



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER KEVIN JENKINS  
AND COUNCILMEMBER TREVA REID

---

**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**

**WHEREAS**, in 2023, the City of Oakland experienced a dramatic increase in criminal activities, including a 37 percent uptick in robberies, a 24 percent uptick in burglaries, and a 45 percent increase in motor vehicle thefts; and

**WHEREAS**, with the recent uptick in criminal activities, Oakland residents and policymakers have expressed interest in modifying the current pursuit policy; and

**WHEREAS**, a vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is attempting to avoid arrest by using high-speed or other evasive tactics such as driving off a highway, turning suddenly, or driving legally but willfully failing to yield to the officer's signal to stop; and

**WHEREAS**, the purpose of this Departmental General Order J-04 (DGO J-04) on Pursuit Driving is to establish Departmental policy and procedures for members engaged in the pursuit of a vehicle, and/or deciding to employ a pursuit intervention maneuver, and the responsibilities of supervisors and commanders pertaining to pursuit driving of subordinates and the use of pursuit intervention maneuver techniques; and

**WHEREAS**, an exhaustive policy analysis and update to DGO: J-04 on Pursuit Driving not been completed since August 25, 2014; and

**WHEREAS**, Special Order 9192 dated December 28, 2018 did not yield any substantive changes to the policy; and

**WHEREAS**, Special Order 9212 dated December 16, 2022 provided detailed guidance to officers regarding the termination of vehicle pursuits above a certain speed, involved personnel, pursuit investigations, and reporting requirements; and

**WHEREAS**, an extensive study should be completed to determine what policy changes can and shall be made with the community's call for action; and

**WHEREAS**, the Police Executive Research Forum 2023 Report was identified as a national best practice study and should be used to inform the City of Oakland's pursuit policy update; and

**WHEREAS**, Oakland City Charter Section 604(b)(4) provides in relevant part that the Police Commission may: “[p]ropose changes at its discretion or upon direction, by adoption of a resolution, of the City Council, including modifications to [OPD’s] proposed changes to any policy, procedure, custom, or General Order of the Department which governs use of force, use of force review boards, profiling based on any of the protected characteristics identified by federal, state, or local law, or First Amendment assemblies, or which contains elements expressly listed in federal court orders or federal court settlements . . . The City Council shall consider the Commission's proposed changes or modifications within one hundred and twenty (120) days of the Commission's vote on the proposed changes and may approve, modify and approve, or reject the changes. If the Council does not approve, modify and approve, or reject the Commission's proposed changes or modifications, the changes or modifications will become final.”; and

**WHEREAS**, the Oakland City Council seeks to direct 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; now therefore, be it

**RESOLVED:** that pursuant to Section 604(b)(4) of the Oakland City Charter, the City Council does hereby direct 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; and be it

//

//

//

//

//

**FURTHER RESOLVED**, that if the Commission Chair is unable to submit proposed changes to the City Council for review and consideration in accordance with Charter section 604(b)(4) on or before September 10, 2024, the Council hereby requests that the Police Commission submit and present a status report to the Council, through the Public Safety Committee, on or before September 10, 2024 to advise the Council of its progress.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

3335326