



CITY OF OAKLAND

Oakland Police Commission

Annual Report 2020

EXECUTIVE SUMMARY

The City of Oakland's Police Commission (Commission) is a Charter-created oversight board, authorized to oversee the policies, practices, and customs of the Oakland Police Department (OPD). The Commission is a civilian-run entity comprised of seven Commissioners and two non-voting Alternate Commissioners. The Commission's jurisdiction includes oversight of the Community Police Review Agency (CPRA), which investigates complaints of police misconduct and provides disciplinary findings. In November of 2020, the Commission also was given supervision over the new Inspector General's Office, which is slated to open in 2021.

BACKGROUND / LEGISLATIVE HISTORY

Charter Section 604 charges the Police Commission with overseeing the OPD in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing. The Commission has the 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 also supervises the investigative work of the CPRA.

On November 3, 2020, Oakland voters overwhelmingly approved Measure S1. This measure amended the City Charter by establishing a new Office of Inspector General (OIG) outside of the OPD to investigate and review the City's handling of police misconduct-related claims, lawsuits, settlements, complaints, and investigations involving the OPD and CPRA. Subject to limitations, this measure will allow the OIG to request and review OPD and CPRA records, including personnel and investigative records. The OIG will also audit the OPD's compliance with the tasks described in the Negotiated Settlement Agreement (NSA) in *Delphine Allen, et al., v. City of Oakland, et al.* This audit will address improvements in policing standards, the public's access to the complaint process, reporting and investigations of police misconduct, training and supervision, and identifying at-risk behaviors by police officers.

Measure S1 also allows the Commission to hire its own attorneys independent of the City Attorney's Office. It also provides CPRA with a budget to hire its own attorneys independent of the City Attorney's Office.

POLICE COMMISSION STRUCTURE

As of December 31, 2020

Commissioner	Title	Appointed By	Term Ends
Regina Jackson	Chair	Mayor	October, 2021
Henry Gage, III	Vice Chair	Selection Panel	October, 2022
José Dorado	Commissioner	Selection Panel	October, 2021
Sergio Garcia	Commissioner	Selection Panel	October, 2023
Brenda Harbin-Forte	Commissioner	Mayor	October, 2022
Tyfahra Singleton	Commissioner	Selection Panel	October, 2023
Thomas Lloyd Smith	Commissioner	Mayor	October, 2020
David Jordan	Alternate Commissioner	Selection Panel	October, 2022

The Commission welcomed three new Commissioners in 2020:

Name	Title	Appointed By
Sergio Garcia	Commissioner	Selection Panel
Brenda Harbin-Forte	Commissioner	Mayor
Tyfahra Singleton	Commissioner	Selection Panel

In 2020, the following Commissioners left the Commission:

Commissioner	Title	Left Commission	Reason
Tara Anderson	Commissioner	October, 2020	Term ended
Chris Brown	Alternate Commissioner	October, 2020	Term ended
Ginale Harris	Commissioner	October, 2020	Term ended

Police Commission Leadership

In February 2020, Regina Jackson was elected to serve another term as Chair and Henry Gage, III was elected to the position of Vice Chair.

Committees – Standing and Ad Hoc

Personnel Committee

In 2020 Tara Anderson resigned from the Personnel Committee.

The remaining members voted to reorganize CPRA in July of 2020 by eliminating two positions and adding two new ones. The Police Commission authorized this reorganization that same month. These two new positions – a Chief of Staff for CPRA and a lead staffer for the

Commission – will help CPRA and the Commission move faster on accomplishing all of their Charter-mandated duties. Since then, the first of these two positions, the Chief of Staff of CPRA, has been created, and will be permanently filled in early 2021.

Ad Hoc Committees

Since its inception, the Police Commission has created several ad hoc committees to address specific needs. As of December 2020, the following ad hoc committees are active:

Ad Hoc Committee	Commissioners
Annual Report	Jackson, Smith
Armed and Unresponsive Persons and Arrest Teams	Jackson, Jordan, Smith
Bey Cases	Harris
Budget	Dorado, Jackson
Community Resource Officer Deployment OPD 15-01	Dorado, Harbin-Forte, Jackson
Mental Health Model	Dorado
Military Police Equipment	Gage, Jordan
Missing Persons Policy	Jackson, Jordan
OBOA Allegations Investigation	Harbin-Forte, Jackson
Rules of Procedure	Gage, Smith

POLICE COMMISSION MEETINGS

The Police Commission normally meets on the second and fourth Thursday of each month in the evenings. These meetings offer robust open forum and public input on issues. Representatives from OPD and CPRA appear at most meetings to provide reports on Commission-requested topics and to hear public comment.

OPD Presentations at Commission Meetings

Since its inception, the Commission has requested that the Chief of Police provide informational reports on topics of interest to the Commission and as required by the Enabling Ordinance. In 2020, members of the Department presented on various topics including:

- Comments on reports from the Independent Monitor
- OPD’s progress satisfying the terms of the negotiated settlement agreement
- An update on the status of the missing person case of Jonathan Bandabaila
- OPD’s use of overtime
- A report on the impact to date of the revised Departmental General Order (DGO) R-02: Searches of Individuals on Probation, Parole, Mandatory Supervision and PRCS (Post-Release Community Supervision)

- A report on a crowd management that occurred during public demonstrations in late May and early June
- Special Order (SO) 9205: Banning Carotid Restraint and All Forms of Asphyxia
- DGO K-3 Use of Force
- A presentation on external and internal racial disparities mitigation, building trust through procedural justice and transparency, and building internal equity

Consideration of OPD Policies and Orders

The Commission reviewed and considered several OPD Policies and Orders including:

- DGO K-03: Use of Force. The Commission voted on October 8, 2020 to approve a revised version of the policy developed in conjunction with OPD and members of the community. An Ad Hoc Committee comprised of Tara Anderson, Henry Gage, III, and Ginale Harris was established in October 2019 to create a working group with representatives from OPD and the community to develop a revised Use of Force policy. The working group met biweekly, and at times weekly, for nearly one year, and produced a policy which the Commission approved at the first reading.
- SO 9205: Banning Carotid Restraint and All Forms of Asphyxia. The Commission and OPD collaborated on revisions to SO 9205 and it was presented to the City Council on October 21, 2020. On June 25, 2020, an Ad Hoc Committee was formed with Tara Anderson, Edwin Prather, and Thomas Lloyd Smith. They met regularly and worked with OPD personnel to develop a collaborative policy that was submitted to the City Council.

Special Presentations to the Police Commission

On January 9, 2020, David Muhammad of the National Institute for Criminal Justice Reform (NICJR) delivered a presentation on the Neighborhood Opportunity and Accountability Board (NOAB) which will be a community based, restorative, youth diversion initiative in Oakland.

On June 11, 2020, David Harris from Urban Strategies discussed his process for including feedback from community groups as he prepared a report on in preparing a report which recommends how to ensure that Mobile Assistance Community Responders of Oakland (MACRO) teams reflect the communities they are responding in.

On July 23, 2020, City of Oakland Chief Information Officer Andrew Peterson provided an update on the development of OPD's Vision database.

On August 27, 2020, Councilmembers Nikki Fortunato Bas and Loren Taylor joined the meeting to discuss the newly formed Reimagining Public Safety Task Force.

Special Concurrent Meeting of the Oakland City Council, Community Policing Advisory Board, Public Safety Services Oversight Commission, and Oakland Police Commission

On September 29, 2020, a special joint meeting of the City Council, Community Policing Advisory Board, Public Safety Services Oversight Commission, and Oakland Police Commission was held to discuss the City's efforts on public safety and violence reductions.

On November 12, 2020, Mike Sena, Director of the Northern California Regional Intelligence Center, delivered a presentation on the threat level to Oakland from violent extremists and hate groups in the Bay Area.

TRAINING FOR THE POLICE COMMISSION

Training for Commissioners is ongoing as Commissioners cycle on and off the Commission. The Commission received the following trainings in open session:

- On February 27, 2020 Human Resources Director Ian Appleyard delivered a training on Civil Service Board and Other Relevant City Personnel Policies and Procedures as mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190.
- March 12, 2020, Human Resources Director Ian Appleyard delivered a training on California's Meyers Milias Brown Act (MMBA) and the Public Employment Relations Board's Administration of MMBA as mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190.
- December 17, 2020, Race and Equity Director Darlene Flynn delivered a training on Racial Equity as required by OMC 2.45.190(M).

OTHER NOTEWORTHY ITEMS

On February 20, 2020, the Commission held a special closed session meeting where they voted to join Mayor Schaaf in terminating the Chief of Police without cause.

On February 29, 2020 the Commission sponsored a special Youth Listening Session at the East Oakland Youth Development Center where young people were invited to share their experiences and ask questions on the OPD's use of force.

SATURDAY, FEBRUARY

29

Are you Safe?
What Needs to Change?
Share Experiences

Oakland's Independent Police Commission brings community oversight to OPD policies and practices.

The Police Commissioners will be there to listen to you!

AGES 14-24

**LET'S TALK ABOUT
OAKLAND POLICE
AND
USE OF FORCE**

Youth Listening Session

12pm-2:30pm

EOYDC
8200 International BLVD., Oakland
Refreshments will be provided

Invite family and friends who have been impacted by the Oakland Police Department policies and practices.

Due to the Covid-19 global pandemic, the Police Commission switched their meetings platform to Zoom and began holding teleconference meetings on April 9, 2020.

On April 23, 2020, the Commission welcomed Interim Police Chief Susan Manheimer. Interim Chief Manheimer provided an update on the Department at each subsequent meeting.

On April 27, 2020 the Commission held a special meeting to discuss and develop comments on the draft revisions to Measure LL which were then submitted to the City Council.

On June 8, 2020 the Commission held a special Town Hall meeting on OPD's response to first amendment assemblies and peaceful demonstrations. Panelists Lateefah Simon President, BART Board of Directors, Akil Riley and Xavier Brown, organizers of the Youth March; and community advocate John Jones, III discussed first amendment assemblies and peaceful demonstrations and the related OPD policies and procedures. A Community Roundtable discussion served to gather testimony on the traumas that the community is feeling during the pandemic and recent demonstrations.

OAKLAND POLICE COMMISSION SPECIAL MEETING

TOWN HALL MEETING
MONDAY, JUNE 8, 2020
6:00 PM

Oakland Police Response
First Amendment Rights
Peaceful Demonstrations
Policies and Procedures
Open Public Forum

Akil Riley
YOUTH ORGANIZER

Xavier Brown
YOUTH ORGANIZER

Lateefah Simon
AKONADI FOUNDATION

John Jones III
JUST CITIES

LeRonne Armstrong
OAKLAND POLICE DEPARTMENT

JOIN THE CONVERSATION ONLINE:
[HTTPS://US02WEB.ZOOM.US/J/86563466207](https://us02web.zoom.us/j/86563466207)

On June 18, 2020 the Commission held a Special Budget Hearing on the OPD's budget amidst nationwide calls for defunding the police.

On June 25, 2020 the Commission approved a resolution urging the Civil Service Board to disqualify applicants to the uniformed ranks of OPD based on prior acts of misconduct.

On November 5, 2020, the Mayor's office, in conjunction with the Police Commission's Police Chief Search Ad Hoc Committee, held a virtual Candidate's Forum to meet and hear from the finalists for the Oakland Police Chief position.

**THURS
NOV
5TH**

CANDIDATES FORUM FOR OAKLAND'S CHIEF OF POLICE

**JOIN THE OAKLAND POLICE COMMISSION'S POLICE CHIEF SEARCH AD HOC COMMITTEE AND
MAYOR LIBBY SCHAAF
FOR A FORUM TO VIRTUALLY MEET AND HEAR FROM THE FINALISTS FOR OAKLAND POLICE
CHIEF**

THURSDAY, NOVEMBER 5TH AT 6:30-8:30PM PST

LERONNE ARMSTRONG
DEPUTY POLICE CHIEF, OPD

JASON LANDO
COMMANDER, PITTSBURGH, PA POLICE DEPT.

DRENNON LINDSEY
DEPUTY POLICE CHIEF, OPD

ABDUL PRIDGEN
CHIEF, SEASIDE POLICE DEPT.

****FINALISTS ADVANCED BY THE POLICE CHIEF SEARCH AD HOC COMMITTEE. PUBLIC
COMMENT WILL BE HEARD PRIOR TO FINAL COMMISSION ACTION ON NOV. 12TH**