



Oakland Police Commission — Meeting Minutes

Date: Thursday, January 8, 2026

Time: 5:42 PM – 8:57 PM

Location: Hearing Room 2, First Floor, 1 Frank H. Ogawa Plaza, Oakland

Members Present

- Ricardo Garcia-Acosta, Chair
- Shawana Booker, Vice Chair
- Shane Williams, Commissioner
- Angela Jackson-Castain, Commissioner
- Samuel Dawit, Commissioner

Members Absent

- Wilson Riles, Commissioner (excused)
- Omar Farmer, Alternate Commissioner (excused)

Staff Present

- Mykah Montgomery, Chief of Staff

Other Officials Present

- Deputy Chief Ausmus, Bureau of Risk Management, Oakland Police Department

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

Chair Ricardo Garcia-Acosta called the meeting to order and welcomed the community, wishing everyone a happy new year. 00:13:52

Roll call was conducted. Vice Chair Booker, Commissioner Williams, Commissioner Jackson-Castain, and Commissioner Dawit were present. Chair Garcia-Acosta noted that Alternate Commissioner Omar Farmer and Commissioner Wilson Riles were both excused due to illness. A quorum was established with five of seven members present.

II. Closed Session

Chair Garcia-Acosta announced the Commission would adjourn to closed session to address existing litigation (*Delphine Allen et al. v. City of Oakland et al.*), public employee appointment matters (Chief of Police and CPRA Executive Director), and public employee discipline matters.

Public Comment (Olugbala)

- Expressed concern that discussions around the NSA are omitting key original purposes, including correcting internal affairs investigations, use of force, racial profiling, police officer training, and accountability in the discipline process. Asked when stop data would be presented to the public or the Commission, noting the last publicly available stop data online dates to 2019. Also raised the issue of truant students identified in stop data and the lack of discussion about what happens to those young people. 00:15:24

Action Taken

The Commission adjourned to closed session at approximately 5:45 PM. 00:17:39

III. Redetermination of Quorum and Readout from Closed Session

The Commission reconvened in open session. 01:27:11

Roll call was conducted. Vice Chair Booker, Commissioner Williams, Commissioner Jackson-Castain, and Commissioner Dawit were present. Chair Garcia-Acosta acknowledged

Commissioner Dawit for attending despite illness in order to ensure a quorum for important votes.

Closed Session Readout

Chair Garcia-Acosta reported that the Commission had taken a final action in closed session. He stated that on a motion made on November 20, 2025, by Commissioner Williams and seconded by Vice Chair Booker, the Commission had voted unanimously to initiate the human resources process and negotiation to appoint Antonio "Tony" Lawson to the permanent position of Executive Director of the Community Police Review Agency (CPRA). Chair Garcia-Acosta announced that Mr. Lawson had been offered and had accepted the position. He noted that Mr. Lawson would provide a readout at the next Commission meeting. 01:28:18

Agenda Amendment

Chair Garcia-Acosta informed the Commission that due to commissioner illness and the need to focus on priority items requiring votes, he wished to postpone several agenda items to the next meeting. He moved to postpone Agenda Item VII (Oakland Police Department Update), Agenda Item X (Ad Hoc Committee Reports), and Agenda Item XI (Upcoming/Future Agenda Items). Commissioner Williams seconded the motion. Chief of Staff Montgomery confirmed that public comment would still be taken on postponed items when reached on the agenda. 01:32:22

Roll Call Vote on Agenda Amendment:

- Vice Chair Booker: Aye
- Commissioner Williams: Aye
- Commissioner Jackson-Castain: Yes
- Commissioner Dawit: Aye
- Chair Garcia-Acosta: Aye

Motion carried unanimously (5-0). Agenda Items VII, X, and XI were postponed to the next meeting. 01:34:36

IV. Open Forum Part 1

Public Comment (Janks)

- Urged the Commission to take stronger action on establishing clear rules for OPD when interacting with federal immigration enforcement (ICE). Noted that ICE had shot two more people that afternoon. Stated that it is not reasonable to ask officers to operate without clear instruction on what they can and cannot do. Criticized the city administration for inconsistent messaging — first saying they were writing a new policy, then referencing crowd control policy, then issuing a memo only relevant to city buildings. Challenged the Commission for not asking OPD for specifics about the ICE-related training that officers reportedly received. 01:35:38

Chair Garcia-Acosta thanked the commenter and stated the Commission has been having conversations with Chief Beere and executive staff and is exploring having a dedicated hearing on the issue. He expressed concern about the violence reported that day and emphasized the importance of working together as a city. 01:38:11

Unanswered Questions / Follow-Up Items

- What specific ICE-related training has OPD provided to officers, and does it cover all relevant issues?
- The Chair indicated the Commission is exploring a dedicated hearing on ICE/immigration enforcement interactions.

V. Election of Oakland Police Commission Chairperson

Chair Garcia-Acosta opened the floor for nominations and discussion. 01:38:54

Commissioner Dawit nominated Chair Garcia-Acosta to continue serving as Chair. Vice Chair Booker seconded the nomination.

Chair Garcia-Acosta addressed the Commission and public, reflecting on the challenges and accomplishments of the past year. He highlighted the improvement in Commission decorum and the ability of commissioners to work amicably and engage in respectful dialogue. He expressed gratitude for the nomination and accepted it. 01:40:20

Public Comment

No public comment was offered on this item.

Action Taken

Chair Garcia-Acosta moved to elect himself as Chairperson for another term. Commissioner Williams seconded.

Roll Call Vote:

- Vice Chair Booker: Aye
- Commissioner Williams: Aye
- Commissioner Jackson-Castain: Yes
- Commissioner Dawit: Aye
- Chair Garcia-Acosta: Aye

Motion carried unanimously (5-0). Ricardo Garcia-Acosta was re-elected as Chair of the Oakland Police Commission. 01:43:12

VI. Election of Oakland Police Commission Vice Chairperson

Chair Garcia-Acosta opened the floor for nominations. 01:43:47

Commissioner Williams nominated Vice Chair Booker to continue serving as Vice Chair. Chair Garcia-Acosta spoke in support of the nomination, recognizing Vice Chair Booker's leadership, her stabilizing role on the Commission, and her commitment to serving all Oakland community members. He noted her assistance in navigating difficult situations and her strong decision-making.

Vice Chair Booker accepted the nomination, stating she takes the position seriously and views herself as a representative of all Oakland community members. She expressed a commitment to stepping up efforts on outstanding work. 01:44:42

Public Comment

No public comment was offered on this item.

Action Taken

Chair Garcia-Acosta moved to elect Commissioner Shawana Booker as Vice Chairperson. Commissioner Dawit seconded.

Roll Call Vote:

- Vice Chair Booker: Aye
- Commissioner Williams: Aye
- Commissioner Jackson-Castain: Aye
- Commissioner Dawit: Aye
- Chair Garcia-Acosta: Aye

Motion carried unanimously (5-0). Shawana Booker was re-elected as Vice Chair of the Oakland Police Commission, serving from January 8, 2026, until the next election. 01:48:10

VII. Oakland Police Department Update (Postponed)

This item was postponed to the next Commission meeting per the agenda amendment. Public comment was taken.

Public Comment (Olugbala, Mandal)

- Reiterated concerns about the unavailability of stop data, stating the most recent online data dates to 2019. Argued that stop data is a crucial component of the NSA. Asked the Commission to examine how police exercise discretion in issuing citations versus arrests along racial and demographic lines. Questioned OPD's process for publicly identifying arrested individuals, expressing concern about a disproportionate number of African Americans being publicly identified with photographs. Asked how OPD works with OUSD regarding students identified as truant in stop data. 01:48:39
- Addressed Task 2 of the NSA, which requires at least 85% of misconduct investigations be completed within 180 days. Stated that recent monitoring reports exclude CPRA cases from Task 2 analysis because those investigations were not completed within required timeframes. Argued that current Task 2 compliance assessments do not reflect the full investigative picture. Noted that CPRA does not publicly report total case volumes, the number of cases exceeding the 180-day deadline, or a current annual report. Encouraged the Commission to acknowledge this dependency in NSA discussions and request regular public reporting from CPRA on case volumes and 180-day compliance. 01:51:13

Unanswered Questions / Follow-Up Items

- When will current stop data be presented to the Commission or made publicly available? (Last publicly available data online dates to 2019.)

- How does OPD exercise discretion in citations vs. arrests, examined by race/demographics?
- What is OPD's process for publicly identifying arrested individuals with photographs, and is there racial disparity in that process?
- How does OPD coordinate with OUSD regarding truant students identified in stop data?
- Request that the Commission seek regular public reporting from CPRA on total case volumes and 180-day investigation compliance to ensure complete Task 2 assessments.

VIII. OPD Presentation, Commission Discussion, and Vote on DGO M-04.1: Criminal Investigation of Department Members and Outside Sworn Law Enforcement Personnel Policy Draft

Staff Report / Presentation

Deputy Chief Ausmus of the Bureau of Risk Management presented the revised DGO M-04.1 policy, which was developed as part of the after-action recommendations from the Fong Tran case. 01:53:33

DC Ausmus walked the Commission through each section of the revised policy, highlighting the following key changes:

Cultural Accountability Statement (Section 1): Complete rewrite to clean up repetitive text and formatting errors. Added a new paragraph explicitly acknowledging the separation between criminal and administrative investigations to protect Fifth Amendment rights and prevent compromised prosecutions using immunized testimony.

Command Intent (Section 2): Revised to include language requiring members to protect investigative integrity by maintaining confidentiality and limiting disclosure to only those officials designated in the policy.

Definitions (Section A): Expanded the definition of "Member" to include police cadets, police officer trainees, and annuitants, ensuring all OPD personnel are covered. Simplified the "Reasonable Suspicion" definition. Created new definitions for the M-04.1 Follow-Up Report (Training Form), Investigative Action Report (IAR), and Tracking Sheet — tools referenced over 20 times in the policy but previously never formally defined.

Notification Requirements (Section B): Expanded trigger language from "has reasonable suspicion" to "receives an allegation or has reasonable suspicion," closing a potential gap where members might delay notification. Added consistent 24-hour timelines for all notification categories (IAB members, CID members, Watch Commanders). Clarified escalation chains. Changed the mandatory M-04.1 meeting timeline from within 48 hours to the next business day, accounting for weekends and holidays. Added a new post-preliminary investigation meeting as an additional accountability checkpoint.

Responsibilities (Sections C-D): Strengthened Watch Commander language from guidance to directive ("shall not interview" vs. "refrain from interviewing"). Removed IAB preliminary inquiry language to clarify that criminal investigations are CID's responsibility. Created a two-meeting structure: initial meeting (next business day) to assess reasonable suspicion and ensure notifications, and post-preliminary meeting (within 5-10 days) to make informed investigation decisions.

CID Investigative Procedures (Section E): Created five specific closure categories aligned with FBI UCR standards. Added requirement that closure notifications include the closure determination form and a brief summary of investigative findings. Added new subsection on criminal prosecution updates requiring monthly coordination with assigned prosecutors.

Outside Sworn Law Enforcement Personnel (Section G): Maintained and clarified procedures for investigating criminal misconduct by officers from other agencies within Oakland.

Commissioner Discussion

Chair Garcia-Acosta confirmed that the expanded definition of "Member" means M-04.1 notification requirements apply to cadets, trainees, and annuitants. 01:57:27

Commissioner Dawit asked about the notification process prior to this policy — specifically whether outside agencies notify OPD when they arrest an OPD officer. DC Ausmus explained that sometimes outside agencies do notify OPD, but the policy ensures the officer also has an independent obligation to report through their chain of command. 02:05:48

Chair Garcia-Acosta asked whether internal systems (such as CLETS) would automatically flag that an arrested person is an OPD officer even if the officer did not self-identify. DC Ausmus confirmed that running a name check would reveal law enforcement employment. 02:07:38

Chair Garcia-Acosta inquired about how OPD identifies patterns in M-04.1 notifications (e.g., recurring DUIs) and uses that information to shape training and prevention efforts. DC Ausmus stated that OPD does track trends and gave the example of a prior increase in DUI incidents,

which led to coordinated efforts with the Chief of Police, the union, peer support, and the wellness unit to encourage officers to use ride services and call supervisors for rides. He noted similar tracking occurs for domestic violence allegations and that wellness and anger management resources are made available when trends emerge. 02:36:07

Chair Garcia-Acosta emphasized the Commission's interest in advocating for health and wellness funding and prevention programs to address the root causes of officer misconduct, such as burnout. 02:38:59

Commissioner Jackson-Castain asked about a perceived pattern of cases beginning with vehicle accidents that then evolve into more serious misconduct. DC Ausmus acknowledged that failure to stop, report, or concealment of accidents constitutes truthfulness violations. He explained that newer officers tend to have higher accident rates in their first year as they adjust to multitasking while driving. He noted OPD conducts annual EVOG (Emergency Vehicle Operations Course), code-three driving, and pursuit driving training as mandated by POST. 02:46:27

Commissioner Williams asked for clarification on the term "investigative call out" used multiple times in the policy. DC Ausmus explained this refers to calling investigators in to duty (often after hours) to immediately begin an investigation when the IAB Captain and CID Captain determine the matter is serious enough to warrant immediate action. 02:48:49

Public Comment (Cleveland, Olugbala, Janks)

- Requested clarification on the distinction between criminal and administrative investigations, asking who determines when an administrative violation rises to the level of a criminal charge — for example, if an officer were found to discipline only Black officers, which could constitute a federal civil rights violation. Raised concerns about the policy statement that oversight bodies "do not direct or control OPD's investigative decisions," noting that the discipline committee process allows CPRA to effectively affect OPD investigative decisions. Suggested the policy should state that notifications are consistent with the City Charter. 02:32:09
- Stressed that no policy will be effective without culture change, referencing the "blue wall of silence" and retaliation against officers who report misconduct. Stated that the NSA judge has called for culture change. Also noted that the City of Oakland has an existing ordinance on ICE enforcement oversight through the Privacy Commission and encouraged the Police Commission not to take on that issue. 02:34:29
- Asked whether OPD has considered extending wellness and prevention resources to the immediate families of officers, noting that families may not know about available resources and that burnout and off-duty misconduct affect the whole family. 02:37:01

Chair Garcia-Acosta noted that officer family wellness should be included in future discussions about health and wellness and prevention. 02:38:45

Unanswered Questions / Follow-Up Items

- Who determines when an administrative violation rises to the level of a criminal charge under this policy? (Raised by Ms. Cleveland; not answered during the meeting.)
- Consider whether policy language stating oversight bodies "do not direct or control OPD's investigative decisions" is consistent with the City Charter's discipline committee provisions.
- Include officers' immediate family members in future discussions of wellness resources and prevention measures.

Action Taken

Commissioner Williams moved to approve the revised DGO M-04.1: Criminal Investigation of Department Members and Outside Sworn Law Enforcement Personnel. **Commissioner Jackson-Castain seconded.** 02:38:07

Roll Call Vote:

- Vice Chair Booker: Aye
- Commissioner Williams: Aye
- Commissioner Jackson-Castain: Aye
- Commissioner Dawit: Aye
- Chair Garcia-Acosta: Aye

Motion carried unanimously (5-0). DGO M-04.1 was approved as revised. 02:40:27

IX. Commission Vote on Case Management Conference (CMC) Statement for Submission in Delphine Allen et al. v. City of Oakland et al.

Chair Garcia-Acosta introduced the CMC statement draft, thanking Alternate Commissioner Farmer for his leadership of the NSA Ad Hoc Committee and all members for their extensive work on the document. He noted the statement was intended to demonstrate the effectiveness of the Commission's oversight work and its ability to continue working with city partners and

OPD. The upcoming case management conference with the federal judge and monitor is scheduled for January 27, 2026. 02:42:18

Commissioner Discussion

Commissioners engaged in a detailed line-by-line discussion of proposed amendments to the draft statement. The following amendments were identified:

1. **Page 1, Lines 8-10:** Remove language regarding the departure of the former police chief that could be interpreted as adversarial. Reframe to read that Oakland is committed to continuing the work of repairing decades-long cultural issues, or to building on the progress made.
2. **Page 1, Line 27, Item 3:** Rewrite the third point regarding the city's commitment to "secure and defend" the Commission to include specific reference to fiscal support and financial commitment to independent civilian oversight, including funding for the OIG and administrative positions.
3. **Page 6, Line 26 through Page 7, Line 13:** Remove the paragraph regarding the failure to reappoint commissioners, as commissioners agreed this was unnecessarily adversarial for the court submission.
4. **Page 7, Lines 14-21:** Wordsmith to remove adversarial language, add reference to the Commission's positive working relationship with the City Administrator's office, and reframe statements about oversight challenges in constructive terms.
5. **Page 8, Line 4:** Remove language referencing "credible threats of significant physical harm" and simplify to "despite challenges, the Commission remains intent on this mission."

Three additions were also identified:

- Include links to OPC, OIG, and CPRA annual reports in the "Constructive Independent Oversight in Action" section.
- Add the Commission's approval of DGO M-04.1 on this date as an accomplishment.
- Add the permanent appointment of the CPRA Executive Director as an accomplishment.

Chief of Staff Montgomery confirmed that the statement must be submitted to the Office of the City Attorney by January 13, 2026, and that final language from commissioners was needed by Friday, January 10, or no later than Monday, January 12, at noon. 03:08:21

Vice Chair Booker stated that while the tone should be improved and non-essential details removed, the statement should recognize that there have been recent challenges to oversight in Oakland, including undermining of the selection panel process and the Commission's role. She

emphasized the importance of documenting these challenges for the court. Chair Garcia-Acosta agreed, noting that the first paragraph of the "Ensuring Commission Stability" section appropriately acknowledges challenges in a factual manner. 03:13:00

Public Comment (Mandal, Contreras, Olugbala, Kramer)

- Stated that the draft CMC statement does not clearly describe CPRA's investigative duties, scope, or capacity, nor how CPRA delays factor into Task 2 findings, risking presentation of a partial picture to the court. Encouraged the Commission to ensure the statement is strictly factual, non-political, and complete, noting that Judge Orrick focuses on operational capacity and measurable outcomes. 03:10:08
- (e-comment, NSA Ad Hoc team member): Stated the main messages to the court should be that OPD is not ready to police themselves, that the Police Commission is the only prepared body for local oversight once NSA tasks are complied with, and that the court should be informed of recent attacks against the Commission. Noted the Ad Hoc struggled with whether to include information about attacks on oversight but concluded it was necessary because NSA compliance is at risk. Thanked all ad hoc members. 03:11:35
- Expressed concern about how the CMC statement was characterized at the City Council Rules Committee meeting earlier that day by Council President Jenkins, stating his presentation was misleading and portrayed the letter as an attack on the City Council. Recommended the Commission take corrective action to address misinformation. Congratulated the Commission on choosing to take a forward-looking approach in the statement. 03:14:07
- Commended the Commission for increasing transparency in its discussions. Expressed concern that the police department's self-imposed seclusion from public notice, rooted in safety concerns inherent to the job, contributes to discipline issues. Suggested that publicly addressing officer safety concerns could help resolve many discipline-related matters. 03:16:26

Action Taken

Chair Garcia-Acosta moved to approve the CMC statement with the cited amendments and additions as discussed. **Commissioner Dawit seconded.** 03:20:37

Roll Call Vote:

- Vice Chair Booker: Aye
- Commissioner Williams: Aye

- Commissioner Jackson-Castain: Yes
- Commissioner Dawit: Aye
- Chair Garcia-Acosta: Aye

Motion carried unanimously (5-0). The CMC statement was approved with amendments, to be finalized and submitted to the Office of the City Attorney by January 13, 2026. 03:24:37

X. Ad Hoc Committee Reports (Postponed)

This item was postponed to the next Commission meeting per the agenda amendment.

Chair Garcia-Acosta noted that at the next meeting, commissioners should expect a thorough report on the permanent police chief search. He stated the Commission is working with the City Administrator's office to secure a search firm and hopes to share timelines and significant updates with the community. 03:25:45

Public Comment

No public comment was offered on this item.

XI. Upcoming/Future Agenda Items (Postponed)

This item was postponed to the next Commission meeting per the agenda amendment.

Public Comment

No public comment was offered on this item.

XII. Open Forum Part 2

Public Comment (Olugbala, Cleveland)

- Congratulated the Commission for choosing to take a constructive approach in its CMC statement. Expressed deep concern about the City Council Rules Committee meeting

held earlier that day, stating that two candidates recommended by the Mayor for the Police Commission had not received background checks before being brought to the Council for approval. Stated that the process was not properly followed. Noted that one candidate was asked about constitutional policing and priorities but provided unclear answers. Urged adherence to proper appointment procedures. 03:23:20

- Agreed with Ms. Olugbala's concerns about the Rules Committee meeting. Stated that Council President Jenkins appeared to view it as his personal obligation to make decisions about the Police Commission and does not understand the importance of independence from outside influence. Urged commissioners to be more vocal advocates for their own independence through editorials, social media, and appearances before the City Council. Noted for the record that the CPRA was responsible for exposing the misconduct in the Fong Tran case, resulting in the identification of a homicide detective who had been bribing witnesses. 03:26:03

XIII. Re-adjourn to Closed Session

The Commission did not re-adjourn to closed session.

XIV. Adjournment

Chair Garcia-Acosta thanked Commissioner Dawit for attending despite illness and thanked all attendees for their participation. He wished everyone a happy new year and adjourned the meeting. 03:28:32