



AGENDA REPORT

TO: Honorable Mayor & members of the City Council
FROM: Councilmember Kevin Jenkins District 6
Council Member Treva Reid District 7
SUBJECT: Directing The Oakland Police Commission To Propose Changes To OPD's Pursuit Policies
DATE: May 2, 2024

RECOMMENDATION

Councilmembers Jenkins and Reid recommend that the City Council adopt a resolution:

DIRECTING THE OAKLAND POLICE COMMISSION TO PROPOSE CHANGES TO THE FOLLOWING OAKLAND POLICE DEPARTMENT POLICIES: (1) DEPARTMENTAL GENERAL ORDER J-04 ON PURSUIT DRIVING; (2) SPECIAL ORDERS 9192 AND 9212 ON VEHICLE PURSUITS; AND (3) TRAINING BULLETIN III-B.9 ON PURSUIT INTERVENTION MANEUVER TECHNIQUES, FOR SUBMISSION TO THE CITY COUNCIL PURSUANT TO SECTION 604(B)(4) OF THE OAKLAND CITY CHARTER

EXECUTIVE SUMMARY

Considering a significant rise in criminal activities in 2023, including notable increases in robberies, burglaries, and vehicle thefts, there has been a growing concern among Oakland residents and policymakers regarding the effectiveness and safety of the current Oakland Police Department's pursuit policies. These concerns have prompted the Oakland City Council to direct the Oakland Police Commission to review and propose necessary amendments to several key policies concerning police pursuits.

BACKGROUND / LEGISLATIVE HISTORY

Current Policies and Issues

The Oakland Police Department operates under several key directives that govern vehicle pursuits:

1. **Departmental General Order J-04 on Pursuit Driving** establishes the procedural framework for initiating and conducting vehicle pursuits and deploying pursuit intervention maneuvers.
2. **Special Orders 9192 and 9212** provide specific guidelines on the circumstances under which vehicle pursuits should be terminated, the personnel involved, and the requisite follow-up investigations and reporting.
3. **Training Bulletin III-B.9** outlines the techniques for pursuit intervention maneuvers. These policies have not been substantially updated in recent years, with the last major revision to the pursuit driving general order occurring in 2014. The lack of recent comprehensive policy overhauls, coupled with evolving public safety challenges and community expectations, necessitate a thorough review and update of these guidelines.

Proposed Changes

The Police Commission shall be tasked with revising these policies to enhance safety, ensure the accountability of officers involved in pursuits, and align with national best practices as identified in the [Police Executive Research Forum 2023 Report](#) and the [California Commission on Peace Officer Standards and Training's 2022 Vehicle Pursuit Guidelines Report](#). The goal is to strike a balance between the effective enforcement of the law and the safety of members of the public and our peace officers.

The Police Commission should submit proposed changes to these policies by September 10, 2024. If unable to meet this deadline, the Commission will present an update on the proposed policy revisions to the Council, through the Public Safety Committee no later than September 30, 2024. This approach ensures that the proposed policy modifications undergo thorough review and consideration within a structured timeline, in accordance with Council rules and procedures, promoting transparency and accountability in the process.

The goal of this ordinance is to review and potentially revise pursuit-related policies, underscoring the city's commitment to responsive and responsible policing. By updating these policies, the City of Oakland aims to enhance the effectiveness of the Police Department in reducing crime while safeguarding the rights and safety of its citizens.

ANALYSIS AND POLICY ALTERNATIVES

Councilmembers Jenkins and Reid recommend that the City Council adopt the proposed resolution directing the Oakland Police Commission to propose changes to the following Oakland police department policies: (1) departmental general order j-04 on pursuit driving; (2) special orders 9192 and 9212 on vehicle pursuits; and (3) training bulletin iii-b.9 on pursuit intervention maneuver techniques, for submission to the city council pursuant to section 604(b)(4) of the Oakland City Charter.

The City of Oakland remains a leader in violence prevention and intervention, set forth in the Department of Violence Prevention and Police Department and is making considerable strides in its efforts to exit its Negotiated Settlement Agreement (NSA). Adopting the proposed resolution will enable the Police Commission to conduct a thorough analysis of policies related to police pursuits, ensuring greater accountability of officers involved in pursuits, aligned with national best practices as identified in the [Police Executive Research Forum 2023 Report](#) and the [California Commission on Peace Officer Standards and Training's 2022 Vehicle Pursuit Guidelines Report](#). Approval of the proposed resolution is urgent, essential, and supports the Citywide priorities of **Holistic Community Safety and Responsive Trustworthy Government**.

FISCAL IMPACT

There is no fiscal impact identified in association with this report and legislation.

PUBLIC OUTREACH / INTEREST

This legislation was prompted by widespread public concern and requests made to the legislative body of the City of Oakland about amending the current pursuit policy to aid in curbing the uptick in criminal activities throughout the city.

COORDINATION

Councilmembers Jenkins and Reid, in partnership with the Oakland City Attorney's Office and the Oakland Police Department, have brought forth this proposal.

ACTION REQUESTED OF THE CITY COUNCIL

Councilmembers Jenkins and Reid recommend that the City Council adopt a resolution

RESOLUTION DIRECTING THE OAKLAND POLICE COMMISSION TO PROPOSE CHANGES TO THE FOLLOWING OAKLAND POLICE DEPARTMENT POLICIES: (1) DEPARTMENTAL GENERAL ORDER J-04 ON PURSUIT DRIVING; (2) SPECIAL ORDERS 9192 AND 9212 ON VEHICLE PURSUITS; AND (3) TRAINING BULLETIN III-B.9 ON PURSUIT INTERVENTION MANEUVER TECHNIQUES, FOR SUBMISSION TO THE CITY COUNCIL PURSUANT TO SECTION 604(B)(4) OF THE OAKLAND CITY CHARTER

For questions regarding this report, please contact Dyana Delfin Polk, Policy Coordinator at DPolk@oaklandcagov.

Respectfully submitted,



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