

Oakland Police Department
Controlled Equipment Impact Report

Item: Riot Helmets
Applicable Use Policy: Training Bulletin III-G



Description and Purpose

Riot Helmets	
Description	Helmet-Non Ballistic (906 Series TacElite EPR Polycarbonate Alloy Riot Helmet)
Manufacturer's Product Description	<p>The model 906 features an optically clear, UV resistant, polycarbonate face shield with an integrally molded liquid seal. The model 906 is trusted by thousands of law enforcement agencies around the world to protect their valuable men and women in any riot situation.</p> <ul style="list-style-type: none"> • TacElite EPR polycarbonate alloy helmet shell. • Expanded polystyrene liner with padded, sweat-wicking inner liner • Permanently mounted neck protector with Kydex penetration shield and shock absorbent foam pad • Detachable .150" (3.8mm) thick face shield with liquid seal prevents liquids from seeping into officer's eyes • Molded lip on top edge of face shield prevents shield from closing over integral visor and striking the face • Double D-ring fastener provides maximum strength and slip resistance. Optional NIJ compliant quick release buckle available. • Snap-on nape pad with Kydex penetration shield, shock-absorbent foam pads and chemical-resistant black Cordura cover • Plastic chin cup for added comfort when harness is tightened. Optional chin pad available. • Face guard: Steel wire with black nylon coating and welded joints for maximum strength and safety. Wire guard is form fitted to match radius of face shield and is attached by four heavy-duty nylon clips. Viewing area: 2 3/4" x 8 1/2" (7.0cm x 21.6cm) (Model 906C only) • Weight Model 906: 3.2 lbs. (1.5 Kg) • Weight Model 906FS6: 3.2 lbs. (1.5 Kg) • Weight Model 906C: 4 lbs. (1.8 Kg) • Meets or exceeds NIJ Standard for Riot Helmets, NIJ 0104.02* (Model 906 only)
Capabilities / How the item works	Helmets protect officers by cushioning blows that prevent head injuries by providing a layer of soft cushion inside a strong, polycarbonate shell. Worn properly, the helmet is capable of providing some protection to the user from thrown or launched objects such as rocks, bottles, or bricks. The helmet is not ballistic and does not protect from gunfire.
Expected lifespan	~ 30 years
Quantity	703

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**Purpose and intended
uses and/or effects**

Crowd Control Helmets should only be used during a protest or demonstration to protect members from thrown objects.

Fiscal Costs

Initial Costs

- The Oakland Police Department (OPD) currently owns/possesses/uses the equipment.
- OPD proposes to obtain the equipment. Initial costs are anticipated to be:

Estimated or anticipated costs for each proposed use

Helmets: Each unit (helmet) costs ~\$400.00

Total estimated initial cost: ~\$281,200

Estimated or anticipated costs of potential adverse impacts

There is no way of anticipating every possible adverse impact. Additionally, even some known possible adverse effects may be so remote that they were not assessed for the purposes of this report. Finally, costs of even likely adverse effects may vary wildly based on other circumstances which are difficult to predict and can vary from incident to incident. Keeping this in mind, some potential adverse effects and their possible costs are:

Deliberate misuse might cause the Department to be exposed to liability, which could include monetary judgments against the City.

Unintentional misuse might cause the Department to be exposed to liability, which could include monetary judgments against the City.

Estimated or anticipated ongoing costs

Costs for the helmets and training is unknown for a calendar year.

Training may either require the person attending training to be on overtime, or for overtime to backfill that person's position while they are at training. The Department trains every member in the academy (16 hours) and in CPT (2 hours). Unknown yearly costs.

Impacts

Reasonably anticipated impacts

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Deliberate misuse.

Though unlikely, it is possible that Riot Helmets may be deliberately misused by employees. Some of the ways that the Department attempts to prevent deliberate misuse is through background checks of prospective employees, supervision and training, strict policy guidelines, robust reporting and accountability practices, and discipline for deliberate misconduct up to and including termination. Suspected criminal misuse of equipment may also be forwarded to the District Attorney's office or other appropriate prosecuting agency for charging consideration.

Unintentional misuse.

Unintentional misuse of Riot Helmets may come in many forms, from unfamiliarity or lack of training to the encountering of a scenario that was not anticipated in training or policy. The Department will attempt to prevent unintentional misuse through thorough audits, training and clear policy description TB III-G.

Perception of militarization or exacerbation of a police/community divide.

While it is not the intent of the Department that this occur, the Department does recognize the possibility that its use of Riot Helmets may lead to a perception of militarization of the Department, or an exacerbation of any existing divides between the Department and the community it serves and is a part of. The Department attempts to overcome challenges such as this by taking full advantage of community forums required by policy and law (see for instance the mandated community engagement meeting in DGO K-07 and CA Government Code § 7072(b)), by completing full and robust reports such as this one, and by collaborating with the Police Commission in the creation of use policies and procedural safeguards surrounding this equipment.

Mitigations

Riot helmets can only be worn in public view at the direction of a commander or supervisor. There must be an articulable reason to wear the helmet. The department will continue to conduct BWC audits, supervisors showing up to service calls and review UOFs to discover if any officer is mis using the riot helmets.

Complaint receipt and investigation procedures – [DGO M-03](#)

The use of controlled equipment, as with any use of the police powers, is subject to the rules and laws that govern the Department and its employees. Complaints and allegations that the Department or its employees have violated these rules or laws are treated with the utmost seriousness, including proper intake at the Internal Affairs Division and investigation by the appropriate investigative individual. Where allegations are found to be substantiated, the Department uses a progressive discipline structure

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to serve both deterrent and rehabilitative functions. Finally, deliberate misconduct or actions contrary to the Department's values are not tolerated and can lead to termination of employment.

OPD's complaint receipt and investigation procedures serve as important procedural mitigations to the possible adverse impacts of the use of this equipment.

Alternatives

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

As mentioned in the Mitigations section, above, OPD officers are mandated to use de-escalation strategies and tactics when safe and feasible. These strategies and tactics, which are predicated on de-escalation best practices around communication, containment, positioning, and time/distance/cover, reflect the Department's commitment to de-escalation over the reliance on force to compel compliance. The department recognizes that there could be a negative effect from the crowd when officers are wearing their riot helmets. In certain circumstances it might be appropriate to have the officers hold their helmets instead of wearing them. This is an alternative use for the helmets to help de-escalate a potential hostile crowd.

However, even during de-escalation strategies and actions, controlled equipment may be used or ready to further a safe outcome to the event. Generally, a built-in alternative to the actual use of riot helmets – especially as a protective option – its use as a tool to provide safety to an incident so that officers can bring the situation under control and hopefully encourage a peaceful outcome. This, in conjunction with other de-escalation or alternative strategies, provides a baseline for OPD officers in the conduct of their duties when using or contemplating the use of this controlled equipment.

Location

Riot Helmets will typically be used within the areas that OPD has jurisdiction or in areas of the State of California where OPD is specifically conducting operations or investigations. This includes the entirety of the City of Oakland and may include neighboring jurisdictions or other areas within the State.

Third Party Dependence

- This item does not require third-party actors for operation.
- This item does require third-part actors for operation:

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Track Record

As noted, many other agencies issue riot helmets to every sworn officer as standard issue. The helmet is an integral part of law enforcement, mainly because citizens want to exercise their first amendment rights and this allows officers to protect themselves against blunt weapons (bottles, rocks etc..). These items are not used as weapons. The Department has put in place several controls to ensure that riot helmets are only worn on direction of a superior officer for specific situations where they are likely to be needed, not for all crowd control situations.