



# INFORMATION BULLETIN

## OAKLAND POLICE DEPARTMENT

6 May 22

"Information Bulletins shall be used to set forth information, notices, or announcements regarding topics of general interest. Such bulletins shall not constitute official policy. Information Bulletins expire two years from the date of publication unless revised, canceled, or superseded sooner. Members shall retain them until expiration."

### **Purpose of PDRD Review for PC 69, 148(a)(1), and 243(b) and (c) arrests And Clarifications on Sergeant Responsibilities under Special Order 9191**

#### **Purpose**

The Department must do as much as possible to avoid missing *any* reportable force. Arrests involving crimes against the officers themselves – PC 69, 148(a)(1), and 243(b) and (c) – have a high likelihood of involving force. [Special Order 9191](#) requires that Sergeants proactively review the body-worn camera footage of officers making these types of arrests to ensure no reportable force was missed. Special Order 9191 modifies DGO I-15.1, Section IV, D – Supervisor and Commander Review.

#### **Requirements**

Special Order 9191 requires four things from Sergeants:

1. **Watch the video:** "All Sergeants are required to audit the PDRD video of arrests/incidents involving 69PC, 148PC, and 243(b)&(c) PC arrests."

- **What is the Sergeant looking for?** Enough information to be able to answer this question: *Was there reportable force during this arrest?*
- **Whose video should I watch?** At least the primary arresting officer and the officer who was resisted or battered (if they are different), but watch enough video so you can confidently answer the above question: *Was there reportable force during this arrest?*
- **Which Sergeant should audit (watch) the video?** The Sergeant who is reviewing the report – per DGO M-18 reports for PC 69, 148(a)(1), and 243(b)&(c) require supervisory approval. Watching the video when reviewing the report allows you to use your limited time productively.

**Note:** A sergeant or commander must review and annotate video of all 69PC, 148PC, and 243(b)&(c) PC arrests, even if a sergeant/commander was on scene and observed the entire incident.

2. **When you review the video, watch from the beginning of the incident to the arrest:** "Sergeants are required to view video footage from beginning of the incident to the arrest."

- **What is the "beginning of the incident"?** Typically, it's when officers first have contact with the arrestee.
- **When does the arrest end?** Once the officers have control of the subject.

3. **Review the video within 2 business days of the incident:** “Like UOF incidents, Sergeant shall be required to view the PDRD footage within 2 business days of the incident.”
  - **Is overtime authorized?** Extension of shift is likely to be approved. Call-back on a day off typically will not be.
4. **Annotate in the BWC system that you reviewed the video:** “The Sergeant shall annotate their view of the PDRD footage in the “Comment” area of the VIEVU-VERIPATROL software system.” **\*\*Since we have switched to Axon Evidence.com, these annotations should now be on evidence.com.\*\***
  - **What should my annotation say?**
    - ✓ *Minimum:* that you reviewed the video.
    - ✓ *Best practice:* that, based on video review, no reportable force was observed during this arrest.
  - **How do I annotate in Evidence.com?**
    - ✓ Use the “notes” section on the piece of evidence to document your review.

#### **What are some good ways to review video in Evidence.com?**

- Use the evidence tab to search by incident number or RD number; then select multiple pieces of evidence and use the “review” function;
- Utilize the “multicam” function for when multiple officers were on scene at the same time.
- Talk to your fellow supervisors to learn their tips and tricks.

#### **What if reportable force is observed?**

- ✓ **Annotation should state that force was observed and force should be reported as required in DGO K-4.**

#### **For PC 69, 148(a)(1), and 243(b)&(c) arrests, remember...**

1. **Review the video!**
2. **Watch from beginning of the incident until the arrest!**
3. **Review within 2 business days!**
4. **Write in the video notes that you reviewed!**