNTRL+ENTER to duplicate this page.

Subject #1

