

## EXHIBIT H



### DEPARTMENTAL GENERAL ORDER

### **I-26: REMOTE CONTROLLED GROUND SYSTEM (ROBOTS) and POLE CAMERAS**

Effective Date:

Coordinator: Electronic Services Unit, Special Operations Division

---

#### **I. VALUE STATEMENT**

The Oakland Police Department promotes approved and safe technology into its everyday policing. OPD strives in protecting and serving its diverse community and city through fair, equitable and constitutional policing. Robots and pole cameras are implemented into OPD's strategy for success. These fleets will never replace the police officers who have sworn to protect the community, but will assist in mitigating use of force, bring safe resolutions to critical incidents and help save lives. OPD is committed in safeguarding and respecting the privacy of the community and has brought measures and policies in place to ensure none are violated. Regardless of deployment, robots and pole cameras will be utilized in accordance with OPD Core Values and our Mission.

#### **II. DESCRIPTION OF THE TECHNOLOGY**

##### **A. Robot and Pole Cameras Components**

A Remote-Controlled Ground System (Robot): is an unmanned machine guided and remotely controlled by a human individual as well as all the supporting or attached systems designed for gathering information through imaging, recording or by any other means.<sup>1</sup> Generally, a Robot consists of:

- A Robot, composed of:
  - Platform/Body/Frame that is capable of remote movement,
  - Radio frequency and antenna equipment to communicate with a remote-control unit;
  - A computer chip for technology control;
  - A camera;

---

<sup>1</sup> This policy does not cover autonomous or partially autonomous robots, only those robots that are directly controlled by humans.

## OAKLAND POLICE DEPARTMENT

- Battery charging equipment for the remote ground / aquatic vehicle and remote control.
- Two-way communication (talk/listen) with transmitter and receivers and Push to Talk functionality
- Robotic claw; and
- Single or Double (Twin) pan disrupter on telescoping arm with camera system
- Remote controlled unit (LCD display) with brightness control
- A Pole Camera, composed of:
  - Extendable pole with mounted camera, with thermal imaging capabilities;
  - Battery charging equipment for pole and LCD display with brightness control
  - Pole cameras do not require remote controlled devices. They are solely and human-operated by an ESU team member.

**B. Purpose**

Robots and Pole Cameras have been used to save lives and protect property and can detect possible dangers that cannot otherwise be seen. Robots and Pole Cameras can support first responders in hazardous incidents that would benefit from a ground, and or aquatic level perspective. In addition to hazardous situations, Robots and Pole Cameras have applications in locating and apprehending subjects, missing persons, and search and rescue operations as well as task(s) that can best be used in crawl spaces or confined isolated areas, or bodies of water. This immensely assists in searches for suspects, victims or evidence in an efficient and effective manner. Any use of a Robot or Pole Camera will be in strict accordance with constitutional and privacy rights and OPD Policy.

The robot or pole camera may not always be ideal for deployment and alternatives should always be considered prior to deployment.

**C. How the System Works**

1. Robots are remotely controlled by humans from a wireless remote-control unit. The wireless remote-control unit allows operators to remotely navigate the Robot and manipulate the robotic claw and

OAKLAND POLICE DEPARTMENT

any accessories and detachable tools.

ESU operators require time to make ready robots and install any detachable tools. Furthermore, not all attachments are ideal for each deployment.

2. Pole Cameras are human-operated and require kinetic energy to be operated.

**III. GENERAL GUIDELINES**

**A. Authorized Use**

1. Only authorized operators who have completed the required training shall be permitted to operate the Robots and Pole Cameras.
2. Robots and Pole Cameras may only be used for the following specified situations:
  - a) Mass casualty incidents (e.g. large structure fires with numerous casualties, mass shootings involving multiple deaths or injuries);
  - b) Disaster management;
  - c) Missing or lost persons;
  - d) Hazardous material releases;
  - e) Sideshow events where many vehicles and reckless driving is present;
  - f) Rescue operations;
  - g) Training;
  - h) Hazardous situations which present a high risk to officer and/or public safety, to include:
    - i. Barricaded suspects;
    - ii. Hostage situations;
    - iii. Armed suicidal persons;
    - iv. Arrest of armed and/or dangerous persons (as defined in OPD DGO J-04 "Pursuit Driving" Appendix A, H "Violent Forcible Crime");
    - v. Service of high-risk search and arrest warrants involving armed and/or dangerous persons (as defined in OPD DGO J-04 "Pursuit Driving" Appendix A, H "Violent Forcible Crime"; and
    - vi. Exigent circumstances - A monitoring commander

## OAKLAND POLICE DEPARTMENT

(Lieutenant or above) may authorize a Robot or Pole Camera deployment under exigent circumstances as defined in OPD DGO K-03 “Exigent Circumstances<sup>2</sup>.” A report shall be completed and forwarded to the Chief of Police and the OPD Robot and Pole Camera Coordinator for all deployments authorized under exigent circumstances, for a full review to determine policy compliance.

### 3. Deployment Authorization

- a) Except as provided otherwise in this policy, deployment of an OPD Robot or Pole Camera shall only be for the authorized uses above and require the authorization of the incident commander, who shall be of the rank of Lieutenant of Police or above.
- b) Incident commanders of a lower rank may authorize the use of a Robot or Pole Camera during exigent circumstances. In these cases, authorization from a command-level officer shall be sought as soon as is reasonably practical.
- c) ESU Operators are encouraged to advise a supervisor or incident commanders when they believe they are incapable of operating a robot in a safe manner.

### 4. Deployment Logs

- a) A commander authorizing deployment of a Robot or Pole Camera shall send notification of the deployment via the military equipment deployment notification process.
- b) Deployment logs will provide all mission deployment details for each land, and or water deployment.

### 5. Detachable Tools

- a) Several ground robots have detachable tools. These detachable tools offer additional options to safely resolve a conflict consistent with OPD’s Mission and Values. These detachable tools can be deployed when command believes the usage is in accordance with OPD policy, procedure and the law and such

---

<sup>2</sup> Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, or the escape of a suspect.

## OAKLAND POLICE DEPARTMENT

usages places officers in a tactical advantage. The detachable tools include the following:

- i. 360 degree rotating robotic claw with telescoping camera on a telescoping arm.
  - ii. A detachable OC canister;
  - iii. A detachable glass and/or tire puncture;
  - iv. A detachable pan disrupter.
- b) 360 degree rotating robotic claw with telescoping camera on a telescoping arm.
- i. The rotating robotic arm is controlled through the remote control.
  - ii. The rotating robotic arm can be utilized to deliver packages or items such as food, water, telephone, etc.
  - iii. The robotic arm can also be utilized to open vehicle or structural doors.
  - iv. The robotic arm can also be utilized to pick up, retrieve or reposition items such as food, water, telephone, etc.
  - v. The robotic arm can be utilized to pick up firearms or suspicious packages believed to be explosives. However, such operation may only be at the direction of command staff and extreme caution must be used. The authorizing commander shall evaluate each scenario and coordinate with ESU.
- c) Detachable OC canister
- i. The detachable OC is controlled through the remote controller.
  - ii. Use of the detachable OC canister is prohibited as described below in III.B. Prohibited Use.
- d) Detachable Glass/Tire Puncture
- i. The detachable glass/tire puncture can deflate or immobilize tires and or shatter vehicle or structural glass. However, such operation may only be at the direction of command staff and extreme caution must be used. The authorizing commander shall evaluate each scenario and coordinate with ESU.
- e) Detachable Pan Disrupter
- i. This attachment utilizes a 12-gauge blank shotgun round and water to breach secured locks/doors or disrupt suspicious packages. However, such operation may only be at the direction of command staff and extreme caution must be used. The authorizing commander shall evaluate each scenario and coordinate with ESU. The ESU

## OAKLAND POLICE DEPARTMENT

- ii. ESU Officers shall adhere to the Safety Checks of TB III-H Specialty Impact Munitions when loading the pan disruptor<sup>3</sup>.
- iii. The detachable pan disruptor can be loaded with a live ammunition round. This practice is prohibited as described below in III.B. Prohibited Use.

**6. Privacy Considerations**

- a) Operators and observers shall not intentionally transmit images of any location where a person would have a reasonable expectation of privacy (e.g. residence, yard, enclosure). When the Robot or Pole Camera is being deployed, operators will take steps to ensure the camera is focused on the areas necessary to the mission and to minimize the inadvertent collection of data about uninvolved persons or places. Operators shall take reasonable precautions, such as turning imaging devices away, to avoid inadvertently transmitting images of areas where there is a reasonable expectation of privacy.

**B. Prohibited Use**

1. Robots and Pole Cameras shall not be equipped with any weapon systems or attachments not described in Section III.A. above; nor shall it be equipped with any analytic systems capable of identifying groups or individuals, including but not limited to facial recognition or gait analysis.
2. Robots and Pole Cameras shall not transmit any data except to their respective remote-controlled units (LCD Display).
3. Robots shall not be used for the following activities:
  - a. For any activity not defined by “Authorized Use” Section III.A. above.
  - b. Conducting surveillance.
  - c. Targeting a person or group of people based on their characteristics, such as but not limited to race, ethnicity, national origin, religion, disability, gender, clothing, tattoos, sexual orientation and/or perceived affiliation when not connected to actual information about specific

---

<sup>3</sup> The similar Safety Checks of clearing the barrel, having a second officer clear the barrel and inspecting the rounds to ensure the rounds are blank rounds and having a second officer inspect the rounds to ensure the rounds are blank rounds shall be followed.

OAKLAND POLICE DEPARTMENT

individuals related to criminal investigations.

- d. For harassing, intimidating, or discriminating against any individual or group.
  - e. To conduct personal business of any type.
4. Robots and their attachments shall not be deployed as a use of force<sup>4</sup> on a person.
- a. It is not a violation of this policy to use the robotic arm to push, poke, or pull a person to gain their attention, nor is it a violation to grab or pull them with the robotic arm in an attempt to rescue them from a dangerous situation.
5. The detachable pan disruptor shall not be loaded with a live ammunition round.

**C. Communications**

Notifications will be made to the Communications Section for notifying patrol personnel, when OPD Robot operations are authorized by a Commander.

**IV. ROBOT DATA**

**A. Data Collection, Access and Sharing**

Robot and Pole Cameras deployed by OPD shall not share any data with any external organizations via integrated technology. Robots and pole cameras only send data to the ground operator's controller via encrypted radio signals – there is no internet connection for external data sharing and no data recording.

**V. ROBOT ADMINISTRATION**

**A. System Coordinator / Administrator**

- 1. The ESU will appoint a program coordinator who will be responsible for the management of the Robot and Pole Camera program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best

---

<sup>4</sup> "Force" is defined in DGO K-3 USE OF FORCE and includes all levels of force up to and including lethal force.

## OAKLAND POLICE DEPARTMENT

practices.

2. The ESU Unit Supervisor, or other designated OPD personnel shall provide the Chief of Police, Privacy Advisory Commission, and City Council with an annual report that covers all use of Robot and Pole Camera technology during the previous year. The report shall include all report components compliant with Ordinance No. 13489 C.M.S. The annual report will include a breakdown of incident type for each year.

3. **Submission and evaluation of requests for Robot use**

The ESU Unit Supervisor, or other designated OPD personnel, shall develop a uniform protocol for submission and evaluation of requests to deploy a Robot and or Pole Camera, including urgent requests made during ongoing or emerging incidents.

**B. Program improvements**

The ESU Unit Supervisor, or other designated OPD personnel, shall recommend and accept program improvement suggestions, particularly those involving safety and information security.

**C. Maintenance**

The ESU Unit Supervisor, or other designated OPD personnel, shall develop a Robot and Pole Camera inspection, maintenance and record-keeping protocol to ensure continuing deployment of the tracking purposes, and include this protocol in the Robot and Pole Camera procedure manual. Maintenance and record-keeping should also include expenditures such as purchase of new equipment and mechanical repairs.

**D. Cost Analysis**

The ESU Unit Supervisor, or designated OPD personnel, shall develop a protocol for developing and documenting data for a cost-benefit analysis. This cost benefit analysis will include amount of ESU personal involved, ESU equipment utilized, suspect(s) located (e.g. gender, race and age) and the recovery of evidentiary items (e.g. firearms, clothing, vehicles, etc).

**E. Training**

The ESU Unit Supervisor, or other designated OPD personnel, shall ensure that all authorized operators have completed all required



## OAKLAND POLICE DEPARTMENT

department-approved training in the operation, applicable laws, policies and procedures regarding use of the Robot and Pole Camera.

**F. Auditing and Oversight**

The ESU Unit Supervisor, or other designated OPD personnel, shall develop a protocol for documenting all Robot and Pole Camera uses in accordance to this policy with specific regards to safeguarding the privacy rights of the community and include this in the Robot and Pole Camera procedure manual and the annual Robot and Pole Camera report. The Robot and Pole Camera supervisor will develop an electronic record of time, location, equipment, purpose of deployment, and number of Robot and Pole Camera personal involved. Whenever a deployment occurs, the authorizing commander, or operator, will send an electronic notification/submission to the SOS Commander to include the topics listed above. This protocol will allow the SOS Commander to have a running log of all deployments and assist in the annual report.

**G. Reporting**

The ESU Unit Supervisor, or other designated OPD personnel, shall monitor the adherence of personnel to the established procedures and shall provide periodic reports on the program to the Chief of Police.

The ESU Unit Supervisor, or other designated OPD personnel, shall provide the Chief of Police, Privacy Advisory Commission, and City Council with an annual report that contains a summary of authorized access and use.

**H. Inquiry and Complaint Process**

*(Government Code 7070 d (7)) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.*

The Oakland Police Department DGO M-3: **Complaints Against Departmental Personnel or Procedures** will inform all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct.<sup>[1]</sup> Refer to DGO K-7 for additional information.

---

<sup>[1]</sup> DGO M-3 states, "IAD investigations shall be completed, reviewed, and approved within 180 days unless approved by the IAD commander."

DEPARTMENTAL GENERAL ORDER

Effective Date \_\_\_\_\_

OAKLAND POLICE DEPARTMENT

By Order of

LeRonne L. Armstrong

Chief of Police

Date Signed: