

RD# 12-021877

OFIME	☑ SUPPLEMENTAL		INCIDENT#		VICTIM LAST, First, Mid.	· · · · · · · · · · · · · · · · · · ·	
Adw 245(D)(2)	Pc/OISK-3	-	9	V 1	State Of Cal.	' Ofc. M. Masso 9	0059
SUSPECT LAST first Min	d ·	INCIDENT	LOCATION			DATE OF THIS REPORT	ORIGINAL DATE REPORTED
BILLEFTERD, A	lary	Ifo 92	32 Birch S	treet/	A.C.H.	6 May 12	6 May 12
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PROPERTY (and/or NARRATIVE)
ITEM TYPE, BRAND, MODEL #, SIZE, COLOR, MARKS, ETC

SERIAL #

VALUE

# SUPPLEMENTAL CRIME SCENE TECHNICIAN REPORT

# PEPORT SUB-TYPE:

Additional Crime Scene Technician assigned to incident to assist printry Crime Scene Technician Ofc. B. CHRISTENSEN.

### EVIDENCE:

- 1) **DUTY PISTOL**; Glock model-22 G4 40 caliber semi-automatic; S/N# RHD239, black w/ 4 ½" barrel. Recovered from duty holster (Ofc. M. Masso 9059F).
- 2) MAGAZINE AND AMMUNITION FROM DUTY PISTOL; Glock megazine containing eleven (11) five rounds, (+) live round from chamber. All ammunition is Winchester 40 S&W, silver case/JHP. (Ofc. M. Masso 9059P).
- 3) SPARE MAGAZINE FROM DUTY BELT; (top in duel magazine holder), Glock magazine containing fifteen (15) live rounds—all Wincoester 40 S&W, silver case/JHP. (Ofc. M. Masso 9059P).
- 4) SPARE MAGAZINE FROM DUTY BELT; (bottom in duel magazine holder), Glock magazine containing fifteen (15) live rounds all Winchester 40 S &W, silver case/JHP. (Ofc. M. Masso 9059P).
- 5) PISTOL; Smith & Wesson model 3953TSW 9non semi-automatic, S/N# BDH6475, silver with black grips and front bottom rail & 3 ½" barrel. (Ofc. M. Masso 9059P- backup firearm). Removed from shoulder holster.
- 6) MAGAZINE AND AMMUNITION FROM SMITH & WESSON; silver magazine with black bottom plate containing eight (8) live rounds, (+) live round from chamber. All ammunition is WIN 9mm Luger, gold case/JHP (Ofc. M. Masso 9059P).
- 7) TWO (2) SPARE MAGAZINES AND AMMUNITION FOR S&W; two (2) silver magazines with black plastic bottom plate each containing eight (8) live rounds [total of sixteen (16) live rounds]. All ammunition is WIN 9mm Luger, gold case/JHP. (Ofc. M. Masso 9059P). Removed from shoulder holster.
- 8) DUTY BELT; nylon, black. Contains in clockwise order; duel handcuff case w/ two pairs of cuffs, large OC canister, ASP, duty bolster tong wood rang, key keeper and keys, leatherman multi-tool, large flashlight ring, Sunger flashlight S/N# C4-272396A0911, OPD radio #762 LID M. Masso, (+) shoulder mic, model X-26 electronic weapon S/N# X00-397363 (air cartridge), duel magazine pouch, and keepers. (Ofc. M. Masso 9059). I removed air cartridge from taser, and battery from radio.
- 9) SHOULDER HOLSTER; leather, black w/ two spare magazine pouches. (Ofc. M. Masso 9059).



12-02/877

CRIME SUPPLEMENTAL INCIDENT II VICTIM LAST, First, Mid.

Adw 245(D)(2)Pc/OIS K-3

9 V1 State Of Cal./ Ofc. M. Masso 9059

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PROPERTY (and/or NARRATIVE)
ITEM # QNTY ITEM TYPE, BRAND, MODEL #, SIZE, COLOR, MARKS, ETC

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## EVIDENCE CONT....

- 10) BODY ARMOR; Second Chance brand vest (front & back panels), (+) trauma plate, radio earpiece, Benchmade pocketknife, and small City of New York shield pin #22115. (Ofc. M. Masso 9059).
- 11) UNIFORM SHIRT; wool short sleeve zip-front style, blue w/ OPD shield on left arm, M. MASSO name tag on right chest, and metal badge # 353 on left chest.
- 12) UNIFORM PANTS; wool, blue w/ blood on rear right thigh area, and damage around knees. Velcro style flat belt, black. (+) contents of pants Easton gloves, black, rubber gloves, assignment card pack, tip balm. (Ofc. M. Masso 9059).
- 13) WORK BOOTS; RG Response Gear Tactical Footwear, zip-side style, black, size 9.5. Right boot has hole near bottom right side eyelet, bloody. (+) Two white socks, right sock has two holes in it and is bloody. (Ofc. M. Masso 9059).
- 14) HANDCUFF KEY; single key on ring, black. Recovered from middle of rear seat in OPD vehicle 1819 (Transport vehicle for Ofc. Masso).

# FINGERPRINTS:

None. I have conducted no print work on this incident to date.

## PHOTOGRAPHS:

Using a Nikon N90 35mm film camera I took approximately 125 color photographs of Ofc. M. Masso, the deceased suspect and OPD vehicle 1819 at ACH. At ACH I also photographed Ofc. Masso's uniform shirt as I received it with his PDRD attached to it. The PDRD was immediately turned over to 3L74 Sgt. T. WEST 7771P on scene. At the Tech Detail I took additional photographs of evidence items 1-13 from this report.

### SUMMARY:

On Sunday 06MAY12 I was nearing the end of my normal shift as OPD Patrol Crime Scene Technician 2C64 (normal shift started 1500 hrs 05MAY12). I was at the Tech Detail working on evidence from an earlier homicide when at 0003 hrs I monitored radio traffic of a "940B" and an Officer shot in the 9200 block of Birch Street. CST's J. Haymon & A. GODDARD responded toward the scene. I monitored subsequent radio traffic from Officer's now on scene (with the injured Officer) indicating that they were transporting the injured officer to ACH. I secured my homicide evidence at the Tech Detail and responded to ACH. I arrived at ACH at 0019 hrs noting that all civilian vehicle traffic on E.31<sup>st</sup> Street had been halted at 14<sup>th</sup> Ave to the east and Stewart Street to the west. I responded inside the ER where I located Ofc. M. MASSO in trauma room #8.



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	INCIDENT LOCATION	DATE OF THIS REPORT ORIGINAL DATE REPORTED
SUSPECT LAST, First, Mid	Ifo 9232 Birch Street/ A.C.H:	6 May 12   6 May 12
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SUMMARY CONT....

I photographed Ofc. Masso noting that he was wearing only boxer shorts at this time, photographed a suspected through and through GSW

Ofc. R. BROWN advised me that Ofc. Masso's uniform, duty belt, duty firearm, and other safety equipment were secured inside OPD vehicles 1819 and 1043 (currently in the ACH ER parking lot). I briefly spoke with Ofc. Masso who advised me that he had discharged his duty pistol on scene. He volunteered that he thought he fired three rounds. He advised me that he duty loads his duty weapon (meaning 15-round magazine in the weapon with a 16<sup>th</sup> round in the chamber). He advised me that he carries a back up firearm. He advised me that he did not deploy or discharge this weapon on scene. Hearned that this weapon was secured with his other, gear.

I relocated to the ER parking lot where at 0025 hrs I met with Sgt. T. WEST (3L74). Sgt. West advised me that most of Ofc. Masso's gear was secured in OPD vehicle 1043. Sgt. West opened the trunk lid and I removed the contents. All items were presently bagged in ACH plastic medical bags. At this time I took custody of evidence items 5-7 and 9-13 from this report. I briefly inventoried the bags in search of Ofc. Masso's PDRD. I located the PDRD attached to the front face of his uniform shift. At this time the PDRD was in the "Off" position. I photographed the shirt and PDRD as I found them and turned the PDRD over to Sgt. West. I searched the uniform shirt recovering Ofc. Masso's wallet and cell phone. These items were given to Sgt. T. West. I secured all evidence in my OPD vehicle 3840 on scene.

At 0030 hrs RN Jodee JOHNSON handed me a bloody sock indicating that it had been collected from Ofc. Masso's right foot. I secured this evidence in my OPD vehicle on scene.

At 0035 hrs I met with Ofc, R. Brown who handed me evidence item #8 (duty belt with duty firearm and extra magazines –E1-E4). I secured this evidence in my OPD vehicle on scene.

I next spoke with Sgt. R. TISDELL who advised me that the suspect was currently in an ambulance on route to ACH. The ambulance carrying the suspect arrived at about 0048 hrs.



12-02/877

CRIME SUPPLEMENTAL INCIDENT & VICTIM LAST, First, Mid.

Adw 245(D)(2)Pc/O.I.S.K-3

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Suspect last, First, Mid.

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Incident & 9232 Birch Street/A.C.H.

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Date of this report Onicinal Date reported 6 May 12

6 May 12

ITEM# QNTY

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PROPERTY (and/or NARBATIVE) ITEM TYPE, BRAND, MODEL #, SIZE, COLOR, MARKS, ETC

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VALUE

SUMMARY CONT....

At 0050 hrs Ephoned the ACSO Coroner's Bureau and spoke with Deputy S. UNUBUN. I requested his permission to collect GSR from the suspects' hands (suspect pronounced dead). Dep. Unubun advised me that he was unable to give consent for this over the phone. I advised him that I would photograph the body but not have any physical contact with it. I indicated to him that an OPD CST would likely be unavailable at a later time to collect the samples in their presence. He advised that the samples could be collected during autopsy.

At 0058 hrs I met with ACSO Deputy S. KIDWELL who escorted me to trauma room #5 where the decedent was located. I advised him that I would NOT be collecting GSR samples at this time, and only required injury photographs. Dep. Kidwell uncovered the body. I photographed a MB 20's as I found him (no confirmed ID at this point). He was wearing black and teal colored athletic shoes, faded blue jeans, light blue boxer shorts, and was sans shirt with his torso and arms exposed. His hair was worn in a short natural style, and I noted gold colored metal teeth on his top front teeth. He was on a medical backboard with the Velcro retention straps in place. I noted possible GSW's to his lower right chest wall (front face of rib cage), and to the front face of his left shoulder. There was a possible exit type wound on the rear face of his left shoulder, and a possible third GSW near the center of his chest (obscured by Velcro strap). I updated my notes and cleared the room at 0101 hrs.

At 0107 hrs I met with Ofc. R. Brown and confirmed that he and Ofc. R. Curtain had transported Ofc. Masso to ACH in OPD vehicle 1819. He provided me with the key to the vehicle. I relocated to the ER parking lot where I photographed the vehicle as I found it. I unlocked the vehicle and photographed the rear seats. I noted a small amount of blood on the rear driver's side floorboard and additional blood on the front face of the rear passenger side of the seat and firewall. I searched the rear of the passenger cabin for evidence locating only a handcuff key on the seat (E14). I secured the vehicle and returned the key to Ofc. Brown. I again briefly spoke with Ofc. Masso informing him that I had possession of all of his gear and that I found be turning it in to the OPD PEU.

I phoned Ofc. A. Goddard to update her (and the other CST's on scene on Birch) of the work I had completed thus far. I advised them that I would relocate to the Tech Detail to, in part, conduct an inventory of Ofc. Masso's ammunition.

I cleared ACH at 0124 hrs and transported all evidence to the Tech Detail.



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OAKLAND POLICE DEPARTMENT 455 - 7th Street Oakland, CA 94607 12-02/877

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PROPERTY (and/or NAFIRATIVE)
ITEM TYPE, BRAND, MODEL #, SIZE, COLOR, MARKS, ETC

SERIAL #

VALUE

### SUMMARY CONT....

At 0134 hrs I inventoried the evidence items. I first photographed Ofc. Masso's duty belt as it appeared. His duty pistol was holstered and secured in what appeared to be a normal static state. I did not observe any overt signs of damage to his belt or holster. His electronic weapon was secured with the "unfired" air cartridge affixed in normal fashion. I removed the firearm and photographed it (E1). I rendered it "safe" photographing the magazine as it appeared and the live round removed from the chamber. I unloaded the magazine photographing eleven (11) live rounds (in addition to the live round from the chamber) totaling twelve (12) live rounds. I packaged this evidence as E2 from this report.

Innext removed the two additional magazines from the duty belt. I removed and photographed a total of fifteen live rounds from each magazine (totaling thirty (30) live rounds). I packaged this evidence as E3 & E4 from this report. The final ammunition count for Ofc. Masso's duty weapon was forty-two (42) live rounds. Ofc. Masso reported to me that he "duty loads" his duty pistol meaning that he began his shift with forty-six (46) live rounds of 40-caliber ammunition.

I phoned the CST's on scene to advise of the round count.

I turned my attention to Ofc. Masso's back-up firearm (E5). I photographed the weapon as it appeared. The pistol was secured in the shoulder holster with two additional magazines secured in the magazine pouches on the opposite side. I removed the weapon and rendered it "safe". I photographed the magazine and the live round from the chamber. I unloaded the magazine photographing eight live rounds in addition to the round from the chamber. I packaged this evidence as E6. I removed the two spare magazines and photographed them. I unloaded each noting eight (8) live rounds in each totaling sixteen (16) live rounds. I packaged this evidence as E7. Total complement of 9mm ammunition is twenty-five (25) rounds to include three "full" magazines and a lone round from the chamber.

Next turned my attention to Ofc. Masso's duty uniform and other safety equipment. I photographed his ballistic vest noting no overt damage (E10). I photographed his uniform shirt noting no overt sign of damage (E11). I photographed his uniform pants noting a small amount of blood on the rear of the right thigh area, a small "L" shaped tear in the left knee area, and a small hole and wear marks on the right knee area (E12). I next photographed the work boots and socks I had recovered at ACH (E13). The left boot and second white sock I recovered were unremarkable. The other sock as reported was bloody with two holes in it.



12-021877

CRIME SUPPLEMENTAL INCIDENT II VICTIM LAST, FIRST, Mid.
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Suspect Last, First, Mid
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INCIDENT II
V 1 VICTIM LAST, FIRST, Mid.
State Of Cal,/ Ofc. M. Masso 9059
State Of Cal,/ Ofc. M. Masso 9059
ORIGINAL DATE REPORTED
6 May 12

ITEM # QNTY

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PROPERTY (and/or NARRATIVE) ITEM TYPE, BRAND, MODEL #, SIZE, COLOR, MARKS, ETC

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SUMMARY CONT....

Lexamined the right boot noting a hole in the top surface near the bottom eyelet on the right side. Inside the boot it appears that the projectile penetrated two sole inserts and the bottom support plate. I did not initially observe an obvious exit hole in the sole. Following additional photographs I inserted a wooden dowel in to the boot noting an exit hole in the sole: I took additional photographs with the dowel in place noting that the projectile appeared to enter and exit the boot at a mostly 90 degree angle parallel to the rear face of the boot.

I reported my findings (via phone) to the CST's on scene on Birch Street and confirmed that my assistance was not required on scene. At 0320 hrs I secured all evidence, film and notes from this incident in an evidence locker at the Tech Detail. I briefly turned my attention back to my earlier homicide incident. At about 0530 hrs I met with Ofc. I. Garcia at the Tech Detail. He advised that Sgt. T. MORK requested I release the key to Ofc. Masso's POV to him. I unlocked the evidence locker and removed the sole vehicle key from the uniform pants pocket and gave it to Ofc. Garcia (Sgt. Mork advised via phone). I re-secured the evidence locker.

I ended my 15-hour shift at 0600 hrs on 06MAY12. I returned to work at 1500 hrs. I retrieved all evidence from the locker finding it undisturbed and as I had left it. I spent the next seven hours packaging the evidence and completing all associated evidence paperwork. I transported all sealed evidence to the OPD PEU at the PAB where I secure it in locker #5 at 2245 hrs. I deposited my film in to the OPD Photo Lab drop box at the PAB.

I returned to the Tech Detail where I began work on this report. I completed this report on Monday 07MAY12.

I did not complete this report on the FBR system, as I do not have access to that system. Advance copies of this report were hand delivered to primary OPD Investigator Sgt. S. Fleming.

I have not been issued a PDRD.

I was never on scene at the location of the OIS.

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RD 12-021877

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VICTIM LAST, First, Mid. INCIDENT# TI SUPPLEMENTAL STATE OF CA (Ofcr. M. Masso) 009 O.I.S. (K3 Fatal) 245(D)(1) PC ORIGINAL DATE REPORTED DATE OF THIS REPORT INCIDENT LOCATION SUSPECT LAST, First, Mid 06 May 12 09 May 12 9200 block Birch St.

PROPERTY (and/or NARRATIVE) TEM TYPE, BRAND, MODEL#, SIZE, GOLOR, MARKS, ETC ITEM# QNTY

SERIAL# VALUE

# SUMMARY:

On 06 May 12, at approximately 0009hrs, while working as OPD Patrol Unit 3L62, I heard Sgt. J. Doolittle asking for a Technician to respond Code 3 to the 9200 block of Birch St. A short time later Dispatch advised of a 940B (Officer Needs Assistance) at that location. While I was responding to the scene, Dispatch further advised that an officer and a suspect had been shot. Listening to the radio traffic it was apparent that the officer was already being transported to ACH.

A short time later I arrived on scene. In the first few minutes on scene I noticed that Tech. J. Haymon and Ofcr. A. Goddard (Tech) were also on scene. I advised both Haymon and Goddard that I would take the duties of the primary Tech at the scene. I also heard Tech. P. Yager advising on the radio that he would be en route to ACH to take injury photos of the officer. Tech Yager would also conduct a round count of the involved officer's duty weapon and collect it. See Tech Yager's report.

As I walked to the front of the residence at 9230/9232 Birch St. I observed a black male lying on his back in the driveway just North of the sidewalk. Emergency medical personnel were still tending to his injuries. His head was pointed North and his feet were pointed South toward the street. He appeared to have gun shot wounds to his upper torso. A short time later he was transported to ACH where he was

pronounced dead.

I then was directed to Ofcr. D. Jagar who was standing over a pistol (evid 01) that was in the middle of the driveway several feet North of the black male's body. I briefly inspected the pistol and then took some limited photos of it. Due to the severity of this incident I left the pistol in place with Ofcr. Jagar so that investigators from MCS & IAD could see it's location.

Next, I started a secondary search for evidence items. Several items had been located prior to my arrival and some had been marked with assignment cards. After conducting the search I marked the

location of several of the evidence items with numbered yellow placards.

I was then advised that a short portion of the foot pursuit was caught by the surveillance cameras of "Bookers Liquors" at 1994 90<sup>th</sup> Ave. I responded to "Bookers Liquors" and I viewed the surveillance footage a short time later. The first portion of the footage wasn't very clear but you could make out two subjects running North on 90th and then turning East on Olive St. The second camera view was better showing the black male run along the North side of the liquor store while holding his waist. Ofcr. Masso was a short distance behind the male. While I was viewing the footage Tech. Haymon arrived and advised that he could burn/copy the footage to a CD (evid 12). I then retrieved CD's so that Tech Haymon could copy the surveillance footage.

After providing the CD's to Tech Haymon I returned to the 9200 block of Birch Sto Upon returning to the scene I made contact with Sgt. Fleming (MCS).tileadvised Sgt.(Flemingcof/the evidence items/that had been located and directed him to their locations. I also made contact with Sgt. idn Wong (IAD) and advised him of the evidence items that had been located. Officers Re Haley and Dolantarrived on scenerand fine to began to complete measurements with the "Total Station" forcasscéne diagramements with the "Total Station"

I then began to collect the evidence items. As I was collecting the evidence items Sgte Doolittle hadwas 😊 gathered several officers to search for an additional casing a Eventually @ferreMicNeffilecated the casing acting (evid 09), near the West post of the driveway gate of 9230/9232. Birch Stest post of the driveway gate of 92 10/ all also observed two possible strike marks at this scene one strike mark was on the ground close to celle evidence item #6. The other possible strike mark was comthe exterior South facing wall of 9230 Birch St.s do It was approximately 11' from the S/E corner of the liesidence and approximately 5'6" above the ground estimate

SERIAL # SELIME # 1 VANDO DESIGNED & SUBER ME DISTRICT : I SUPERVISOR REPORTED BY AND TO S WATCH SERIAL# 839 PAGE 12 OF \_3\_Saf tSgttl P⊳Rreeman 3 8395P 1" B. Christensen



12-051877

RD#

CRIME O.I.S. (K3 Fatal) 245(D)(1) PC UNCIDENT # V1 STATE OF CA (Ofcr. M. Masso)

SUSPECT LAST, First, Mid UNCIDENT LOCATION 9200 block Birch St. UNCIDENT LOCATION 9200 block Birch St. UNCIDENT LAST, First, Mid ORIGINAL DATE REPORTED 09 May 12

PROPERTY (and/or NARRATIVE)

ITEM:## QNTY ITEM TYPE: BRAND: MODEL #, SIZE, COLOR; MARKS, ETC

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8395PAGE \_13

### SUMMARY CONT.:

Once I collected the evidence items I secured them in my OPD Patrol Vehicle. I then relocated to the OPD Technician Detail where I packaged evidence items 01 - 12. I secured evidence items 13 - 17 in a locker so that they could dry.

I then turned evidence items 01 – 12 in to the OPD Property Section and completed my shift. On 09 May 12 I returned to duty and then to the Technician Detail where I found evidence items 13 – 17 as I left them. I then packaged these evidence items and turned them in to the OPD Property Section.

# LOCATION / COLLECTION OF EVIDENCE:

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REPORTED BY

B. Christensen

PAGENGAL CAMPARTA COMPANYA (MARKATA)

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WATCH

DISTRICT

I collected a pistol (evid 01) from near the center of the driveway of the residence at 9230/9232 Birch St. The pistol was several feet from the street and close to even with the North end of the porch of the residence. I also collected two casings (evid 02 & 03) from the driveway. Both casings were right or East of center. I collected a third casing (evid 04) from East of the driveway in the grass of the front yard of the residence. I collected several pieces of bullet fragments (evid 05, 06 & 07) from the driveway. The fragments were left or West of center and just North of the sidewalk. Jacketing (evid 08) was also collected from this area. The jacketing was first collected by Tech. Haymon. He then gave the jacketing to me. I collected a fourth casing (evid 09) from near the base of the West post of the driveway gate. The live round (evid 10) and magazine (evid 11) were removed from the pistol (evid 01). The CD (evid 12) was left on my desk by Tech. Haymon after he had burned the surveillance footage. I also collected a hat (evid 13), jacket (evid 14), shirt (evid 15), tank top (evid 16) and sheet (evid 17) from the driveway of the residence at 9230/9232 Birch St.

rSUPERVISOR

Soft PsFreeman

COR 007 (4/07)

ALDIJIONAL IN	OMATION REPORT
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OAKLAND POLICE DEPARTMENT 456 - 7th Street

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