



The Oakland Observer [@Oak_Observer](#)

Sep 25 · [73 tweets](#)

OO will be sitting in on the OPC meeting tonight, with main reporting focus on pursuit policy, secondary on OPD updates. The meeting starts at 5:30pm, but they started late: going into closed session now, with scheduled return at 6:30pm. Pursuit will directly follow Open Forum



Okay, back from closed session, and meeting is starting.

Moving into Open Forum

Staffer has announced that Council President Jenkins is here.

Lance Wilson of APTP says its outrageous for Council President Jenkins to have withdrawn appointments of Commissioners Farmer & Garcia-Acosta at Rules today. Jenkins said there were "concerns" & sent appointments back to SP. He says its a disrespectful way to treat volunteers



There's probably more people here than usual, but that just means its not a lot of people. Only three people spoke during Open Forum.

Garcia Acosta just noted that no one from OPD is here. Weird. The Pursuit policy is the first item on the agenda. But Mitchell arrived in the meantime

We're on to the Pursuit Policy.

It is a bit strange for the vote on this to be happening tonight, with Jenkins in audience, after he apparently single-handedly made the move to withdraw the re-appointment of Chair Garcia-Acosta.

Garcia Acosta tees up item, noting the key changes in Mitchell's edits is 1) officer initiating a pursuit, followed by getting permission; 2) & the removal of Armstrong's 50 MPH limit. He says OPC met with stakeholders, Mitchell to partner on edits after Mitchell's initial draft

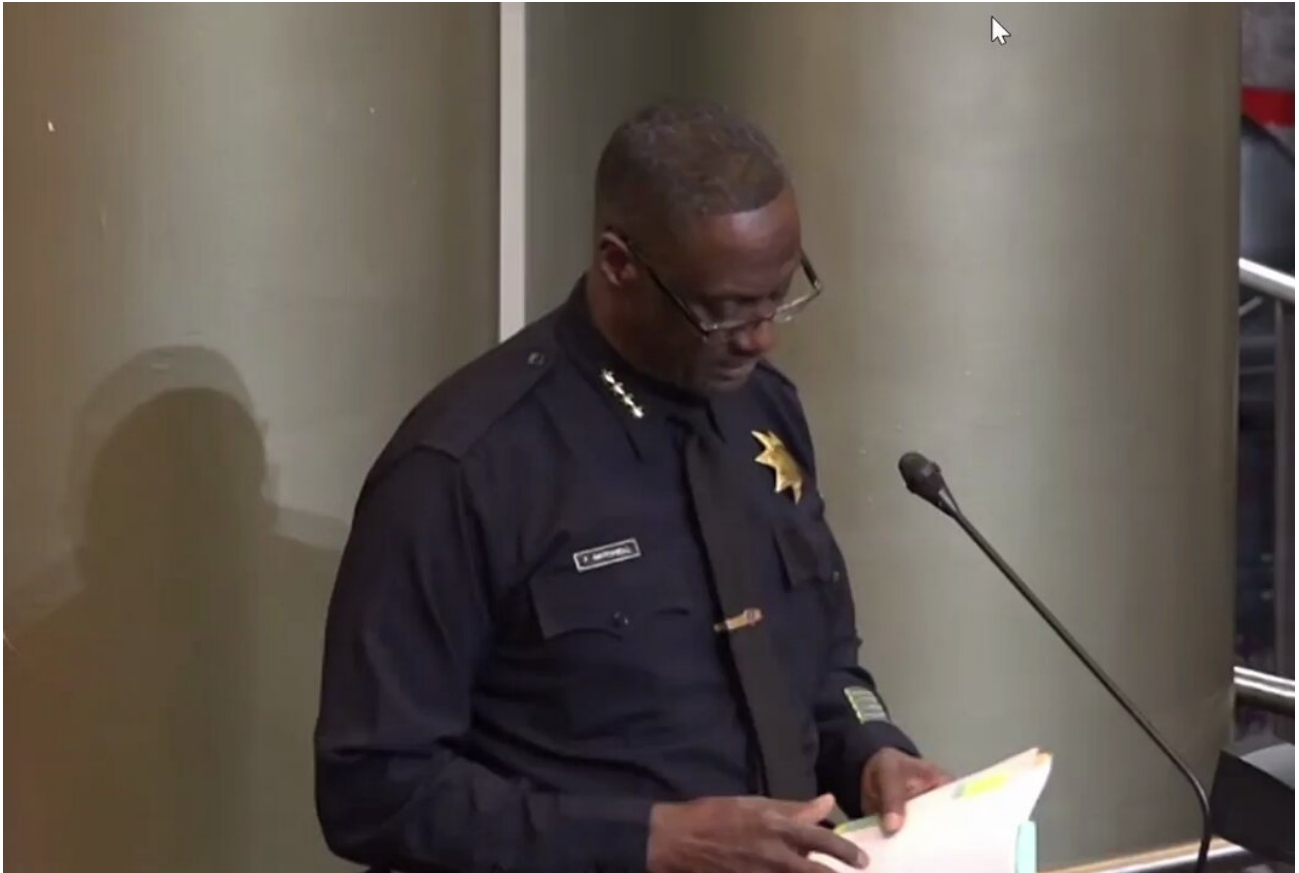


Mitchell is going through history of pursuit policy, which allowed broader and broader rationale for pursuit from 2022 to 2011; the criteria begins to tighten in 2012 with NSA direction to reduce pursuits.

Mitchell: by 2013 the changes to satisfy the NSA direction began, new pursuit policy approved in 2012, 2014; from 2014 remained mostly the same until 2022, with pursuits allowed only to forcible crimes or firearms possession.

Kirkpatrick's changes in 2018 were minor, waiving criticism and discipline for terminating a pursuit.

Armstrong's changes in 2022, 9212; Mitchell explains that Armstrong said he was reacting to "emergency" conditions, which were two pursuit fatalities in the same year. Limited pursuits to 50 MPH without supervisory permission



Mitchell going through the events of 24-25; with Jenkins/Reid ordering review by OPC of pursuit policy and recs. OPC recommended not changes; then Newsom directed changes, with that, Mitchell began to propose changes

Mitchell says the first draft had more substantive changes; now going through the addition of stakeholders, including the OPC after direction from City Attorney and public.

Mitchell noting a very detailed history here...he notes that no one was sure if the OPC had the power to change the policy until the City Attorney's decision.

Mitchell noting the first substantive change in the policy. OO reported on this previously, here it is

3. Supervisory approval

Once an officer initiates a pursuit, the primary unit shall notify the immediate supervisor ~~as soon as reasonably practical~~ and obtain verbal approval ~~for~~ to continue the pursuit. If immediate verbal approval is not given, the primary unit shall terminate the pursuit.

Mitchell's third change would rescind Armstrong' 9212, here's that order,. With rescinding in the policy, officers are directed to refer to 19 risk factor formula public.powerdms.com/OKLAND/docume...

III. RISK FACTORS

Involved personnel shall consider all Risk Factors, in determining whether to initiate and continue a vehicle pursuit, including but not limited to:

1. The volume of vehicular and pedestrian traffic in the area;
2. Traffic conditions;
3. Location of pursuit;
4. Safety of the public in the area of the pursuit (e.g., the presence of children, the elderly or disabled, the proximity to hospital or school zones in the vicinity of the pursuit);
5. Safety of the pursuing officers;
6. Speeds of both officer and suspect vehicles;
7. Familiarity of the officer and supervisor with the area of the pursuit;
8. Road and weather conditions;
9. Time of day;
10. Quality of communications between the pursuing units, the Communications Section, and/or supervisor;
11. The performance capabilities of the police vehicle or the operation of the emergency lights and siren;

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DEPARTMENTAL GENERAL ORDER
OAKLAND POLICE DEPARTMENT

J-4

Effective Date
25 Aug 14

12. Availability of air or field support;
13. Whether the officer has a ride-along passenger with him/her;
14. Whether the suspect is known and can be apprehended at a later time;
15. Whether the suspect is known to be a juvenile;
16. When a non-suspect vehicle and/or pedestrian accident has occurred during a pursuit;
17. The safety of occupants in the fleeing vehicle;
18. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; and
19. The pursued vehicle's location is no longer known.

Mitchell says the violent forcible felonies are still the only predicates to initiate a pursuit. It's extensive

H. Violent Forcible Crime

For purposes of this policy, a Violent Forcible Crime is defined as the **commission or attempted commission of**:

1. Murder;
2. Manslaughter;
3. Mayhem
4. Kidnapping;
5. Robbery;
6. Carjacking;
7. Arson to an inhabited structure, inhabited property or that causes GBI;
8. Explode or ignite a destructive device or any explosive causing GBI or death;
9. Use or possession of a weapon of mass destruction;
10. Use of a firearm in the commission of a felony;
11. Assault with a deadly weapon, firearm;
12. Assault with a deadly weapon, other than a firearm*, with SBI/GBI;

* The use of a motor vehicle to solely flee a scene or enforcement action does not meet the criteria for this part unless there is a clearly articulable intentional act by the driver to use the vehicle as a weapon.
13. Aggravated Battery with SBI/GBI; and
14. Any of the following sexual assaults committed against a person's will by means of force, violence, duress, menace, fear of immediate and unlawful bodily injury on the person or another, or in concert:
 - a. Rape;
 - b. Sodomy;
 - c. Oral Copulation;
 - d. Lewd Act on a Child under the age of 14; or
 - e. Sexual penetration

Despite claims about this list, it seems like it would encompass much of the concerns about reckless driving in general.

Commissioner Riles asks about the risk factors being used throughout the pursuit. Mitchell also notes that an actual component of the policy is this addition by kirkpatrick

C. When a pursuit must be terminated

Pursuits shall be terminated whenever the totality of circumstances known or which should be known to involved personnel during the pursuit indicate that the risks in continuing the pursuit reasonably appear to outweigh the risks resulting from terminating the pursuit. Any officer and/or monitoring supervisor/commander shall neither be criticized nor disciplined for terminating a pursuit.

Mitchell's explanation of this passage doesn't feel like it accurately reflects the text; he said it means that any officer can call in a termination to the pursuit.

Commissioner Dawitt confirming commercial robbery as a predicate for pursuit; Mitchell, confirms that they are forcible felonies. Mitchell noting that a burglary is not a predicate for pursuit, however

Mitchell noting the difference of using a vehicle to break through a storefront, as opposed to trying to run down people as a weapon.

Dawitt notes that Mitchell had previously created a draft that included sidseshows and burglary and asks him to explain why it hasn't ended up in a final edit.

Mitchell says that though those crimes have proliferated & he wanted to address them, they looked at nation wide best practices & discussed w/stakeholders and saw it's not considered best practice: "pursuit of non violent felonies is just not on the table...so that was removed"

Jackson-Castain asking why 9212 is being rescinded: is it because of the additional administrative reporting load? Or is it because officers have been dissuaded from initiating pursuits.

Mitchell: "we've seen that with today's vehicles, you get to 50 pretty quickly...officers noting w/risk factors, they decide not to pursue..." he says data shows that the pursuits have

diminished, because officers asking selves if they are even in policy if they start pursuit

Mitchell gives example: If officer is passed by driver going 60 MPH, and officer even begins process of pursuit, and vehicle crashes, they officer could be out of policy. Mitchell also adds that 9212 added another redundancy for reporting, as well, per her question

Jackson-Castain asks if rescinding 9212 is expected to have pursuits increase, Mitchell says that they will monitor that and keep OPC posted and then have another convo about that if it is rising

Garcia Acosta wondered if there is a way to inform the community about the advent of a pursuit, following up on Farmer's question if there is any loudspeaker communication with public about pursuits. Mitchell says they do not inform public as a practice, because they are in coms

Somehow the issue of incoming police radio silence came up, Mitchell noted that's been put on hold regardless, it could come back to Commission

Mitchell confirming that rescinding of 9212 would eliminate duplicative reports.

Garcia Acosta asks : "two layers of reports would go away with rescinding?" Mitchell confirms

Commissioner Williams asks if there is technology that can be incorporated to help with pursuit; Mitchell says that best tool OPD has is "air support...once AS has eyes on vehicle, the vehicle can shut down"

Mitchell says that Flock also helps, they can follow up later to arrest individuals, he notes that they use them to follow vehicles to destination. He notes that drones are not fast enough to follow vehicles, but they can be used in limited space to identify vehicles.

One novel argument that's come up here for rescinding 9212 has been that limiting speed is already covered by the 19 risk factors, and pursuits can be shut down for much lower speeds.

Mitchell: it usually takes a minute or so for a helicopter to move to site..."if its already up, it happens pretty quick..." but it can take longer if the heli needs to get airborne. Point of

question from Williams is that initiating pursuit allows the addition of airborne tool

Mitchell says training would go on for some time before the policy goes into practice: "and on a specific day, the new policy would go into place...". Williams asks if there's a reassessment, Mitchell says there will be a quarterly reassessment phase, w/ info presented to OPC

I distinctly remember Orrick saying he wasn't concerned with the basics of the pursuit policy, but now Mitchell is saying that the NSA judge/monitor is a big part of the policy. Maybe a convo happened afterward

Riles, who headed the ad hoc that initially suggested no changes in pursuit, says he appreciates the way that Mitchell has approached the changes and thanks him.

Dawitt says he supports changes, but thinks they don't go far enough. He says that local jurisdictions already allow pursuits for property crimes, and it sets up Oakland to invite crime "when they know this". Basically saying local jurisdictions are outliers from nat'l standards

Mitchell redirected as an answer that technology will allow the capture of the offenders, and went on quite a bit about DA Jones Dickson needing time to show that there are consequences

Garcia-Acosta wrapping up the convo, with Vice Chair Booker. Both say that they will get criticized for going too far/not far enough. Booker says that increasing pursuits is dangerous, and violence doesn't necessarily help.

Booker noted that they get a lot of commentary to allow the Chief to make the decision, but confirming that he has "you're saying this is an educated decision..."

Chief of Staff notes that CM Houston is also here. Houston will likely say he doesn't think the policy doesn't go far enough, as he consistently has.

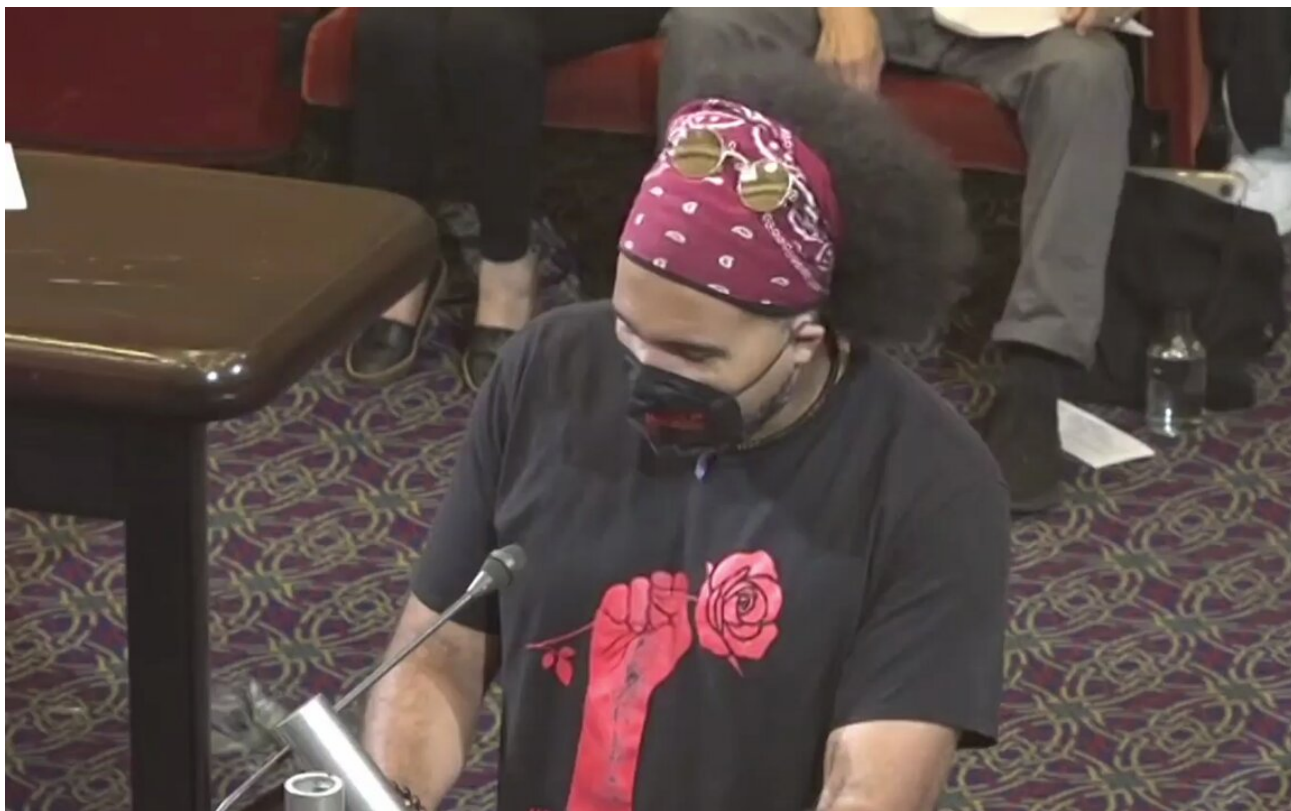
First written commentary: BPAC sent a commentary letter, says they aren't supportive of an increase to pursuits; Jennifer Findlay asks if the policy went through NSA and plaintiffs attorneys

My understanding is that the majority of Commissioners support the changes and will likely vote for them, but we'll see.

Lance Wilson of APTP said he would rather there be no changes to pursuit policy, but he said faced with the reality that if OPC vote no, it will go to the Council where current composition would likely expand pursuits greatly, he feels this policy is better than that option



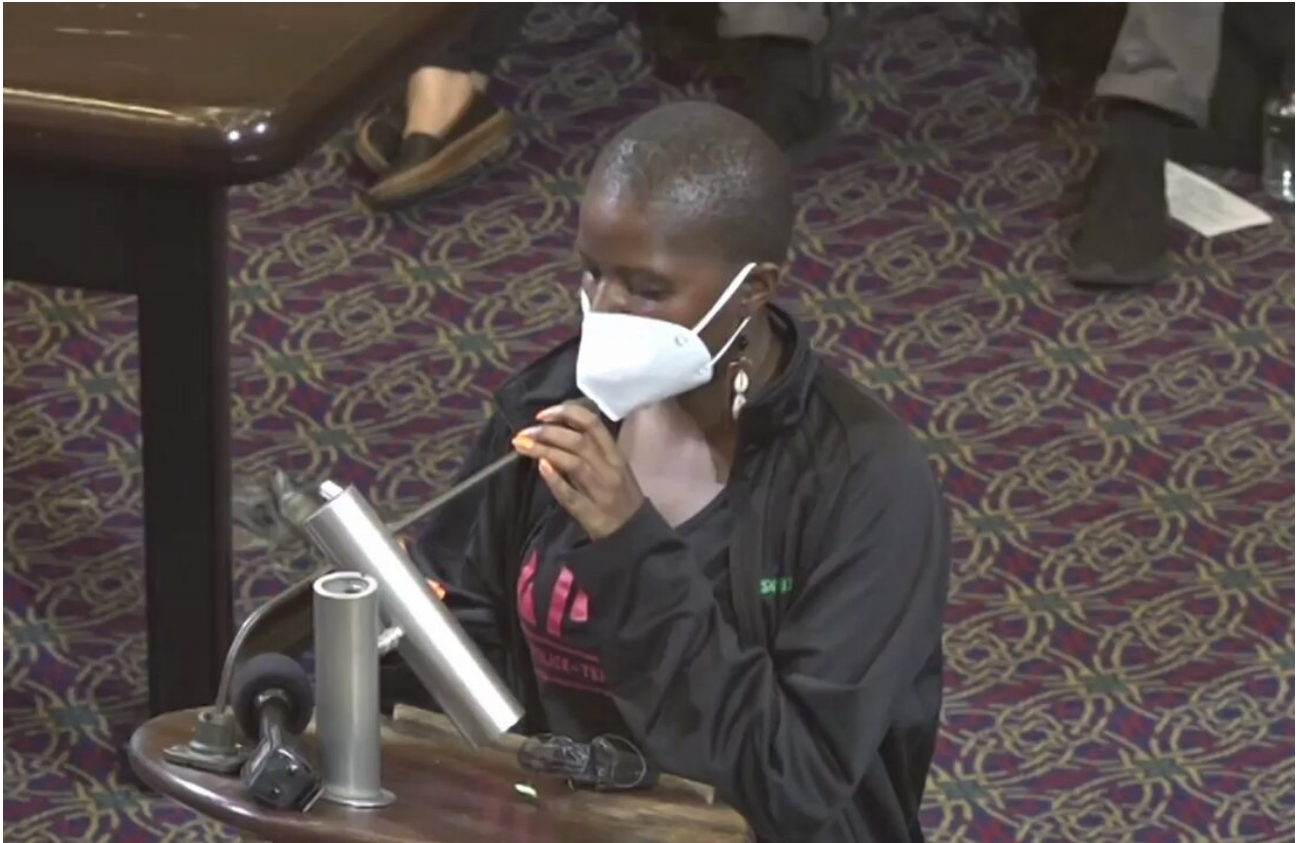
Another speaker with APTP reads the horrifying list of negative outcomes of police chases, notes that most burglar alarms are false alarms, asks if its worth losing a life to catch a burglar



Millie Cleveland of Coalition for Police Accountability says the language is vague in policy, officers should be required to immediately contact supervisor, says outcomes on officer's violating will be bad



Another speaker from APTP



Speaker says he canvassed in West Oakland and though people complained about crime, they did not think that increasing pursuits would do more good than harm. He says he's glad that Mitchell's previous edit was deleted



Speaker says he was a friend of Martin Boomer, and that one life lost in a pursuit is too many. He says that there's nowhere in Oakland where a pursuit is safe and doesn't support changing the policy.



This speaker was the first to point out the ambiguity in text that doesn't have a concrete time period in which to ask for authorization for the pursuit. Surprisingly, no one has brought this up previous to my knowledge



Many of today's speakers have been young Black and Brown people who don't support any changes, with about 15 speakers so far, only one has demanded significantly more pursuit capability, most don't even support any changes.



APologies for not catching exact names of orgs, I will have them in the wrap up newsletter.
This speaker says that there's just no place in Oakland where a pursuit is safe



Another speaker who says the ambiguity in language will be abused



Alyssa Victory of ACLU wrote a letter just read by Chief of Staff, ACLU does not support the changes.

That's it for speakers. Garcia Acosta brings it back, and says that any one decision is just a part of a lot of decisions and moving parts, and he says that a lot of the ideas need to come back for further discussion. "there's no right answer..." he says in prelude for vote.

Dawitt makes the motion to approve the policy as is. Seconded by Booker [I believe, just by voice]. Some back and forth to confirm what is the version being voted, current version submitted in this agenda.

On roll: Booker, Williams, Riles, Jackson Castain, Dawitt, Garcia Acosta all vote yes, unanimous vote, policy as introduced on today's agenda passes. Big change is elimination of 50 MPH initially instituted by Armstrong, less significant changes on language to initiate a pursuit

Riles asked about the lack of dashcams and GPS to monitor OPD; he syas that OPOA has

declined these in the past. Promise to bring these back for more discussion.

On OPD report: OPD is down to 644 personnel, with operational strength of 519 after counting over 100 long term leaves and vacancies. Current academy has only 18 officers, from target of 33. It does not look good.

Topic																																																					
Staffing & resource management	<p><i>Sworn Staffing Authorized:</i> 678 Filled: 644 Operation Strength: 519</p> <p><i>Communications Dispatchers Authorized:</i> 78 Filled: 70 (7 new Dispatcher Trainees started on Oct. 28th. 18 are currently in training) Six Dispatchers hired eff 30 Aug 25.</p> <p><i>Professional Staffing</i> Authorized: 272.5 Filled: 242</p> <p><i>Vacancies of note:</i> All vacant positions are frozen, with the exception of the Police Communication Dispatchers. Police Communications Dispatcher (14)</p> <table><tr><th>As of Aug 20, 2025 (Sworn only)</th><th>Admin Leave</th><th>Medical Leave On-Duty Illness/ Injury</th><th>Medical Leave Personal Illness/ Injury</th><th>Military Leave</th></tr><tr><td>2+ Years</td><td>6</td><td>3</td><td></td><td></td></tr><tr><td>1-2 Years</td><td>12</td><td>16</td><td>1</td><td></td></tr><tr><td>6 mo.– 1 Year</td><td>7</td><td>17</td><td></td><td></td></tr><tr><td>2-6 months</td><td>9</td><td>19</td><td>2</td><td></td></tr><tr><td>Less than 2 months</td><td>2</td><td>7</td><td>4</td><td></td></tr><tr><td></td><td>36</td><td>62</td><td>7</td><td></td></tr></table>	As of Aug 20, 2025 (Sworn only)	Admin Leave	Medical Leave On-Duty Illness/ Injury	Medical Leave Personal Illness/ Injury	Military Leave	2+ Years	6	3			1-2 Years	12	16	1		6 mo.– 1 Year	7	17			2-6 months	9	19	2		Less than 2 months	2	7	4			36	62	7		<p><i>Long-term leave:</i> 105 sworn employees</p> <ul style="list-style-type: none">• 69 Medical Leave• 36 Admin Leave<ul style="list-style-type: none">○ 6 Sergeants of Police○ 30 Police Officers• 27 Sworn on Modified Duty• 0 Military Leave<ul style="list-style-type: none">○ 9 Active Military Reservists <p>Of the 30 sworn personnel on admin leave, 12 have been off for 1-2 years. The annual cost associated with those 12 employees is \$3,636,874. The cost breakdown is below:</p> <table><tr><th>Admin Rank</th><th>Position</th><th>Cost</th><th>Total Cost</th></tr><tr><td>Sergeant</td><td>2</td><td>347,682</td><td>695,364</td></tr><tr><td>Police Officer</td><td>10</td><td>294,151</td><td>2,941,510</td></tr><tr><td>Total</td><td>12</td><td></td><td>3,636,874</td></tr></table> <p><i>Attrition Rate</i> – 6/mo. (45 separated over the past year)</p> <p><i>Reemployments</i> – None</p> <p><i>Retirement Projections for 2025: 70 possible</i></p> <ul style="list-style-type: none">• 1 Assistant Chief of Police• 2 Deputy Chief of Police• 2 Captains of Police• 6 Lieutenants of Police• 24 Sergeants of Police• 35 Police Officers	Admin Rank	Position	Cost	Total Cost	Sergeant	2	347,682	695,364	Police Officer	10	294,151	2,941,510	Total	12		3,636,874
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Academy Recruits	195 th Academy: Began July 19, 2025 – 18 Police Officer Trainees (POT) 196 th Academy: TBD																																																				

In his questions, Dawitt basically communicated that he'd spoken to an officer that had

tried to use the excuse that officers are afraid to do their job because of over-discipline. The officer kind of shot it down, notably.

In conversations with previous CPRA staff, I've been told some officers involved in oversight of officers take the issues very seriously. Probably not the majority, but worth noting.

Mario Contreras asked the percentage of Skelly cases that result in reversed discipline.

Yolanda Barron was sideswiped, attacked by people who sideswiped, off duty intoxicated EMT's 🙄;but she had a non-emergency police number that was incorrect

Barron says that she was attacked by a number of white people after being sideswiped, and she feels she's being discriminated against. She's been unable to make a report.



Jennifer Findlay asking how OPD will do the work with fewer officers, notes fewer people want the job, increasing attrition. Wonders if Oakland has a plan for this obvious reality

Findlay says she's also disappointed in Mitchell's response on what to do if a masked

person tries to kidnap you, "go along and sort it out in the morning", at a previous meeting. She said that's absurd.

The meeting isn't over, but that's my reporting for the evening. Some observations in the end, almost no one came to speak about the pursuit policy from the right, or who wanted it to be expanded, though it falls far short of those demands made over the last several years.

Source: https://x.com/Oak_Observer/status/1971423063192502494

Thread: <https://twitter-thread.com/t/1971423063192502494>