



OAKLAND POLICE COMMISSION MEETING AGENDA

**April 8, 2021
6:30 PM**

Pursuant to the Governor's Executive Order N-29-20, members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



OAKLAND POLICE COMMISSION

MEETING AGENDA

April 8, 2021
6:30 PM

PUBLIC PARTICIPATION

The Oakland Police Commission encourages public participation in the online board meetings. The public may observe and/or participate in this meeting in several ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/81587074296> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a webpage entitled “Joining a Meeting”
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 815 8707 4296

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting By Phone.”

PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment directly to the Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to clove@oaklandca.gov. Please note that e-Comment **submissions close at 4:30 pm**. All submitted public comment will be provided to the Commissioners prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”
- By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“*9”) to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail clove@oaklandca.gov.



OAKLAND POLICE COMMISSION

MEETING AGENDA

April 8, 2021
6:30 PM

- I. **Call to Order**
Chair Regina Jackson

- II. **Roll Call and Determination of Quorum**
Chair Regina Jackson
Excused Absence: Tyfahra Singleton
Staff Excused Absence: John Alden

- III. **Welcome, Purpose, and Open Forum** (2 minutes per speaker, 15 minutes total)
Chair Regina Jackson will welcome public speakers. The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

- IV. **Update from Police Chief**
OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 4).***
 - a. Discussion
 - b. Public Comment
 - c. Action, if any

- V. **Commission Retreat Follow Up**
The Commission will discuss follow up items from the retreat on January 30th. ***This item was discussed on 2.25.21 and is continued from 3.25.21. (Attachment 5).***
 - a. Discussion
 - b. Public Comment
 - c. Action, if any

- VI. **Revisions to Meeting Agenda Format**
The Rules Committee will propose a revised meeting agenda format that will give the public advance notice of what will happen at the meetings. The Commission may vote to accept the revised agenda format. ***This is a new item. (Attachment 6).***
 - a. Discussion
 - b. Public Comment
 - c. Action, if any

VII. Police Commission Code of Conduct Policy

The Commission will review, and may vote to approve, a new Code of Conduct presented by the Rules Committee. ***This is a new item.*** (Attachment 7).

- a. Discussion
- b. Public Comment
- c. Action, if any

VIII. Resolution to Support City Council Signed Ordinance Amending Anti-Nepotism Ordinance OMC Chapter 2.40 Exception for OPD and OFD

The Commission will discuss a resolution to support a City Council ordinance amending an anti-nepotism ordinance. ***This is a new item and is continued from 3.21.21.*** (Attachment 8).

- a. Discussion
- b. Public Comment
- c. Action, if any

IX. Meeting Minutes Approval

The Commission will vote to approve minutes from March 11 and 25, 2021. ***This is a recurring item.*** (Attachment 9).

- a. Discussion
- b. Public Comment
- c. Action, if any

X. Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work. ***This is a recurring item.*** (Attachment 10).

- a. Discussion
- b. Public Comment
- c. Action, if any

XI. Open Forum (2 minutes per speaker)

The Commission will allow for any overflow of speakers from item III wishing to provide comments on items not listed on the agenda. ***This is a recurring item.***

XII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item.*** (Attachment 12).

- a. Discussion
- b. Public Comment
- c. Action, if any

XIII. Adjournment



For Immediate Release: April 2, 2021

OPD NEWS:

OPD Chief Announces New Strategy to Reduce Violent Crime

Chief LeRonne L. Armstrong announced at a press conference today his plans to address the violence in his city. The Oakland Police Department (OPD) reports there have been 34 homicides this year. That is a 230% increase over this same time last year, when 10 people lost their lives to violence in Oakland. "It hurts my heart when I arrive at a homicide scene and I hear the screams of grief from the family and see the tears rolling down their faces after losing a loved one," says Chief Armstrong.

This year, 13 of Oakland's homicide investigations were charged by the Alameda County District Attorney's Office including, the homicide of 29-year-old Derrick Glenn. On March 24, 2021, Glenn was shot and killed at a gas station in the 2200 block of East 12th Street. OPD officers quickly arrested 34-year-old Brian LeGrand Jr. within 24 hours of the homicide. LeGrand was charged with Glenn's murder.

In response to the increase in crime, Chief Armstrong created the Violent Crime Operations Center (VCOC). The VCOC's primary focus is to provide a timely response to homicides, all gun-related crimes and supporting the Department's Ceasefire strategy. Since the implementation of the VCOC officers have made several key arrests of homicide suspects and recovered numerous firearms.

The Department continues to partner with Oakland pastors in monthly community prayer vigils. Last Sunday, Bishop Bob Jackson of Acts Full Gospel Church, led the vigil to end violence in our city. More than 100 people attended the event at Verdese Carter Park. Chief Armstrong thanks the community for their continued support in reducing gun violence.

The City of Oakland continues to see an increase in violent and dangerous illegal sideshows. In response to this violent activity, Chief Armstrong makes a weekly request to the City Administrator for the authority to deploy a dedicated sideshow enforcement detail. The officers focus on deterring, enforcing, and responding to this illegal activity. Because of these efforts, nearly 20 vehicles have been towed, 11 individuals were arrested, and two firearms have been recovered.

The Department continues to partner with community groups, regional law enforcement agencies, and other city departments for a long-term solution to address illegal sideshows and violent crimes in Oakland.

#OPDCARES initiative is about working together as a community to help stop the tragic loss of life and reduce the level of violence in our city. Collectively, we want to ensure Oaklanders and our visitors are safe in our community.



For Immediate Release: March 29, 2021

OPD NEWS:

Six Vehicles Towed and A Portland Resident Arrested After Illegal Sideshows in Oakland

On March 28, 2021, there was illegal sideshow activity in the City of Oakland. The Oakland Police Department allocated dedicated resources to focus on deterring, enforcing, and responding to illegal sideshow activity with permission from the City Administrator.

At its height, 200-300 vehicles drove throughout East Oakland looking for an intersection to take over. The group was unsuccessful as officers on the ground, in OPD's Police Helicopter (ARGUS), and outside law enforcement agencies prevented this from happening.

Officers were able to observe and pinpoint specific vehicles driving recklessly. Officers made precision stops, issuing 10 citations, towing six vehicles, making two arrests, and recovering one firearm. One of the people arrested is an individual from Portland Oregon and is affiliated with a car club in that area. That individual also had their vehicle towed.

Illegal sideshows affect many cities throughout the Bay Area. The Oakland Police Department would like to thank the Alameda County Sheriff's Office, San Francisco Police Department, Vallejo Police Department, and California Highway Patrol for their regional communication that assisted OPD during this illegal activity. This regional approach and collaboration are crucial in successfully deterring and preventing illegal sideshows.

We encourage our community members and visitors to use the non-emergency email sideshowtips@oaklandca.gov It's a tip line where residents and visitors can report information regarding illegal sideshows, as well as vehicles and people involved in this illegal activity.

The email is an alternative to our non-emergency number (510) 777-3333 and is an additional means of collecting information about illegal sideshows. If there is an emergency or immediate safety threat, call 911.

OPD will continue working with our community and city partners to find the best means to deter illegal sideshows in Oakland. The department continues its commitment and dedication to investigating, enforcing, and preventing illegal sideshow activities from occurring in the City of Oakland. Officers collect information on vehicles for follow-up investigations and vehicle seizure warrants.

APRIL 2, 2021 UPDATE

Butte County Sheriff's Office (BCSO) detectives have continued working cooperatively with the Oakland Police Department (OPD) in our ongoing efforts to locate Ms. Dugger. Within the past week, the body of a deceased female was located in Siskiyou County. The Siskiyou County Sheriff's Office (SCSO), BCSO and OPD worked together to identify the deceased female using the BCSO ANDE Rapid DNA instrument.

On the morning of April 2, BCSO identified the deceased female as Ms. Dugger. BCSO, OPD, and SCSO will continue working cooperatively to determine the circumstances surrounding the death of Ms. Dugger. We encourage our communities to contact BCSO, OPD, or SCSO if they have additional information about the death of Ms. Dugger.

###

February 11, 2021

BUTTE COUNTY SHERIFF'S OFFICE SEARCH CONTINUES FOR MISSING PERSON

Oroville, CA – The Butte County Sheriff's Office (BCSO) continues looking for Tatiana Dugger, age 19, of Los Angeles. On January 09, Ms. Dugger's family contacted the Oakland Police Department and completed a missing person report. On January 13, the Oakland Police Department requested the Butte County Sheriff's Office assume jurisdiction of the aforementioned missing person investigation, since Ms. Dugger's family resides in Butte County.

On the afternoon of January 13, detectives interviewed Ms. Dugger's family members. After the interviews, detectives began conducting an investigation. During the investigation, detectives located evidence to include telephone records which indicate Ms. Dugger's last known location was in Oakland. Detectives determined Ms. Dugger moved from Butte County to Los Angeles approximately three months ago.

Butte County Sheriff's Office detectives continue to work cooperatively with the Oakland Police Department in our ongoing efforts to locate Ms. Dugger. Ms. Dugger is an African American female, 19-years-old, 5'7", 140 pounds, black hair and brown eyes. Anyone with information is encouraged to contact Butte County Sheriff's Office detectives at (530) 538-7671 or (530) 538-

7322 or the Oakland Police Department's Special Victims Unit/Missing Persons Unit at (510) 238-3641.

Oakland Deputy Chief Drennon Lindsey said, "The Oakland Police Department Missing Persons Unit Investigators will continue to provide support and resources to help the Butte County Sheriff's Office detectives and the Dugger family in locating Ms. Dugger." Deputy Chief Lindsey went on to say, "Investigators from OPD's Missing Persons Unit will meet with the Dugger family this Saturday and assist with passing out flyers of Tatiana Dugger."

Butte County Sheriff's Office Captain Steve Boyd said, "Our detectives continue working with the Oakland Police Department to locate Tatiana. We will not stop until we have located Tatiana. We encourage our community, other communities and our media partners to help us locate Tatiana."



OAKLAND POLICE DEPARTMENT

455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

Weekly Crime Report — Citywide 29 Mar. – 04 Apr., 2021

| Part 1 Crimes <i>All totals include attempts except homicides.</i> | Weekly Total | YTD 2019 | YTD 2020 | YTD 2021 | YTD % Change 2020 vs. 2021 | 3-Year YTD Average | YTD 2021 vs. 3-Year YTD Average |
|--|-----------------|-------------|-------------|-------------|----------------------------------|--------------------------|---------------------------------------|
| Violent Crime Index (homicide, aggravated assault, rape, robbery) | 107 | 1,401 | 1,515 | 1,684 | 11% | 1,533 | 10% |
| Homicide – 187(a)PC | 1 | 18 | 12 | 34 | 183% | 21 | 59% |
| Homicide – All Other * | - | 2 | 1 | 1 | 0% | 1 | -25% |
| Aggravated Assault | 61 | 664 | 717 | 857 | 20% | 746 | 15% |
| Assault with a firearm – 245(a)(2)PC | 10 | 66 | 72 | 148 | 106% | 95 | 55% |
| Subtotal - Homicides + Firearm Assault | 11 | 86 | 85 | 183 | 115% | 118 | 55% |
| Shooting occupied home or vehicle – 246PC | 9 | 63 | 86 | 157 | 83% | 102 | 54% |
| Shooting unoccupied home or vehicle – 247(b)PC | 5 | 26 | 31 | 76 | 145% | 44 | 71% |
| Non-firearm aggravated assaults | 37 | 509 | 528 | 476 | -10% | 504 | -6% |
| Rape | 2 | 56 | 65 | 21 | -68% | 47 | -56% |
| Robbery | 43 | 663 | 721 | 772 | 7% | 719 | 7% |
| Firearm | 17 | 239 | 215 | 312 | 45% | 255 | 22% |
| Knife | - | 29 | 67 | 41 | -39% | 46 | -10% |
| Strong-arm | 15 | 291 | 346 | 241 | -30% | 293 | -18% |
| Other dangerous weapon | - | 22 | 20 | 21 | 5% | 21 | 0% |
| Residential robbery – 212.5(a)PC | 2 | 22 | 23 | 27 | 17% | 24 | 13% |
| Carjacking – 215(a) PC | 9 | 60 | 50 | 130 | 160% | 80 | 63% |
| Burglary | 65 | 3,350 | 3,664 | 1,797 | -51% | 2,937 | -39% |
| Auto | 55 | 2,692 | 3,047 | 1,409 | -54% | 2,383 | -41% |
| Residential | 6 | 447 | 379 | 225 | -41% | 350 | -36% |
| Commercial | 1 | 172 | 184 | 102 | -45% | 153 | -33% |
| Other (Includes boats, aircraft, and so on) | 2 | 34 | 41 | 44 | 7% | 40 | 11% |
| Unknown | 1 | 5 | 13 | 17 | 31% | 12 | 46% |
| Motor Vehicle Theft | 129 | 1,662 | 2,045 | 2,125 | 4% | 1,944 | 9% |
| Larceny | 56 | 1,785 | 1,974 | 1,228 | -38% | 1,662 | -26% |
| Arson | 2 | 31 | 39 | 47 | 21% | 39 | 21% |
| Total | 359 | 8,231 | 9,238 | 6,882 | -26% | 8,117 | -15% |

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unbounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
All data extracted via Coplink Analytics.



OAKLAND POLICE DEPARTMENT

455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

2021 Year-to-Date Recovered Guns

Recoveries through 04 Apr., 2021

Grand Total 269

| Crime Recoveries | |
|------------------|------------|
| Felony | 146 |
| Felony - Violent | 65 |
| Homicide | 3 |
| Infraction | |
| Misdemeanor | 8 |
| Total | 222 |

| Crime Gun Types | Felony | Felony - Violent | Homicide | Infraction | Misdemeanor | Total |
|------------------|------------|------------------|----------|------------|-------------|------------|
| Machine Gun | | 1 | | | | 1 |
| Other | 1 | | | | | 1 |
| Pistol | 121 | 50 | 3 | | | 174 |
| Revolver | 4 | 3 | | | 6 | 13 |
| Rifle | 12 | 7 | | | 1 | 20 |
| Sawed Off | 2 | | | | | 2 |
| Shotgun | 5 | | | | | 5 |
| Sub-Machinegun | | | | | | 0 |
| Unknown/Unstated | 1 | 4 | | | 1 | 6 |
| Total | 146 | 65 | 3 | 0 | 8 | 222 |

| Non-Criminal Recoveries | |
|-------------------------|-----------|
| Death Investigation | 8 |
| Found Property | 26 |
| SafeKeeping | 13 |
| Total | 47 |

| Non-Criminal Gun Types | Death Investigation | Found Property | SafeKeeping | Total |
|------------------------|---------------------|----------------|-------------|-----------|
| Machine Gun | | | | 0 |
| Other | | | | 0 |
| Pistol | 4 | 11 | 4 | 19 |
| Revolver | 3 | 4 | 5 | 12 |
| Rifle | | 4 | 3 | 7 |
| Sawed Off | | 1 | | 1 |
| Shotgun | 1 | 4 | 1 | 6 |
| Sub-Machinegun | | | | 0 |
| Unknown/Unstated | | 2 | | 2 |
| Total | 8 | 26 | 13 | 47 |



OAKLAND POLICE DEPARTMENT

455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

Week: 29 Mar. to 04 Apr., 2021

Weekly Total 18

| Crime Recoveries | This Week | Last Week | +/- Change | % Change |
|------------------|-----------|-----------|------------|-------------|
| Felony | 7 | 15 | -8 | -53% |
| Felony - Violent | 4 | 4 | 0 | 0% |
| Homicide | 0 | 0 | 0 | PNC |
| Infraction | 0 | 0 | 0 | PNC |
| Misdemeanor | 2 | 1 | 1 | 100% |
| Total | 13 | 20 | -7 | -35% |

| Other Recoveries | This Week | Last Week | +/- Change | % Change |
|---------------------|-----------|-----------|------------|-------------|
| Death Investigation | 1 | 0 | 1 | PNC |
| Found Property | 4 | 1 | 3 | 300% |
| Safekeeping | 0 | 0 | 0 | PNC |
| Total | 5 | 1 | 4 | 400% |

PNC = Percentage not calculated

[Percentage cannot be calculated.](#)


2021 vs. 2020 — Year-to-Date Recovered Guns

Recoveries through 04 Apr.

| Gun Recoveries | 2020 | 2021 | Difference | YTD % Change 2019 vs. 2020 |
|--------------------|------------|------------|------------|-------------------------------|
| Grand Total | 248 | 269 | 21 | 8% |

| Crime Recoveries | 2020 | 2021 | Difference | YTD % Change 2019 vs. 2020 |
|------------------|------------|------------|------------|-------------------------------|
| Felony | 123 | 146 | 23 | 19% |
| Felony - Violent | 34 | 65 | 31 | 91% |
| Homicide | 3 | 3 | 0 | 0% |
| Infraction | 0 | 0 | 0 | PNC |
| Misdemeanor | 9 | 8 | -1 | -11% |
| Total | 169 | 222 | 53 | 31% |

| Non-Criminal Recoveries | 2020 | 2021 | Difference | YTD % Change 2019 vs. 2020 |
|-------------------------|-----------|-----------|------------|-------------------------------|
| Death Investigation | 9 | 8 | -1 | -11% |
| Found Property | 25 | 26 | 1 | 4% |
| SafeKeeping | 45 | 13 | -32 | -71% |
| Total | 79 | 47 | -32 | -41% |

PNC = Percentage not calculated

[Percentage cannot be calculated.](#)



LEADERSHIP INCORPORATED

**OAKLAND POLICE COMMISSION
PROJECT CLOSE-OUT REPORT
MARCH 11, 2021**

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**OAKLAND POLICE COMMISSION
PROJECT CLOSE-OUT REPORT
MARCH 11, 2021**

Project Description

In September 2020, Leadership Incorporated was engaged by the Oakland Police Commission (OPC) to co-design and facilitate a one-day planning retreat. The work scope consisted of: (1) conducting police commission research and preparing a report; (2) interviewing OPC Commissioners and other affiliated individuals and preparing a report; (3) developing an agenda, facilitating the OPC retreat and preparing a report; and (4) developing a 2021 Action Plan. The contract period was September 2020 to March 2021.

| SCOPE OF SERVICES | PROJECT OUTPUTS/OUTCOMES |
|--|--|
| <ul style="list-style-type: none"> Attend orientation/briefing meetings with the OPC Chair and complete follow-up tasks | Attended informative orientation/briefing meetings with the OPC Chair |
| <ul style="list-style-type: none"> Review background information and other relevant documents to prepare for carrying out the approved work scope | Reviewed relevant documents and other informational materials provided by OPC including: (1) Performance Audit of the Oakland Police Commission and the Community Police Review Agency by the City Auditor; (2) Joint Rebuttal Submission to City Auditor by the Oakland Police Commission and Community Police Review Agency; (3) Minutes of Oakland Police Commission meetings; (4) Correspondence to Oakland City Council by the Oakland Police Commission and Community Police Review Agency; and (5) Published articles on Oakland Police Commission meetings. |
| <ul style="list-style-type: none"> Conduct research on best practices of police commissions in other jurisdictions | Conducted an Internet search and drafted a research report entitled "Report on Police Boards/Commissions in Five U.S. Cities". The cities were: (1) Chicago, Illinois (<i>Chicago Police Board</i>); (2) Denver, Colorado (<i>Citizens Oversight Board</i>); (3) New York, New York (<i>Civilian Complaint Review Board</i>); (4) San Francisco, California (<i>San Francisco Police Commission</i>); and (5) Seattle, Washington (<i>Community Police Commission</i>). The research topics were: (1) Purpose/Mission; (2) Roles and Responsibilities; (3) Membership and Meetings; and (4) Process for filing, investigating and adjudicating Complaints. |

| SCOPE OF SERVICES | PROJECT OUTPUTS/OUTCOMES |
|--|---|
| <ul style="list-style-type: none"> Conduct individual interviews with OPC Commissioners and other affiliated individuals and draft summary report | <p>Conducted interviews with 13 individuals and drafted an interview report entitled “Oakland Police Commission Pre-Retreat Interview Report, January 30, 2021.</p> <p>Interviewees were current OPC Commissioners (7), former OPC Commissioners (3), an Alternate OPC Commissioner, the CPRA Executive Director and the OPC Attorney.</p> <p>Findings were reported in the following areas:</p> <ul style="list-style-type: none"> <i>Assessment:</i> OPC strengths, weaknesses, opportunities and Threats <i>Vision:</i> OPC vision <i>2021 Planning:</i> OPC strategic priorities and target dates in Q1, Q2, Q3 and Q4 <i>Retreat:</i> Desired retreat outcomes |
| <ul style="list-style-type: none"> Develop agenda, resource packets and facilitation strategy for Oakland Police Commission retreat | <p>Co-designed agenda with OPC Chair, formulated an interactive facilitation strategy and compiled various documents for distribution to retreat participants</p> |
| <ul style="list-style-type: none"> Facilitate the Oakland Police Commission retreat | <p>Facilitated a one-day OPC retreat</p> |
| <ul style="list-style-type: none"> Prepare report on the Oakland Police Commission retreat | <p>Drafted a “Retreat Report” with a summary of the proceedings and major outcomes</p> |
| <ul style="list-style-type: none"> Draft 2021 action plan for the Oakland Police Commission | <p>Worked with the OPC Chair to draft an OPC 2021 Action Plan</p> |
| <ul style="list-style-type: none"> Attend Oakland Police Commission meeting to debrief retreat and review the 2021 action plan | <p>Attended OPC meeting on March 11, 2021 to review the retreat report and 2021 Action Plan</p> |
| <ul style="list-style-type: none"> Prepare summary report on the Oakland Police Commission project | <p>Drafted a summary report highlighting the main activities and outcomes of the OPC project.</p> |

Looking Forward

The lead consultant offers the following recommendations for consideration by the OPC:

Internal Operations

- Finalize and adopt internal policy and procedure protocols in the following areas: (1) OPD Policy Review Process, (2) Code of Conduct, (3) Chief of Police Evaluation Criteria, (4) OPC Orientation Program; and (5) Rules of Order.
- Address key personnel matters in a timely way including (1) setting goals and evaluation criteria for the Police Chief, (2) hiring an Inspector General and (3) hiring OPC staff.
- Continue to be a high performing, self-critical public body that delivers on its promise.

Planning

- Implement the strategic priorities stated in the 2021 Action Plan, which are grouped into the following categories: (1) Planning, (2) Personnel, (3) Policy Development and Implementation, (4) City Budget, (5) Community Engagement, (6) City Auditor and (7) Negotiated Settlement Agreement.

Founding Commissioners

- Present 2020 citations for outstanding leadership and service to the founding Commissioners.

Community Engagement

- Develop formal community engagement process
- Convene unity meetings to develop a common public safety agenda for the City of Oakland.

Field Leadership

- Be bold and imaginative in re-envisioning public safety in Oakland.
- Document OPC's story and share it with the broader community and the field.

MEMORANDUM

DATE: April 2, 2021
TO: Chair Regina Jackson and Other Members of the Police Commission
FROM: Ad Hoc Rules Committee (Commissioner Henry Gage, Co-Chair; Commissioner Brenda Harbin-Forte, Co-Chair; and Commissioner Sergio Garcia)
RE: Proposal to Revise Meeting Agenda Format

The Ad Hoc Rules Committee (“Committee”) submits its proposal to reformat the meeting agendas for the Oakland Police Commission (“Commission”). The proposed format is illustrated by a sample agenda based on the March 11, 2021 meeting. Both a redlined and a clean copy of that agenda accompany this memorandum.

The Committee believes that revising the agenda format will (1) better inform the public and the other Commissioners about what to expect at meetings; (2) harmonize the meeting agenda with the revised Rules of Procedure the Commission unanimously adopted in February; (3) make the meetings run more efficiently; and (4) provide a roadmap for the meeting’s Presiding Officer, something that will be important given the plan to have each Commissioner chair a meeting this year. The reformatted agenda would:

1. State the purpose of the Police Commission at the top of each agenda, and relieve the Chair of having to state the purpose at the beginning of each meeting. The Commission has been existence for four years now, and it seems unnecessary to orally state the purpose at each meeting.
2. Advise the public of the names of the current Commissioners, through listing each name as a part of the Roll Call process. The Committee notes that the City Council lists the names of each Council member as part of its roll call.
3. List each Open Forum as a stand-alone agenda item, and include an explanation of the purpose of Open Forum, so that the public is aware that comments should be directed to (1) matters that are not on the agenda; (2), matters that are within the jurisdiction of the Commission; and (3) matters that are of interest to the public. The agenda item would also provide notice to the public that speaking time can be reduced from two minutes to one minute.
4. Specify which ad hoc committees will report at each meeting, so that the Committee Chairs know that they need to be prepared to report, and the public and other Commissioners can better prepare for raising issues or concerns. The Committee notes that the agenda for the Public Ethics Commission specifies the committees expected to report, along with a description of the purposes of the ad hoc and its members. The Committee also suggests that, barring unusual circumstances, each ad hoc committee should report at least once each month, so as to keep the public and other commissioners apprised of the progress being made on outstanding deliverables.
5. For Open Forum Part 2, the agenda should clearly explain that this segment is not limited to people who were in the speakers’ queue but did not get an opportunity to speak during Open Forum Part 1. This will assure the public that the Commission wants to hear from them, and that they will not be prohibited from speaking if they joined the meeting late or simply did not try to speak during Open Forum Part 1. This will also encourage people who intend to stay for the full meeting to hold their comments until Open Forum Part 2 so that others who cannot stay until the end of the meeting can speak. The agenda will also explain that speakers who made comments during Open Forum Part 1 should not expect to have a second opportunity to speak during Open Forum Part 2.



OAKLAND POLICE COMMISSION
SPECIAL MEETING AGENDA
 March 11, 2021
 5:00 PM

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

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I. Call to Order, Welcome, Roll Call and Determination of Quorum

Chair Regina Jackson Roll Call: Vice Chair Commissioner Jose Dorado; Commissioner Henry Gage; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Chair Commissioner Regina Jackson; Commissioner David Jordan; Commissioner Tyfahra Singleton; Alternate Commissioner Marsha Peterson

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II. Roll Call and Determination of Quorum

Chair Regina Jackson

III. Public Comment on Closed Session Items

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

IV. Closed Session

PUBLIC EMPLOYEES DISCIPLINE/DISSMISSAL/RELEASE - Gov't Code § 54957(b)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: 2 CASES – Govt. Code § 54956.9(d)(1)

Name of Case: Kirkpatrick v. City of Oakland, Case No. 3:2020-cv-05843

Name of Case: Sacks v. City of Oakland, Case No. RG 20078708

IV. Call to Order and Re-Determination of Quorum

Chair Regina Jackson

V. Report Out of Closed Session

a. The Commission will report on any actions taken during Closed Session.

VI. Welcome, Purpose, and Open Forum Part 1 (2 minutes per speaker, 156 minutes total)

After ascertaining how many members of the public wish to speak, Chair Regina Jackson will invite welcome the public public speakersto speak on any items not on the agenda but may be of interest to the public, and that are within the subject matter jurisdiction of the Commission. after ascertaining how many members of the public wish to speak. Comments on specific agenda items will not be heard during Open Forum, but must be reserved until the agenda item is called. The Chair has the right to reduce speaking time to

1 minute if the number of speakers would cause this Open Forum to extend beyond 15 minutes. Any speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

~~The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.~~

VII. Vote to Fill Vacant Commissioner Position

Per Oakland City Charter § 604(c)(7) & (8), the Commission will accept the resignation of former Commissioner James Jackson and vote to promote one of the Alternate Commissioners to replace Commissioner Jackson for the remaining term of office. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

SAMPLE

VIII. Update from Human Resources Director

Human Resources Director Ian Appleyard will provide an update on the Police Commission reorganization, the Inspector General position, and other staffing projects underway for the Police Commission and the agencies it supervises and will respond to questions from the Commission. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

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IX. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 9).***

- a. Discussion
- b. Public Comment
- c. Action, if any

X. Resolution to Support City Council Signed Ordinance Amending Anti-Nepotism Ordinance OMC Chapter 2.40 Exception for OPD and OFD

The Commission will discuss a resolution to support a City Council ordinance amending an anti-nepotism ordinance. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

XI. Reimagining Public Safety Task Force Update

Former Commissioner Ginale Harris will share an update on the Reimagining Public Safety Task Force. ***This item was discussed on 12.10.20 and 1.7.21.***

- a. Discussion
- b. Public Comment
- c. Action, if any

XII. Formal Request for Commissioner Access to Discipline Meetings and Related Personnel Information

The Commission will consider approving a formal request for access to portions of Discipline Meetings between CPRA and OPD that pertain to the "concurrency" process, including related confidential personnel records. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

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XIII. Police Commission 2020 Annual Report

The Commission will discuss the annual report that will be submitted to the Mayor, City Council, and the public, and may vote to approve the report. **This is a new item.** (Attachment 13).

- a. Discussion
- b. Public Comment
- c. Action, if any

XIV. Meeting Minutes Approval

The Commission will vote to approve minutes from February 25, 2021. **This is a recurring item.** (Attachment 14).

- a. Discussion
- b. Public Comment
- c. Action, if any

XV. Committee Reports

Representatives from the following active Standing and Ad Hoc Committees will provide updates on their work. **This is a recurring item.** (Attachment 15). [NOTE: The below is for the first meeting of the month]

Community Resource Officer Deployment OPD 15-01
(Commissioners Dorado, Harbin-Forte, Jackson)

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

Mental Health Model
(Commissioner Dorado)

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

Military Police Equipment
(Commissioners Gage, Jordan)

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

Missing Persons Policy
(Commissioners Jackson, Jordan)

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment

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c. Action, if any

THEN, FOR THE SECOND MONTHLY MEETING, THE FOLLOWING AD HOCs WOULD BE LISTED:

**OBOA Allegations Investigation
(Commissioners Harbin-Forte, Jackson)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**Rules of Procedure
(Commissioners Gage, Garcia, Harbin-Forte)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**White Supremacists and Other Extremist Groups
(Commissioners Dorado, Harbin-Forte, Jackson)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

- a. Discussion
- b. Public Comment
- c. Action, if any

XVI. Open Forum Part 2 ~~(at Chair's discretion if needed)~~ (2 minutes per speaker)
 Chair Regina Jackson will invite public speakers to speak on items that were not on the agenda, and that are within the subject matter jurisdiction of the Commission, with priority given to speakers who were unable to address the Commission during Open Forum at the beginning of the meeting. Speakers who made comments during Open Forum Part 1 will not be permitted to make comments during this Open Forum. Comments previously made during public comment on agenda items may not be repeated during this Open Forum. The Chair has the right to reduce speaking time to 1 minute for reasons the Chair will state on the record. The Commission will allow for any overflow of speakers from item VI wishing to provide comments on items not listed on the agenda. **This is a recurring item.**

XVII. Agenda Setting and Prioritization of Upcoming Agenda Items
 The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. **This is a recurring item. (Attachment 17).**

Police Commission Sample Agenda. BHF Proposal. March 13, 2021

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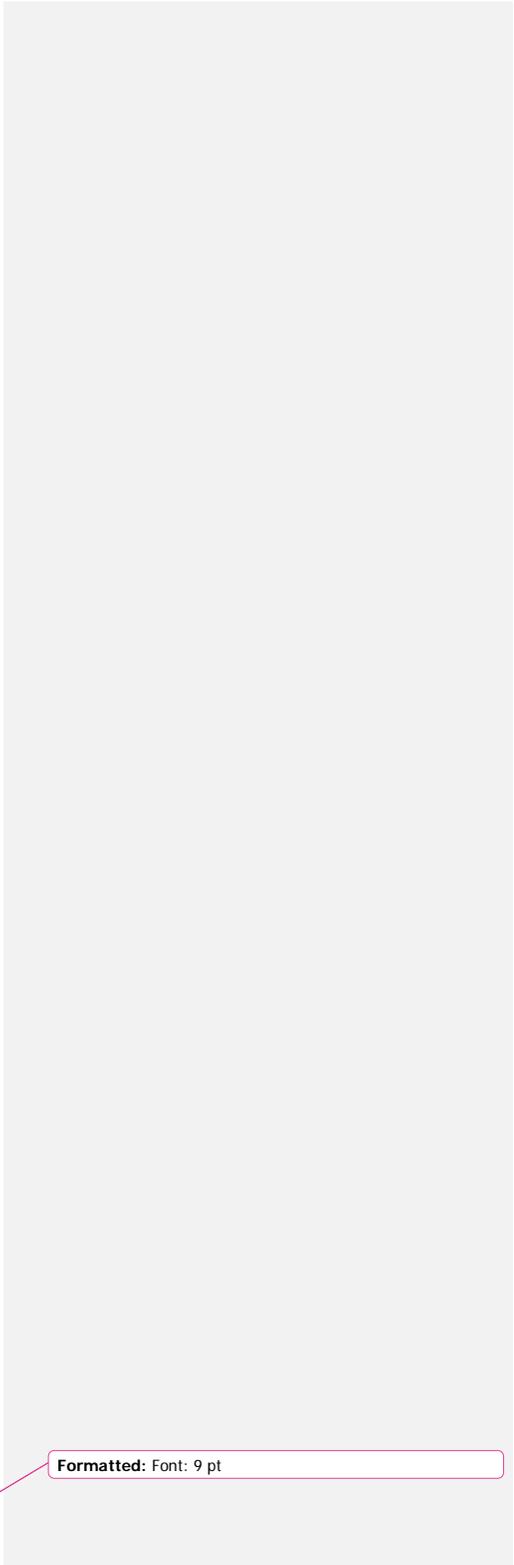
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- a. Discussion
- b. Public Comment
- c. Action, if any

XVIII. Adjournment

SAMPLE





OAKLAND POLICE COMMISSION

SPECIAL MEETING AGENDA

March 11, 2021

5:00 PM

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

I. Call to Order, Welcome, Roll Call and Determination of Quorum

Chair Regina Jackson *Roll Call: Vice Chair Commissioner Jose Dorado; Commissioner Henry Gage; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Chair Commissioner Regina Jackson; Commissioner David Jordan; Commissioner Tyfahra Singleton; Alternate Commissioner Marsha Peterson*

II. Public Comment on Closed Session Items

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

III. Closed Session

PUBLIC EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE - Gov't Code § 54957(b)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: 2 CASES – Govt. Code § 54956.9(d)(1)

Name of Case: Kirkpatrick v. City of Oakland, Case No. 3:2020-cv-05843

Name of Case: Sacks v. City of Oakland, Case No. RG 20078708

IV. Call to Order and Re-Determination of Quorum

Chair Regina Jackson

V. Report Out of Closed Session

- a. The Commission will report on any actions taken during Closed Session.

VI. Open Forum Part 1 (2 minutes per speaker, 15 minutes total)

After ascertaining how many members of the public wish to speak, Chair Regina Jackson will invite the public to speak on any items not on the agenda but may be of interest to the public, and that are within the subject matter jurisdiction of the Commission. Comments on specific agenda items will not be heard during Open Forum, but must be reserved until the agenda item is called. The Chair has the right to reduce speaking time to 1 minute if the number of speakers would cause this Open Forum to extend beyond 15 minutes. Any speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

VII. Vote to Fill Vacant Commissioner Position

Per Oakland City Charter § 604(c)(7) & (8), the Commission will accept the resignation of former Commissioner James Jackson and vote to promote one of the Alternate Commissioners to replace Commissioner Jackson for the remaining term of office. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

VIII. Update from Human Resources Director

Human Resources Director Ian Appleyard will provide an update on the Police Commission reorganization, the Inspector General position, and other staffing projects underway for the Police Commission and the agencies it supervises and will respond to questions from the Commission. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

IX. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 9).***

- a. Discussion
- b. Public Comment
- c. Action, if any

X. Resolution to Support City Council Signed Ordinance Amending Anti-Nepotism Ordinance OMC Chapter 2.40 Exception for OPD and OFD

The Commission will discuss a resolution to support a City Council ordinance amending an anti-nepotism ordinance. ***This is a new item.***

- a. Discussion
- b. Public Comment
- c. Action, if any

XI. Reimagining Public Safety Task Force Update

Former Commissioner Ginale Harris will share an update on the Reimagining Public Safety Task Force. ***This item was discussed on 12.10.20 and 1.7.21.***

- a. Discussion
- b. Public Comment
- c. Action, if any

XII. Formal Request for Commissioner Access to Discipline Meetings and Related Personnel Information

The Commission will consider approving a formal request for access to portions of Discipline Meetings between CPRA and OPD that pertain to the “concurrency” process, including related confidential personnel records. *This is a new item.*

- a. Discussion
- b. Public Comment
- c. c. Action, if any

XIII. Police Commission 2020 Annual Report

The Commission will discuss the annual report that will be submitted to the Mayor, City Council, and the public, and may vote to approve the report. *This is a new item. (Attachment 13).*

- a. Discussion
- b. Public Comment
- c. Action, if any

XIV. Meeting Minutes Approval

The Commission will vote to approve minutes from February 25, 2021. *This is a recurring item. (Attachment 14).*

- a. Discussion
- b. Public Comment
- c. Action, if any

XV. Committee Reports

Representatives from the following active Standing and Ad Hoc Committees will provide updates on their work. *This is a recurring item. (Attachment 15).* [NOTE: The below is for the first meeting of the month]

**Community Resource Officer Deployment OPD 15-01
(Commissioners Dorado, Harbin-Forte, Jackson)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**Mental Health Model
(Commissioner Dorado)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**Military Police Equipment
(Commissioners Gage, Jordan)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**Missing Persons Policy
(Commissioners Jackson, Jordan)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

THEN, FOR THE SECOND MONTHLY MEETING, THE FOLLOWING AD HOCs WOULD BE LISTED:

**OBOA Allegations Investigation
(Commissioners Harbin-Forte, Jackson)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**Rules of Procedure
(Commissioners Gage, Garcia, Harbin-Forte)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

**White Supremacists and Other Extremist Groups
(Commissioners Dorado, Harbin-Forte, Jackson)**

Tasks: [insert a short description of the mission of the ad hoc]

- a. Discussion
- b. Public Comment
- c. Action, if any

XVI. Open Forum Part 2 (2 minutes per speaker)

Chair Regina Jackson will invite public speakers to speak on items that were not on the agenda, and that are within the subject matter jurisdiction of the Commission, with priority given to speakers who were unable to address the Commission during Open Forum at the beginning of the meeting. Speakers who made comments during Open Forum Part 1 will not be permitted to make comments during this Open Forum. Comments previously made during public comment on agenda items may not be repeated during this Open Forum. The Chair has the right to reduce speaking time to 1 minute for reasons the Chair will state on the record. ***This is a recurring item.***

XVII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item.*** ([Attachment 17](#)).

- a. Discussion
- b. Public Comment
- c. Action, if any

XVIII. Adjournment

SAMPLE

Original Version
Approved 4.8.2021

CITY OF OAKLAND
POLICE COMMISSION

Resolution Adopting a Code of Conduct for
the Oakland Police Commission

Introduced by Oakland Police Commission Ad Hoc Rules Committee
(Members: Commissioner Henry Gage III, Co-Chair, Commissioner Brenda Harbin-Forte, Co-Chair, and Commissioner Sergio Garcia)

WHEREAS, Police Commissioners are public officials and have a responsibility to conduct themselves with the highest integrity and leadership; and

WHEREAS, Police Commissioners are responsible to all of the people of the City of Oakland, and not to any particular segment or group; and

WHEREAS, Police Commissioners must act in the public interest, not their private interests or any special interests; and

WHEREAS, Police Commissioners must strictly adhere to the legal and ethical requirements of office and avoid all situations where prejudice, bias or conflicts of interest could influence their decisions; and

WHEREAS, accountability for and between members of the Police Commission is promoted by the adoption of agreed-upon standards of behavior; and

WHEREAS, Rule 7.1 of the Oakland Police Commission's Rules of Order calls for the adoption of a Code of Conduct to which Commissioners are to be held accountable; now therefore be it

RESOLVED, that the Commission adopts this Code of Conduct in its entirety; and

FURTHER RESOLVED, that in accordance with the Oakland City Charter, the Oakland Municipal Code, and the Oakland Police Commission's Rules of Order, the following is established as the Code of Conduct for the Oakland Police Commission.

OAKLAND POLICE COMMISSION

CODE OF CONDUCT

A. Commissioner Conduct. Serving on the Commission is an honor. Commissioners shall conduct themselves in a manner that demonstrates civility, courtesy, honesty, integrity, decorum, and respect in all discussions, debates, and interactions with the public, fellow Commissioners, and City of Oakland representatives and staff. Commissioners shall observe the letter and the spirit of all state and federal laws, the Charter of the City of Oakland, the Oakland Municipal Code, Commission Rules of Order, and this Code of Conduct. To promote these ideals and to ensure the credibility of the Commission, all Commissioners shall:

1. Attend Commission meetings, except for absences excused by the Chair;
2. Fully participate in Commission meetings and other public forums attended by Commissioners, and demonstrate effective problem-solving approaches to the issues raised;
3. Prepare in advance of Commission meetings by familiarizing themselves with issues on the agenda;
4. Actively engage in their assigned Commission committees and meet applicable deadlines;
5. Be respectful of the time of others during public meetings by raising only appropriate points that advance the dialog and decision-making process;
6. Foster a collaborative working relationship with other Commissioners and engage in discussions with them in a manner that shows respect and appreciation for the varied backgrounds, skills and interests that each Commissioner brings, so that issues, concerns, and Commission business can be discussed openly and comfortably;
7. Respect differing opinions from others, and refrain from belligerent comments or personal attacks, shouting, or any other actions that could be construed as threatening or intimidating;
8. Actively and diligently support and implement final action taken by the Commission as a whole, even if the Commissioner did not vote with the majority on such action;
9. Maintain the confidentiality of all confidential information disclosed to Commissioners, unless expressly authorized by the Chair, the Commission's legal advisor, or court order to disclose such information;
10. Treat all staff as professionals and engage in clear, honest communication that respects the abilities, experience and dignity of each individual, and

11. Participate in the ongoing review and improvement of Commission procedures, such as this Code of Conduct.

B. Responsibilities of the Chair. The Chair shall comply with all of the rules of conduct that apply to all other Commissioners. As the leader of the Commission, the Chair shall act in a manner that demonstrates an appreciation for the hard work and commitment of the other Commissioners. The Chair shall be open to input and suggestions from all Commissioners, and in particular committee chairs, before making decisions that affect the work of the Commission and its committees. The Chair shall ensure that Commission meetings are conducted in accordance with the Commission's rules of procedure and other governing authorities. The Chair shall also ensure that meetings provide opportunities for a full and respectful exchange of ideas and the responsible performance of Commission duties. To promote these ideals, the Chair (or other Presiding Officer) shall:

1. Confer with committee chairs in setting meeting agendas, and specify in each agenda precisely which committees will be expected to report at meetings, so that the Committee chairs and the public can adequately prepare for committee reports or other presentations at meetings.
2. Publish meeting agendas that provide specific notice and explanations to the public and the other Commissioners about what they can expect to happen at Commission meetings;
3. Maintain order and decorum and ensure the fair treatment of all speakers;
4. Keep discussion and questions focused on the specific agenda item under consideration and ensure that discussion of related items advance deliberation of the agenda item;
5. Manage the meetings in a manner that complies with all statutory and policy requirements, and seek advice from the Commission's Legal Advisor as necessary to ensure that compliance; and
6. Ensure all agenda items are given the opportunity to be discussed and voted on by Commissioners in a manner that is fair, unbiased and reflects the positions of all of the Commissioners.

C. Interactions with the Public. If Commissioners appear before or correspond with another governmental agency or organization or the public, they shall:

1. Clearly articulate whether they are acting or speaking on behalf of the Commission or one of its committees, or in their personal or individual capacity;
2. State the official Commission position on an issue, as reflected in a

Commission vote on the issue, whenever Commissioners speak as a representative of the Commission. If a Commissioner who did not vote with the majority on a matter wishes to speak to the reasons for the Commissioner’s individual vote, the Commissioner should do so in a way that respectfully recognizes Commission deliberation and the vote of the majority;

- 3. Endeavor to channel media requests for background information or quotes through Commission staff to the Chair or Vice Chair;
- 4. Not make any explicit or implicit promises on behalf of the Commission as to a certain outcome related to any Commission action. Commissioners may appropriately give a brief overview of Commission policy, but should refer questions to the Chair, Vice Chair, or Commission staff for further information.

D. Social Media. Commissioners are strictly accountable for their conduct at all times, whether in public or private, in person or through social media outlets. Commissioners have a right to engage in activity that is protected by the First Amendment. However, Commissioners who maintain personal social media accounts and publicly disseminate information related to the Commission’s work must understand that their social media posts may discredit, undermine, or otherwise negatively impact the Commission, the City of Oakland or the Oakland Police Department. Therefore, Commissioners shall exercise appropriate judgment when posting to social media, and shall refrain from attacking, retaliating against, or harassing other Commissioners, the Commission itself, and City staff.

Commissioner Signature

Date

Commissioner Printed Name

Original Version
Approved
043.8x.2021

CITY OF OAKLAND
POLICE COMMISSION

Resolution Adopting **aA** Code of Conduct
for the Oakland Police Commission

Introduced by Oakland Police Commission Ad Hoc Rules Committee
(Members: Commissioner Henry Gage III, Co-Chair, Commissioner Brenda Harbin-Forte, Co-Chair, and Commissioner Sergio Garcia)

WHEREAS, Police Commissioners are public officials and have a responsibility to conduct themselves with the highest integrity and leadership; and

WHEREAS, Police Commissioners are responsible to all of the people of the City of Oakland, and not to any particular segment or group; and

WHEREAS, Police Commissioners must act in the public interest, not their private interests or any special interests; and

WHEREAS, Police Commissioners must strictly adhere to the legal and ethical requirements of office and avoid all situations where prejudice, bias or conflicts of interest could influence their decisions; and

WHEREAS, accountability for and between members of the Police Commission is promoted by the adoption of agreed-upon standards of behavior; and

WHEREAS, Rule 7.1 of the Oakland Police Commission's Rules of Order calls for the adoption of a Code of Conduct to which Commissioners are to be held accountable; now therefore be it

RESOLVED, that the Commission adopts this Code of Conduct in its entirety; and

FURTHER RESOLVED, that in accordance with the Oakland City Charter, the Oakland Municipal Code, and the Oakland Police Commission's Rules of Order, the following is established as the Code of Conduct for the Oakland Police Commission.

OAKLAND POLICE COMMISSION

CODE OF CONDUCT

A. Commissioner Conduct. Serving on the Commission is an honor. –

Commissioners shall conduct themselves in a manner that demonstrates civility, courtesy, honesty, integrity, decorum, and respect ~~for in all discussions, debates, and interactions with~~ the public, fellow Commissioners, and City of Oakland representatives and staff. ~~Commission staff, and City staff.~~ Commissioners shall observe remain committed to observing the letter and the spirit of all state and federal laws, the Charter of the City of Oakland, the Oakland Municipal Code, Commission Rules of Order, and this Code of Conduct. ~~Commissioners shall act in a manner that upholds the credibility of the Commission while practicing civility, integrity and decorum in discussions and debates.~~ To promote these ideals and to ensure the credibility of the Commission, ~~between the Commission and the public, among Commissioners, between the Commission and staff members of the Citizens' Police Review Agency, the Office of the Inspector General, the City of Oakland and the Oakland Police Department,~~ all Commissioners shall:

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~~{1}~~ 1. Attend Commission meetings, except for absences excused by the Chair ~~for illness, personal emergency, work emergency, a death in the family, maternity leave or religious observance;~~

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~~{2}~~ 2. Fully participate in Commission meetings and other public forums attended by Commissioners, and demonstrate effective problem-solving approaches to the issues raised, ~~or Commissioner Alternates, while demonstrating respect, consideration and courtesy to others;~~

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~~{3}~~ 3. Prepare in advance of Commission meetings by and familiarizing ~~themselves with issues on the agenda;~~

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~~{4}~~ 4. Actively engage in their assigned Commission committees ~~to which they are assigned and endeavor to~~ meet applicable deadlines;

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5. Be respectful of the time of others by staying focused and working efficiently during public meetings by, while asking well founded questions or raising only appropriate points that advance the dialog and decision-making process;

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6. Foster a collaborative working relationship with other Commissioners and engage in discussions with them in a manner that shows respect and appreciation for the varied backgrounds, skills and interests that each Commissioner brings, so that issues, concerns, and Commission business can be discussed openly and comfortably;

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7. Respect differing opinions from others, and refrain from belligerent comments or personal attacks, shouting, or any other actions that could be construed as threatening or intimidating;

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8. Actively and diligently support and implement final action taken by the Commission as a whole, even if the Commissioner did not vote with the majority on such action;

9. Maintain the confidentiality of all confidential information disclosed to Commissioners, unless expressly authorized by the Chair, the Commission's legal advisor, or court order to disclose such information;

10. Treat all staff as professionals and engage in clear, honest communication that respects the abilities, experience and dignity of each individual; and

[5] _

[6] Serve as a model of leadership and civility to the public and demonstrate honesty and integrity in every action and statement; and

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[7]11. Participate in the ongoing review and improvement of Commission procedures, such as this Code of Conduct.

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B.

C-B. Responsibilities of the Chair during Commission Meetings. The Chair shall comply with all of the rules of conduct that apply to all other Commissioners. As the leader of the Commission, the Chair shall act in a manner that demonstrates an appreciation for the hard work and commitment of the other Commissioners. The Chair shall be open to input and suggestions from all Commissioners, and in particular committee chairs, before making decisions that affect the work of the Commission and its committees. The Chair shall ensure that Commission meetings are conducted in accordance with the Commission's rules of procedure and other governing authorities. The Chair shall also ensure that meetings shall provide opportunities for a full and respectful exchange of ideas and the responsible performance execution of Commission duties. To promote these ideals, During meetings, the Chair (or other Presiding Officer) shall will be responsible for:

1. Confer with committee chairs in setting meeting agendas, and specify in each agenda precisely which committees will be expected to report at meetings, so that the Committee chairs and the public can adequately prepare for committee reports or other presentations at meetings.

2. Publish meeting agendas that provide specific notice and explanations to the public and the other Commissioners about what they can expect to happen at Commission meetings;

[1]3. Maintaining order and decorum and ensuring the fair treatment of all speakers;

[2]4. Keeping discussion and questions focused on the specific agenda item under consideration and ensuring that discussion of related items advance deliberation of the agenda item;

[3]5. Managing the meetings in a manner that complies with all statutory and policy requirements, and seek advice from the Commission's Legal Advisor as necessary to ensure that compliance; and

[4]6. Ensuring all agenda items are given the opportunity to be discussed and voted on by Commissioners in a manner that is fair, unbiased and reflects the positions of all of the Commissioners.

D. Interactions During Meetings - Serving on the Commission is an honor. Commissioners shall treat their colleagues with respect for the varied backgrounds, skills and interests that each Commissioner brings. In interactions with the public, Commissioners shall:

[1] Practice civility and decorum in discussions and debate.

Differences of opinion and debate are to be expected, but Commissioners shall refrain from belligerent comments, shouting or actions that could be construed as threatening or intimidating;

[2] Engage other Commissioners in a manner that promotes a respectful dialogue and avoids personal comments;

[3] Demonstrate effective problem-solving approaches; and

[4] Respect the actions of the Commission. Differing viewpoints are healthy in the decision-making process. Once the Commission takes action, Commission members should commit to implement said action in accordance with their responsibilities as public officials.

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E.C. Interactions with the Public. – If Commissioners appear before or correspond with another governmental agency or organization or the public, they shall: ~~In public and private, Commissioners and Commissioner Alternates must:~~

1. ~~Clearly articulate whether they are acting or speaking on behalf of the as a representative of the Commission or one of its committees, (or a subpart of the Commission, such as a Commission Committee) or in their personal or individual capacity;~~

~~[1] State the official Commission position on an issue, as reflected in a Commission vote on the issue, whenever Commissioners speak as a representative of the Commission. -~~

~~2. If a Commissioner appears before or corresponds with another governmental agency or organization or the public, the Commissioner should indicate: whether his or her statement reflects personal opinion or an official stance of the Commission; and whether this is the majority or minority opinion of the Commission. If a Commissioner is representing the Commission, the Commissioner should indicate the official Commission position on an issue, as reflected in a Commission vote on an issue. If a Commissioner who did not vote with the majority on a matter wishes to speak to the reasons for the Commissioner's individual for his or her vote, the Commissioner should do so in a way that respectfully recognizes Commissioner deliberation and the vote of the majority;~~

~~3. Members of the media frequently contact Commissioners seeking background information or quotes. It is preferred that any direct contacts be channeled. Endeavor to channel media requests for background information or quotes through Commission staff to the Chair or Vice Chair;~~

~~[2]4. Not make any explicit or implicit promises on behalf of the Commission as to a certain outcome related to any Commission action. Commissioners may appropriately give a brief overview of Commission policy, but should refer questions to the Chair, Vice Chair, or Commission staff for further information.~~

~~[3] Continue respectful behavior in private. The same level of respect and consideration of differing points of view appropriate for public discussions should be maintained in private conversations;~~

~~[4] Commissioners must make no promises on behalf of the Commission to parties or members of the public. Commissioners will frequently be asked to explain a Commission action or opine issues as they interact with the public. It is appropriate to give a brief~~

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~~overview of Commission policy and to refer questions to the Chair, Vice Chair, or Commission staff for further information. It is inappropriate to promise a certain outcome from Commission action, overtly, or implicitly; and~~

~~[5] Commissioners should treat all staff as professional and engage in clear, honest communication that respects the abilities, experience and dignity of each individual. Commissioners should develop a working relationship with each other so that current issues, concerns, and Commission business can be discussed comfortably and openly.~~

~~F. **Social Media.** – Commissioners are reminded that they are strictly accountable for their conduct at all times, whether in public or private, in person or through social media outlets. Commissioners have a right to engage in activity that is protected by the First Amendment. However, Commissioners who maintain personal social media accounts and publicly disseminate information related to the Commission's work must understand that their social media posts may~~

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~~—discredit, undermine, or otherwise negatively impact effect the Commission, the City of Oakland or the Oakland Police Department. Therefore, —and Commissioners shall exercise appropriate judgment when posting to social media, and shall refrain from attacking, retaliating against, or harassing other Commissioners, the Commission itself, and City staff. exercise appropriate judgement when posting to social media.~~

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~~D. Commissioners shall refrain from attacking, retaliating against, or harassing other Commissioners, the Commission itself and City staff.~~

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Commissioner Signature

Date

Commissioner Printed Name

OAKLAND POLICE COMMISSION

RESOLUTION NO. 21-05

RESOLUTION TO URGE THAT THE OAKLAND CITY COUNCIL AMEND CHAPTER 2.40 OF THE OAKLAND MUNICIPAL CODE

WHEREAS, the City of Oakland (“City”) has codified certain restrictions related to City employment in Chapter 2.40 of the Oakland Municipal Code (“Ordinance”) for the meritorious purpose of eliminating actual or perceived conflicts of interest, partiality or favoritism in the City workplace due to nepotism and/or cronyism and to maintain public confidence in the fairness of the City’s hiring and employment practices as well as in the competence of City employees; and

WHEREAS, the Oakland Police Department presents special challenges to this important purpose because it utilizes strict chains of command that all go through the Chief of Police, and because the Ordinance as currently drafted could result in inequitable outcomes since it often is impossible for sworn members of the Police Department to transfer to other departments due to highly specialized training, duties, skills, and certifications related to delivering critical and highly regulated public safety services; and

WHEREAS, the Oakland City Council is considering whether it is in the City’s best interest, and whether the Council desires to amend Chapter 2.40 of the Oakland Municipal Code to specifically address the potential for inequitable outcomes for the Police Department and Fire Department posed by this Ordinance, and in order to create an alternative process by which the City can avoid or mitigate inequitable or undesirable outcomes by granting the Director of Personnel specific authority to make alternate arrangements within these two departments;

WHEREAS, there are many employees throughout the City of Oakland’s public safety departments who deserve the equitable considerations reflect by such a critical alternative process;

WHEREAS, if the City Council does not provide an alternative to this Chapter of the Municipal Code, we could lose exceedingly competitive and experienced professionals to other cities, which would not serve the interests of the People of Oakland; therefore be it

RESOLVED, that the Oakland Police Commission calls on the Oakland City Council to consider and support the proposed alternative process to change Chapter 2.40 of the Municipal Code.

IN POLICE COMMISSION MEETING, on March 25, 2021, in OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES –

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

CHRISSIE LOVE
Administrative Analyst, II
Community Police Review Agency
City of Oakland, California



OAKLAND POLICE COMMISSION SPECIAL MEETING MINUTES - DRAFT

March 11, 2021
5:00 PM

I. Call to Order

Chair Regina Jackson

The meeting began at 5:02 pm.

II. Roll Call and Determination of Quorum

Chair Regina Jackson

Commissioners Present: José Dorado, Henry Gage, III, Brenda Harbin-Forte, Regina Jackson, and Tyfahra Singleton. Quorum was met.

Alternate Commissioners Present: David Jordan (*arrived during item VI*) and Marsha Peterson

Commissioners Excused: Sergio Garcia

Counsel for this meeting: Conor Kennedy

III. Public Comment on Closed Session Items

Comments were provided by the following public speakers:
Assata Olugbala

The Commission adjourned to closed session. The open session portion of the meeting commenced at 7:12 pm.

IV. Closed Session

PUBLIC EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE - Gov't Code § 54957(b)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: 2 CASES – Govt. Code § 54956.9(d)(1)

Name of Case: Kirkpatrick v. City of Oakland, Case No. 3:2020-cv-05843

Name of Case: Sacks v. City of Oakland, Case No. RG 20078708

V. Report out of Closed Session

There were no reportable actions taken.

VI. Welcome, Purpose, and Open Forum

Comments were provided by the following public speakers:

Jennifer Tu
Kevin Cantu
Jim Chanin
Reisa Jaffe
Joseph Mente
Saleem Bey
Jasmine Fallstich
Megan Steffen
Assata Olugbala

VII. Vote to Fill Vacant Commissioner Position

Per Oakland City Charter § 604(c)(7) & (8), the Commission accepted the resignation of former Commissioner James Jackson and voted to promote one of the Alternate Commissioners to replace Commissioner Jackson for the remaining term of office.

Comments were provided by the following public speakers:

Jennifer Tu
Anne Janks
Reisa Jaffe
Megan Steffen
Assata Olugbala

A motion was made by José Dorado, seconded by Tyfahra Singleton, to nominate David Jordan to replace Commissioner James Jackson for the remaining term of office. The motion carried by the following vote:

Aye: Dorado, Harbin-Forte, Jackson, and Singleton
No: Gage

VIII. Update from Human Resources Director

Human Resources Director Ian Appleyard provided an update on the Police Commission reorganization, the Inspector General position, and other staffing projects underway for the Police Commission and the agencies it supervises and responded to questions from the Commission.

Comments were provided by the following public speakers:

Rashidah Grinage
Saleem Bey
Ginale Harris
Reisa Jaffe

No action was taken on this item.

IX. Update from Police Chief

OPD Chief Armstrong provided an update on the Department including the Department's zero-tolerance of any racist practices, behaviors, or actions, or affiliations or support of white supremacist or extremist organizations, including social media posts or interactions.

Comments were provided by the following public speakers:

Cathy Leonard
Kevin Cantu
Reisa Jaffe
Ginale Harris
Michele Lazaneo
Joseph Mente
Jennifer Tu
Saleem Bey
Anne Janks
Assata Olugbala
John Bey
Jasmine Fallstich
Lorelei Bosserman

No action was taken on this item.

A motion was made by José Dorado, seconded by Marsha Peterson, to table items X and XII to the next agenda. The motion carried by the following vote:

Aye: Dorado, Gage, Harbin-Forte, Jackson, Jordan, and Singleton

No: 0

X. Resolution to Support City Council Signed Ordinance Amending Anti-Nepotism Ordinance OMC Chapter 2.40 Exception for OPD and OFD (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XI. Reimagining Public Safety Task Force Update

Former Commissioner Ginale Harris shared an update on the Reimagining Public Safety Task Force.

Comments were provided by the following public speakers:

Joseph Mente
John Bey
Jennifer Tu
Anne Janks
Mariano Contreras

No action was taken on this item.

XII. Formal Request for Commissioner Access to Discipline Meetings and Related Personnel Information (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XIII. Police Commission 2020 Annual Report

The Commission discussed the annual report that will be submitted to the Mayor, City Council, and the public.

Comments were provided by the following public speakers:

John Bey

Assata Olugbala

No action was taken on this item.

XIV. Meeting Minutes Approval

The Commission voted to approve minutes from February 25, 2021.

No public comments were provided on this item.

A motion was made by José Dorado, seconded by Marsha Peterson, to approve the minutes from February 25, 2021. The motion carried by the following vote:

Aye: Dorado, Gage, Harbin-Forte, Jackson, Jordan, and Singleton

No: 0

XV. Committee Reports

Representatives from Standing and Ad Hoc Committees provided updates on their work.

Militarized Police Equipment – working on a resolution for discussion on the next agenda; **Community Policing OPD 15-01** – will have a comprehensive approach for community input; they will be meeting soon and will be working with Deputy Chiefs Bolton and Joshi.

Comments were provided by the following public speakers:

Megan Steffen

Joseph Mente

Anne Janks

Assata Olugbala

Jennifer Tu

John Bey

Kevin Cantu

No action was taken on this item.

XVI. Open Forum

Comments were provided by the following public speakers:

Rashidah Grinage

John Bey
Ginale Harris
Lorelei Bosserman

XVII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission engaged in a working session to discuss and determine agenda items for the upcoming meeting: a resolution for sunsetting the BearCat, an update from retreat, items X and XII that were tabled from this meeting, and the Commission's annual report.

Comments were provided by the following public speakers:

Jennifer Tu
Assata Olugbala
Mariano Contreras
Jasmine Fallstich

No action was taken on this item.

XVIII. Adjournment

A motion was made by José Dorado, seconded by Regina Jackson, to adjourn the meeting at 10:18 pm. The motion carried by the following vote:

Aye: Dorado, Garcia, Harbin-Forte, Jackson, Jordan, and Singleton
No: 0



OAKLAND POLICE COMMISSION

MEETING MINUTES - DRAFT

March 25, 2021
6:30 PM

I. Call to Order

Chair Regina Jackson

The meeting began at 6:30 pm.

II. Roll Call and Determination of Quorum

Chair Regina Jackson

Commissioners Present: José Dorado, Henry Gage, III, Brenda Harbin-Forte, Regina Jackson, and David Jordan. Quorum was met.

Alternate Commissioners Present: Marsha Peterson

Commissioners Excused: Tyfahra Singleton

Counsel for this meeting: Conor Kennedy

III. Welcome, Purpose, and Open Forum

Comments were provided by the following public speakers:

Barbara Atwell
Katie Loncke
Assata Olugbala
Michele Lazaneo
Joseph Mente
Saleem Bey
Kiana Rodriguez
John Bey

IV. Update from Police Chief

OPD Chief Armstrong provided an update on the Department including the creation of a Violent Crimes Operations Center within the Bureau of Investigations, and the creation of a Bureau of Risk Management.

Comments were provided by the following public speakers:

Reisa Jaffe
Omar Farmer
John Lindsay-Poland
Joseph Mente
Jasmine Fallstich
Saleem Bey
Assata Olugbala
Jennifer Tu
John Bey

No action was taken on this item.

V. 2021 California Police Reform Legislation

Former Commissioner Tara Anderson and Gabriel Garcia of Youth Alive reviewed 2021 bill language currently being considered by the State of California. The Commission voted to send letters of support for these bills.

Comments were provided by the following public speakers:

Saleem Bey
Tracy Rosenberg
Assata Olugbala
Anne Janks

A motion was made by Marsha Peterson, seconded by José Dorado, to provide letters of support for AB 127, AB 481, AB 655, and SB 299. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan
No: 0

VI. Reimagining Public Safety Task Force Update

Former Commissioner Ginale Harris shared an update on the Reimagining Public Safety Task Force.

Comments were provided by the following public speakers:

Kevin Cantú
Saleem Bey
John Bey
Omar Farmer
Jennifer Tu
Joseph Mente
Assata Olugbala
Reisa Jaffe

No action was taken on this item.

VII. Resolution on Sunsetting the Use of the BearCat

The Commission reviewed and voted to approve a resolution regarding the sunsetting the use of the BearCat.

Comments were provided by the following public speakers:

Omar Farmer
John Lindsay-Poland
Joseph Mente
Jennifer Tu
Kevin Cantú
Assata Olugbala

Tracy Rosenberg

A motion was made by José Dorado, seconded by Marsha Peterson, to approve resolution 21-04 with amended language at the end: “FURTHER RESOLVED, the Oakland Police Department shall not transfer the BearCat to another police department or law enforcement agency.” The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan
No: 0

A motion was made by Marsha Peterson, seconded by José Dorado, to extend the meeting to 11:30 pm. The motion carried by the following vote:

**Aye: Dorado, Garcia, Gage, Harbin-Forte, Jackson, and Jordan
No: 0**

A second motion was made by Regina Jackson, seconded by José Dorado, to table items X, XII, XIII, XIV, and XVI to the next agenda. The motion carried by the following vote:

**Aye: Dorado, Garcia, Gage, Harbin-Forte, Jackson, and Jordan
No: 0**

A third motion was made by Brenda Harbin-Forte, seconded by José Dorado, to table item VIII to the next agenda. The motion carried by the following vote:

**Aye: Dorado, Garcia, Gage, Harbin-Forte, Jackson, and Jordan
No: 0**

VIII. Resolution to Support City Council Signed Ordinance Amending Anti-Nepotism Ordinance OMC Chapter 2.40 Exception for OPD and OFD (*this item was tabled to a future agenda*)

No public comments were provided on this item.

IX. Formal Request for Commissioner Access to Discipline Meetings and Related Personnel Information

The Commission voted to approve a formal request for access to portions of Discipline Meetings between CPRA and OPD that pertain to the “concurrence” process, including related confidential personnel records.

No public comments were provided on this item.

A motion was made by José Dorado, seconded by Marsha Peterson, to adopt the request for Commissioner access to discipline meetings/personnel information as written. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan

No: 0

X. Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities *this item was tabled to a future agenda*

Comments were provided by the following public speakers:

Joseph Mente
Assata Olugbala
Reisa Jaffe

No action was taken on this item.

XI. Police Commission 2020 Annual Report

The Commission discussed and voted to approve the annual report that will be submitted to the Mayor, City Council, and the public.

Comments were provided by the following public speakers:

Saleem Bey
Assata Olugbala

A motion was made by José Dorado, seconded by Sergio Garcia, to accept the 2020 annual report as written. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan
No: 0

XII. Commission Retreat Follow Up *(this item was tabled to a future agenda)*

No public comments were provided on this item.

XIII. Meeting Minutes Approval *(this item was tabled to a future agenda)*

Comments were provided by the following public speakers:

Saleem Bey

XIV. Committee Reports *(this item was tabled to a future agenda)*

Comments were provided by the following public speakers:

Saleem Bey
John Bey
Jennifer Tu
Kevin Cantú

XV. Open Forum

Comments were provided by the following public speakers:

Kevin Cantú

Anne Janks
Assata Olugbala
Saleem Bey

XVI. Agenda Setting and Prioritization of Upcoming Agenda Items (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XVII. Adjournment

A motion was made by José Dorado, seconded by Brenda Harbin-Forte, to adjourn the meeting at 11:15 pm. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan

No: 0



CITY OF OAKLAND | POLICE COMMISSION
 250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

Current Committees

| Standing Committee | Commissioners |
|--------------------|----------------|
| Outreach | Dorado, Jordan |
| Personnel | Jackson |

| Ad Hoc Committee | Commissioners |
|-----------------------------------|-------------------------------|
| Annual Report | Jackson |
| Budget | Dorado, Jackson |
| Community Policing OPD 15-01 | Dorado, Harbin-Forte, Jackson |
| IAD Manual | Gage, Jackson, Jordan |
| Mental Health Model | Dorado |
| Militarized Police Equipment | Gage, Jackson, Jordan |
| Missing Persons Policy | Jackson, Jordan |
| OBOA Allegations Investigation | Harbin-Forte, Jackson |
| Police Chief Goals and Evaluation | Garcia, Peterson, Singleton |
| Rules of Procedure | Gage, Garcia, Harbin-Forte |

Police Commission Pending Agenda Matters List

| | A | B | C | D | E | F | G | H |
|---|------------------------|---------------------|--|--|----------------|--------------------|-----------|------------------------------|
| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/D eadline | Scheduled | Lead Commissioner(s), if any |
| 2 | Commissioner Trainings | 1/1/2018 | <p>Complete trainings mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190</p> <p>Some trainings have deadlines for when they should be completed (within 3 months, 6 months, etc.)</p> <p>Several trainings were delivered in open session and have been recorded for future use</p> | <p>The following trainings must be done in Open Session:</p> <ol style="list-style-type: none"> 1. California's Meyers Miliias Brown Act (MMBA) and Public Employment Relations Board's Administration of MMBA (done 3.12.20) 2. Civil Service Board and Other Relevant City Personnel Policies and Procedures (done 2.27.20) 3. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees (rescheduled due to COVID-19 health emergency for 4.22.21) 4. Police Officers Bill of Rights (done 12.12.19) | High | Ongoing | | |

Police Commission Pending Agenda Matters List

| | A | B | C | D | E | F | G | H |
|---|--|---------------------|--|--|----------------|---------------------|-----------|------------------------------|
| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/D deadline | Scheduled | Lead Commissioner(s), if any |
| 3 | Confirming the Process to Hire Staff for the Office of Inspector General | 5/17/2019 | Per the Enabling Ordinance: The City shall allocate a sufficient budget for the OIG to perform its functions and duties as set forth in section 2.45.120, including budgeting one (1) full-time staff position comparable to the position of Police Program and Audit Supervisor. Within thirty (30) days after the first Inspector General is hired, the Policy Analyst position and funding then budgeted to the Agency shall be reallocated to the OIG. All OIG staff, including the Inspector General, shall be civil service employees in accordance with Article IX of the City Charter. | This will require information presented from the City Administrator's Office. | High | | | |
| 4 | Finalize Bylaws and Rules | 1/24/2019 | | | High | | | Gage |
| 5 | Hire Inspector General (IG) | 1/14/2019 | Hire IG once the job is officially posted | Pending Measure LL revisions to be included in the November 2020 ballot. Recruitment and job posting in process. | High | | | Personnel Committee |

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| 6 | Notification of OPD Chief Regarding Requirements of Annual Report | 1/1/2018 | Commission must notify the Chief regarding what information will be required in the Chief's annual report | <p>The Chief's report shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. The number of complaints submitted to the Department's Internal Affairs Division (IAD) together with a brief description of the nature of the complaints; 2. The number of pending investigations in IAD, and the types of Misconduct that are being investigated; 3. The number of investigations completed by IAD, and the results of the investigations; 4. The number of training sessions provided to Department sworn employees, and the subject matter of the training sessions; 5. Revisions made to Department policies; 6. The number and location of Department sworn employee-involved shootings; 7. The number of Executive Force Review Board or Force Review Board hearings and the results; 8. A summary of the Department's monthly Use of Force Reports; 9. The number of Department sworn employees disciplined and the level of discipline imposed; and 10. The number of closed investigations which did not result in discipline of the Subject Officer. <p>The Chief's annual report shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code section 832.7</p> | High | June 14, 2018 and June 14 of each subsequent year | | Dorado |
| 7 | OPD to Provide a 30 Day Snapshot on the Effectiveness of SO 9202 | 2/27/2020 | | On 2.27.20, at the request of OPD the Commission considered and approved SO 9202 which amends the section in SO 9196 regarding Type 32 reportable force | High | | | |

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| 8 | Performance Reviews of CPRA Director and OPD Chief | 1/1/2018 | Conduct performance reviews of the Agency Director and the Chief | The Commission must determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation. The Commission may, in its discretion decide to solicit and consider, as part of its evaluation, comments and observations from the City Administrator and other City staff who are familiar with the Agency Director's or the Chiefs job performance. Responses to the Commission's requests for comments and observations shall be strictly voluntary. | High | Annually; Criteria for evaluation due 1 year prior to review | | |
| 9 | Recommendations for Increasing Communication Between CPRA and IAD | 10/6/2018 | | Review of existing communication practices and information sharing protocols between departments, need recommendations from stakeholders about whether a policy is needed. Ensure prompt forwarding of complaints from IAD to CPRA and prompt data sharing. | High | | | |
| 10 | Reports from OPD | 10/6/2018 | Commission to decide on what reports are needed prior to receiving them. | Receive reports from OPD on issues such as: response times; murder case closure rates; hiring and discipline status report (general number for public hearing); any comp stat data they are using; privacy issues; human trafficking work; use of force stats; homelessness issues; towing cars of people who sleep in their vehicles | High | Ongoing as appropriate | | |

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| 11 | Request City Attorney Reports | 1/1/2018 | Request the City Attorney submit semi-annual reports to the Commission and the City Council | <p>Request the City Attorney submit semi-annual reports to the Commission and City Council which shall include a listing and summary of:</p> <ol style="list-style-type: none"> 1. To the extent permitted by applicable law, the discipline decisions that were appealed to arbitration; 2. Arbitration decisions or other related results; 3. The ways in which it has supported the police discipline process; and 4. Significant recent developments in police discipline. <p>The City Attorney's semi-annual reports shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code 832.7</p> | High | Semi-annually First one done 10.22.20 Next one should be April, 2021 | | Smith |
| 12 | Community Policing Task Force/Summit | 1/24/2019 | | | Medium | | | Dorado |
| 13 | CPAB Report | | | Receive any and all reports prepared by the Community Policing Advisory Board (hereinafter referred to as "CPAB") and consider acting upon any of the CPAB's recommendations for promoting community policing efforts and developing solutions for promoting and sustaining a relationship of trust and cooperation between the Department and the community. | Medium | | | |
| 14 | Determine Outstanding Issues in Meet and Confer and the Status of M&C on Disciplinary Reports | 10/6/2018 | | Need report from police chief and city attorney. Also need status report about collective bargaining process that is expected to begin soon. | Medium | | | |

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| 15 | Develop Plan for Quarterly Reports in Relation to Annual Report that is Due April 17th of Each Year | 12/6/2019 | | The Commission is required to submit an annual report each year to the Mayor, City Council and the public. Preparing quarterly reports will help with the coordination and preparation of an annual report. | Medium | | | |
| 16 | Free Gun Trace Service | 1/27/2020 | | This service was mentioned at a meeting in 2019. | Medium | | | Dorado |
| 17 | Modify Code of Conduct from Public Ethics Commission for Police Commission | 10/2/2018 | | On code of conduct for Commissioners there is currently a code that was developed by the Public Ethics Commission. | Medium | | | |
| 18 | Offsite Meetings | 1/1/2018 | Meet in locations other than City Hall | The offsite meetings must include an agenda item titled "Community Roundtable" or something similar, and the Commission must consider inviting individuals and groups familiar with the issues involved in building and maintaining trust between the community and the Department. | Medium | Annually; at least twice each year | | Dorado, Harris, Jackson |
| 19 | OPD Supervision Policies | 10/2/2018 | | Review existing policy (if any) and take testimony/evidence from experts and community about best practices for supervisory accountability. Draft policy changes as needed. In addition, IG should conduct study of supervisor discipline practices. In other words, how often are supervisors held accountable for the misconduct of their subordinates. | Medium | | | |
| 20 | Public Hearing on OPD Budget | 1/1/2018 | Conduct at least one public hearing on the Police Department's budget | Tentative release date of Mayor's proposed budget is May 1st of each year. | Medium | Spring, 2021 | | |
| 21 | Receive a Report from the Ad Hoc Committee on CPRA Appellate Process | 6/13/2019 | Once the Commission has an outside counsel, work with them on determining an appellate process | When a draft process is determined, bring to the Commission for a vote. | Medium | | | Brown, Gage, Prather |

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| 22 | Report from OPD Regarding Found/Confiscated Items | 7/12/2019 | OPD will report on the Department's policy for disposition of found/confiscated items. | This came about through a question from Nino Parker. The Chief offered to present a report at a future meeting. | Medium | | | |
| 23 | Report Regarding OPD Chief's Report | 1/1/2018 | Submit a report to the Mayor, City Council and the public regarding the Chief's report in addition to other matters relevant to the functions and duties of the Commission | The Chief's report needs to be completed first. | Medium | Annually; once per year | | |
| 24 | Review Budget and Resources of IAD | 10/10/2018 | | In Discipline Training it was noted that many "lower level" investigations are outsourced to direct supervisors and sergeants. Leaders in IAD have agreed that it would be helpful to double investigators and stop outsourcing to Supervisors/Sgts. Commissioners have also wondered about an increase civilian investigators. Does the Commission have jurisdiction over this? | Medium | | | |
| 25 | Review Commission's Agenda Setting Policy | 4/25/2019 | | | Medium | | | |
| 26 | Review Commission's Code of Conduct Policy | 4/25/2019 | | | Medium | | | Prather |
| 27 | Review Commission's Outreach Policy | 4/25/2019 | | | Medium | | | Dorado |
| 28 | Revise Contracts with CPRA and Commission Legal Counsels | 10/10/2018 | | The contract posted on the Commission's website does not comport with the specifications of the Ordinance. As it stands, the Commission counsel reports directly to the City Attorney's Office, not the Commission. The Commission has yet to see the CPRA attorney's contract, but it, too, may be problematic. | Medium | | | |

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/D deadline | Scheduled | Lead Commissioner(s), if any |
| 29 | Amendment of DGO C-1 (Grooming & Appearance Policy) | 10/10/2018 | | DGO C-1 is an OPD policy that outlines standards for personal appearance. This policy should be amended to use more inclusive language, and to avoid promoting appearance requirements that are merely aesthetic concerns, rather than defensible business needs of the police department. | Low | | | |
| 30 | Annual Report | 1/1/2018 | Submit an annual report each year to the Mayor, City Council and the public | | Low | Spring, 2021 | | Prather, Smith |
| 31 | Assessing Responsiveness Capabilities | 10/6/2018 | | Review OPD policies or training regarding how to assess if an individual whom police encounter may have a disability that impairs the ability to respond to their commands. | Low | | | |
| 32 | CPRA Report on App Usage | 10/10/2018 | | Report from staff on usage of app. | Low | | | |
| 33 | Creation of Form Regarding Inspector General's Job Performance | 1/1/2018 | Create a form for Commissioners to use in providing annual comments, observations and assessments to the City Administrator regarding the Inspector General's job performance. Each Commissioner shall complete the form individually and submit his or her completed form to the City Administrator confidentially. | To be done once Inspector General position is filled. | Low | | | |

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/D deadline | Scheduled | Lead Commissioner(s), if any |
| 34 | Discipline: Based on Review of MOU | 10/6/2018 | | <p>How often is Civil Service used v. arbitration? How long does each process take? What are the contributing factors for the length of the process? How often are timelines not met at every level? How often is conflict resolution process used? How long is it taking to get through it? Is there a permanent arbitration list? What is contemplated if there's no permanent list? How often are settlement discussions held at step 5? How many cases settle? Is there a panel for Immediate dispute resolution? How many Caloca appeals? How many are granted? What happened to the recommendations in the Second Swanson report?</p> | Low | | | |
| 35 | Discipline: Second Swanson Report Recommendations – Have These Been Implemented? | 10/6/2018 | | <p>Supervisor discipline Process for recommending improvements to policies, procedures and training, and to track and implement recommendations Tracking officer training and the content of training Comparable discipline imposed – database of discipline imposed, demonstrate following guidelines IAD civilian oversight for continuity in IAD Improved discovery processes Permanent arbitration panel implemented from MOU OPD internal counsel Two attorneys in OCA that support OPD disciplines and arbitration Reports on how OCA is supporting OPD in discipline matters and reports on arbitration Public report on police discipline from Mayor's office OIG audit includes key metrics on standards of discipline</p> | Low | | | |

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/D deadline | Scheduled | Lead Commissioner(s), if any |
| 36 | Feedback from Youth on CPRA App | 10/10/2018 | | Get some feedback from youth as to what ideas, concerns, questions they have about its usability. | Low | | | |
| 37 | OPD Data and Reporting | | | Review and comment on the Department's police and/or practice of publishing Department data sets and reports regarding various Department activities, submit its comments to the Chief, and request the Chief to consider its recommendations and respond to the comments in writing. | Low | | | |
| 38 | Outreach Committee: Work with Mayor's Office and City Admin to Publicize CPRA App | 10/10/2018 | | | Low | | | |
| 39 | Overtime Usage by OPD - Cost and Impact on Personal Health; Moonlighting for AC Transit | 1/1/2018 | | Request Office of Inspector General conduct study of overtime usage and "moonlighting" practices. | Low | | | |
| 40 | Process to Review Allegations of Misconduct by a Commissioner | 10/2/2018 | | Maureen Benson named concerns/allegations about a sitting Commissioner early in 2018, but no process exists which allows for transparency or a way to have those concerns reviewed. It was suggested to hold a hearing where anyone making allegations presents evidence, the person named has an opportunity to respond and then the Commission decides if there's sanctions or not. *Suggestion from Regina Jackson: we should design a form...check box for the allegation...provide narrative to explain..hearing within 4 weeks? | Low | | | Jackson |

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/D deadline | Scheduled | Lead Commissioner(s), if any |
| 41 | Proposed Budget re: OPD Training and Education for Sworn Employees on Management of Job-Related Stress | 1/1/2018 | Prepare for submission to the Mayor a proposed budget regarding training and education for Department sworn employees regarding management of job-related stress. (See Trauma Informed Policing Plan) | Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of posttraumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter. Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection (C) above. | Low | 4/15/2021 | | |
| 42 | Public Hearings on OPD Policies, Rules, Practices, Customs, General Orders | 1/1/2018 | Conduct public hearings on Department policies, rules, practices, customs, and General Orders; CPRA suggests reviewing Body Camera Policy | | Low | Annually; at least once per year | | Dorado |
| 43 | Revisit Standing and Ad Hoc Committee Assignments | 10/29/2019 | | | Low | | | |
| 44 | Social Media Communication Responsibilities, Coordination, and Policy | 7/30/2019 | | Decide on social media guidelines regarding responsibilities and coordination. | Low | | | |