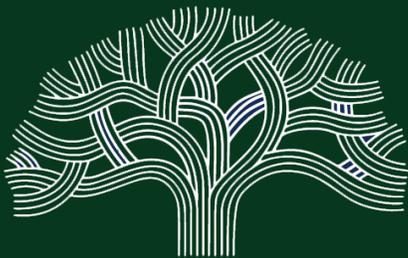


# **Oakland Police Commission**

## **2022 Annual Report**



**OAKLAND**  
POLICE COMMISSION

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# I. Executive Summary

The City of Oakland's Police Commission (Commission) is a Charter-created civilian oversight body established to provide community input and oversee the Oakland Police Department (OPD) in order to ensure its policies, practices, and customs conform to national standards of constitutional policing. The Commission is also responsible for overseeing the Office of the Inspector General (OIG), which monitors and audits OPD compliance with policies and procedures, as well as the Community Police Review Agency (CPRA), which investigates police misconduct and recommends discipline.

Among its Charter-mandated responsibilities, is the Commission's authority to approve or reject the Department's proposed changes to all policies, procedures, customs, and General Orders of the Department which govern use of force, use of force review boards, profiling based on any of the protected characteristics identified by federal, state, or local law, or First Amendment assemblies, or which contains elements expressly listed in federal court orders or federal court settlements which pertain to the Department.

The Commission is composed of seven Regular Commissioners and two Alternate Commissioners appointed by either the Mayor or a nine-member Police Commission Selection Panel. Alternate Commissioners do not vote unless they are elevated to Regular Commissioners by the Chair. Although the legislation establishing the Commission passed in November 2016, the Commission was not officially seated until December 2017. All commissioners are Oakland residents and serve in a volunteer capacity. Since the Commission's inception through Measure LL in 2016 and expansion of authority through Measure S1 in 2020, its impact through policies and programs has rapidly accelerated.

## **Milestone**

In 2022, the Commission continued the extraordinary work it began in 2017 of ensuring that OPD's policies, practices and customs meet or exceed constitutional standards. The Commission reviewed and approved nineteen (19) OPD policies, procedures and general orders, more than in all previous years combined.

## II. Legislative History

Oakland City Charter Section 604 vests the Police Commission with overseeing the OPD and holding the Department accountable to its compliance obligation and its duties to Oakland's communities.

On November 8, 2016, the voters of Oakland approved Measure LL with 83.19% (137,032 votes) in favor. Measure LL established the Commission to oversee OPD policies and procedures, as well as the CPRA to investigate police misconduct and recommend discipline. On June 22, 2018, the Oakland City Council approved an ordinance to support and implement Measure LL.

On November 3, 2020, Oakland voters approved Measure S1 with 81.27% in favor. Measure S1 expanded the independence, authority, and staffing of the Police Commission and CPRA, and provided that the OIG reports to the Police Commission. Under Measure S1, the OIG is responsible for auditing OPD's compliance with the 52 Tasks described in the negotiated settlement agreement (NSA) in *Delphine Allen, et al., v. City of Oakland, et al.* These audits would address improvements in policing standards, community access to the complaint process, reporting and investigations of police misconduct, training and supervision, and identifying at-risk behaviors by police officers.

### Milestone

For the first time in 20 years, and under the leadership of Chief LeRonne Armstrong, the federal court found that OPD was in sufficient compliance with tasks required under the Negotiated Settlement Agreement (NSA), such that the City of Oakland could take the next-to-final step toward ending federal court oversight. In an Order issued on May 12, 2022, Judge Orrick determined that the City would enter into a one year sustainability period starting June 1, 2022.

### III. Police Commission Structure

#### Police Commission Leadership in 2022

In February, Commission Chair Dr. Tyfahra Milele and Vice Chair Marsha Peterson were elected to serve in their leadership positions. Dr. Milele is the Commission’s first Selection Panel appointee to serve as Chair, marking a special moment in community-led police oversight for the City of Oakland.

#### 2022 Commissioners



**Chair**

Dr. Tyfahra Milele  
Selection Panel, Oct 2023



**Vice Chair**

Marsha Peterson  
Mayoral, Oct 2023



Brenda Harbin-Forte  
(Commissioner)  
Mayoral, Oct 2022



Rudolph Howell  
(Commissioner)  
Selection Panel, Oct 2024



Jesse Hsieh  
(Commissioner)  
Selection Panel, Oct 2025



Regina Jackson  
(Chair Emeritus)  
Mayoral, Oct 2024



David Jordan  
(Commissioner)  
Selection Panel, Oct 2023



Angela Jackson-Castain  
(Alternate Commissioner)  
Selection panel, Oct 2025



Karely Ordaz  
(Alternate Commissioner)  
Mayoral, Oct 2023

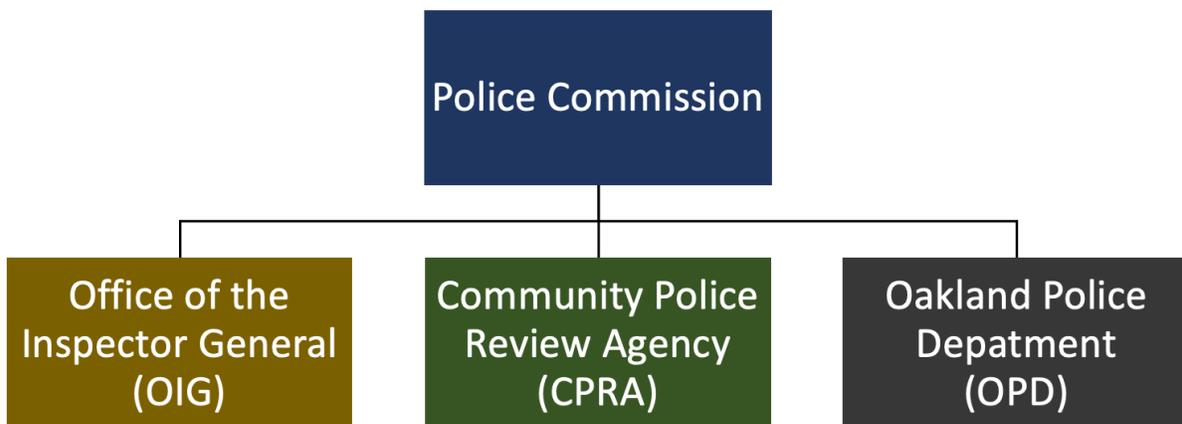
## Commission Changes in 2022

The Commission welcomed two Alternate Commissioners, Angela Jackson-Castain (Selection Panel) and Karely Ordaz (Mayoral). The Commission elevated Alternate Commissioner Jesse Hsieh to complete Commissioner Henry Gage III's (Selection Panel) unexpired term. The City Council confirmed the reappointments of Commissioners Regina Jackson (Mayoral) and Jesse Hsieh (Selection Panel) to new terms of continued service on the Police Commission.

## IV. Staffing Updates in 2022

The Commission officially welcomed its first Inspector General, Michelle Phillips, in January. In August, the Commission welcomed Kelly Yun to the Chief of Staff position as an Exempt Limited Duration Employee (ELDE). The Police Commission bid farewell to John Alden (CPRA Executive Director), Rania Adwan (Chief of Staff), and Aaron Zisser (CPRA Chief of Staff who assumed the Interim CPRA Executive Director position before transitioning). Charlotte Jones was appointed Interim CPRA Executive Director in December.

### Police Commission and Departmental Agencies Organizational Structure



## V. Committee Work

Establishing Ad Hoc Committees in groups of three or fewer Commissioners allows for special focus on additional projects and initiatives between full Commission meetings without violating the Brown Act. Members of the public serve as featured community participants on these ad hoc committees, providing their expertise, input and perspective to enhance the work of these committees. In October, the Commission Chair reorganized the committee assignments to move work forward with intentionality, prioritizing mission alignment and maximizing the participation of Commissioners as much as possible.

*(As of December 31, 2022)*

<b>Ad Hoc Committee</b>	<b>Commissioners Committee Chair (c)</b>
Budget	Milele (c), Jordan, Jackson-Castain
Body Worn Camera Policy	Harbin-Forte (c), Peterson, Hsieh
Community Outreach	Howell (c), Hsieh, Jordan
Contracts	Peterson (c), Howell, Ordaz
OIG Policies	Peterson (c), Harbin-Forte, Jackson
CPRA Policies	Harbin-Forte (c), Jackson-Castain, Ordaz
Militarized Equipment Policy	Hsieh (c), Jackson-Castain, Jordan
Racial Profiling Policy	Committee of the Whole
Rules of Procedure	Hsieh (c), Howell, Jackson-Castain
*Staff Searches (CPRA, CoS)	Milele (c), Jordan, Howell
*Staff Evaluations (CPRA, IG, CoP, CoS)	Milele (c), Peterson, Ordaz
OBOA Allegations	Harbin-Forte (c), Jackson, Ordaz

### **\*Committee Name Changes**

- The Staff Searches (CPRA, CoS) Ad Hoc Committee was formerly separated into two committees: CPRA Executive Director Search Ad Hoc and Chief of Staff Search Ad Hoc.
- The Staff Evaluations (CPRA, IG, CoP, CoS) Ad Hoc Committee was formerly the CPRA Director and IG Performance Evaluation Ad Hoc Committee.

*(Completed/Paused/Dormant Ad Hoc Committees)*

<b>Ad Hoc Committee</b>	<b>Commissioners</b>
Annual Report	Milele, Jackson
Anti-Discrimination Policy	Harbin-Forte, Hsieh, Jackson
Electronic Communication Devices	Howell, Harbin-Forte, Peterson
Police Chief Goals and Evaluation	Milele, Peterson, Jackson
Risk Management Policy	Peterson, Harbin-Forte, Howell
Social Media Policy	Milele, Hsieh, Jackson
White Supremacists and Other Extremist Groups	Harbin-Forte, Jackson
Community Policing (15-01)	Harbin-Forte, Howell, Hsieh

## **VI. Police Commission Meetings**

Police Commission meetings regularly take place on the second and fourth Thursday evenings of each month, with additional meetings scheduled as needed. Representatives from OPD, CPRA, and OIG typically attend to provide reports and updates to Commissioners and to listen to feedback from the community. Special guests and subject matter experts are also invited to present on topics relating to the work of the Commission.

The purpose of these Regular and Special Thursday evening meetings is to convene the Commission to conduct business as a body of the whole and to invite public comment in an open forum where ideas, concerns, and input are exchanged. Public feedback is highly encouraged and may also be submitted electronically. Post-meeting video recordings and meeting minutes are also made available on the Commission website for full transparency.

This year, several extra meetings were held in addition to the usual second and fourth Thursday evening meetings, in order to review new or revised policies before deadlines imposed by the NSA or by state and local law.

In light of the ongoing COVID-19 global pandemic, Commission and Ad Hoc Committee meetings have continued to take place virtually via Zoom. This online format ensures adherence to public health guidelines and offers expanded accessibility for engagement with members of the community who may be immunocompromised or experience greater difficulty with access.

## VII. OPD Policies, Orders, and Resolutions

- DGO 15-01 (Community Policing)
- DGO D-18 (Social Media)
- DGO I-25 (\*Unmanned Aerial Systems)
- DGO I-26 (\*Ground Robots)
- DGO I-27 (\*Long-Range Acoustic Devices)
- DGO I-28 (\*Mobile Command Vehicles)
- DGO K-6 (\*Department Rifles)
- DGO O-6 (Missing & Abducted Persons)
- DGO R-01 (Risk Management)
- K-7 (\*Militarized Equipment)
- TB III-G (\*Crowd Control and Crowd Management)
- TB III-P.04 (\*Armored Vehicles)
- TB III-P.05 (\*Noise-Flash Diversion)
- TB V-F.02 (\*Chemical Agents)
- TB-III-H (\*Specialty Impact Munitions)
- Revised Policy DGO-19 (Electronic Communication Devices)
- Revised Special Order 9208 (Documentation of Use of Force)
- Revised Resolution Calling for Reform of Government Code Section 3304 (Time Limits for Conducting Investigations of Public Safety Officer)
- Resolution Endorsing Assembly Bill 2557 (Expanding Disclosure of Peace Officer Personnel Records)

### **Milestone**

The Oakland Police Commission had a landmark year by approving nineteen (19) policies, more than in any prior year. The Commission recognized the Militarized Equipment Ad Hoc Committee for its tremendous work with \*militarized equipment policies. Learn more about any of the policies above at: [oaklandca.gov/resources/opd-policies](http://oaklandca.gov/resources/opd-policies).

## **VIII. Presentations and Speakers**

- Public Safety Youth Leadership Council
- Restorative Justice for Oakland Youth (RJOY)
- Mobile Assistance Community Responders of Oakland (MACRO)
- Dr. Samuel Sinyangywe, Mapping Police Violence
- Dr. Omowale Satterwhite, Leadership Incorporated
- Office of the City Attorney (OCA) Biannual Report Out
- Special Joint Meeting of the Community Police Advisory Board (CPAB), Public Safety and Services Oversight Commission (SSOC), and Oakland Police Commission (represented by Vice Chair Peterson)

## **IX. Training, Development, and Conferences**

- SB 1421 and SB 16 (Police Transparency Laws) Training
- Oakland Police Department Trainings per City Charter
- Office of the City Attorney Trainings per City Charter
- National Association for Civilian Oversight of Law Enforcement (NACOLE) 2022 Annual Conference
- Labor Law and Labor Arbitration Conference

## **X. Acknowledgements**

The Oakland Police Commission would like to thank and acknowledge stakeholders and community members for continuing to engage during meetings and adding their incredible contributions to ad hoc committee work. The impact of this Commission is strengthened by the voices and perspectives of our community thought partners. Thank you!

# XI. Appendix A: Roster of Commission Membership

## POLICE COMMISSION CHAIRS

TENURE	NAME	APPOINTING BODY
Feb. 2018 – Feb. 2019	Thomas Lloyd Smith	Mayor
Feb. 2019 – Feb. 2022	Regina Jackson	Mayor
Feb. 2022 – Present	Tyfahra Milele	Selection Panel

## ROSTER OF ALL COMMISSION MEMBERS

COMMISSIONER NAME	START-END DATE	APPOINTING BODY	REGULAR / ALTERNATE	TITLES HELD
Mubarak Ahmad	10/17 - 10/19	Selection Panel	Regular	
Tara Anderson	10/17 - 10/20	Selection Panel	Regular	
Maureen Benson	10/17 - 10/19	Selection Panel	Both	
Chris Brown	10/17 - 10/20	Mayor	Alternate	
Andrea Dooley	10/17 - 10/20	Mayor	Alternate	
José Dorado	10/17 - 10/21	Selection Panel	Regular	Vice Chair
Henry Gage, III	10/19 - 10/22	Selection Panel	Regular	Vice Chair
Sergio Garcia	10/20 - 10/23	Selection Panel	Regular	
Brenda Harbin-Forté	7/20 - 10/22 *	Mayor	Regular	
Ginale Harris	10/17 - 10/20	Selection Panel	Regular	Vice Chair
Rudy Howell	10/21 - 10/24	Selection Panel	Regular	
Jesse Hsieh	5/21 - 10/25	Selection Panel	Both	
James Jackson	10/21 - 10/21 †	Mayor	Regular	
Regina Jackson	10/17 - 10/24	Mayor	Regular	Chair
Angela Jackson-Castain	10/22 - 10/25	Selection Panel	Alternate	
David Jordan	10/19 - 10/23	Selection Panel	Both	Vice Chair
Tyfahra Milele	10/20 - 10/23	Selection Panel	Regular	Chair
Mike Nisperos	10/17 - 10/20	Selection Panel	Regular	
Karely Ordaz	6/22 - 10/23	Mayor	Alternate	
Marsha Peterson	2/21 - 10/23	Mayor	Both	Vice Chair
Edwin Prather	10/17 - 10/19	Mayor	Regular	
Thomas Lloyd Smith	10/17 - 10/20	Mayor	Regular	Chair

\*Still serving as of date of this annual report

† Resigned before attending his first meeting