



OAKLAND POLICE COMMISSION

SPECIAL MEETING AGENDA

July 14, 2025 - 5:30 PM

City Hall Council Chambers (1 Frank H. Ogawa Plaza, Oakland)

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing and to oversee the Office of the Inspector General, led by the civilian Office of the Inspector General for the Department, as well as the Community Police Review Agency (CPRA), led by the Executive Director of the Agency, which investigates police misconduct and recommends discipline.

Please note that Zoom links will be for observation only.
Public participation via Zoom is not possible currently.

Please Note:

This meeting is being held on **Monday, July 14**, instead of our regularly scheduled Thursday meeting on July 10 due to a scheduling conflict with the Case Management Conference held on that date. Commissioners voted to move the meeting to July 14 to accommodate this conflict.



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PUBLIC PARTICIPATION

The Oakland Police Commission welcomes and encourages public participation in its meetings. Please review the options below for observing the meeting and providing public comment:

OBSERVE THE MEETING

- Television:
Watch the meeting on KTOP Channel 10 via:
 - Xfinity (Comcast)
 - AT&T Channel 99 (City of Oakland KTOP - Channel 10)
- Online (Zoom Video Conference):
Join via video at the scheduled meeting time:
<https://us02web.zoom.us/j/88294451366>
Instructions: [Joining a Meeting by Video](#)
- Phone (Audio Only):
Dial at the scheduled meeting time:
 - +1 669 444 9171, **Meeting ID: 882 9445 1366#**
 - +1 669 900 9128 (San Jose), Meeting ID: 882 9445 1366#*If prompted for a participant ID, press #.*

Note: Zoom may only be used to observe. Public comment will not be taken via Zoom.

PROVIDE PUBLIC COMMENT IN PERSON

- To comment, complete a speaker card for each agenda item you wish to address.
- Speaker cards must be submitted before public comment begins for that item.
- Submit your speaker card to the Chief of Staff before being recognized.

Guidelines:

- Comments must be specific to the written agenda item listed on the card.
- Comments not tied to a listed item will be designated as Open Forum.
- One comment per person per agenda item.
- Speaking time limit: 2 minutes per comment. Time is not transferable.
- Groups sharing the same position may designate a spokesperson (3-minute time limit).

E-COMMENT (Written Submission Only)

- Submit written comments via the [Public Comment & Question Submission Form](#).
- E-comments must be submitted at least 24 hours before the meeting.
- Clearly indicate the agenda item your comment relates to.
- All comments are subject to a 2-minute time limit.
- Only one Open Forum comment per person will be accepted.



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- I. **Call to Order, Welcome, Roll Call, Determination of Quorum (and Read-Out from Prior Meeting, if any)**
Chair: Ricardo Garcia-Acosta
Roll Call: Vice Chair Shawana Booker, Commissioners Wilson Riles, Shane Williams, Samuel Dawit, Angela Jackson-Castain, and Alternate Commissioner Omar Farmer

- II. **Closed Session (approximately 5:30 PM - 6:30 PM)**
The Police Commission will take Public Comment on the 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.**

CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION (Government Code Section 54956.9(d)(1))

Delphine Allen et al. v. City of Oakland et al. - N.D. Cal. No. 00-cv-4599-WHO

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Government Code Section 54957(b))

Title not disclosed under personnel privacy laws, California's Brown Act, and the City's Sunshine Ordinance

- III. **Redetermination of Quorum (and Read-Out from Closed Session and/or announcements, if any)**
Chair: Ricardo Garcia-Acosta
Roll Call: Vice Chair Shawana Booker, Commissioners Wilson Riles, Shane Williams, Samuel Dawit, Angela Jackson-Castain, and Alternate Commissioner Omar Farmer

- IV. **Open Forum Part 1 (2 minutes per speaker, 15 minutes total)**
Members of the public wishing to address the Commission on matters not listed on tonight's agenda but related to the Commission's work should submit a speaker card before this item is addressed. Comments regarding agenda items should be reserved until the respective agenda item is called for discussion. Speakers unable to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2. ***This is a recurring item.***

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



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- V. **Update on the Case Management Conference (CMC) relative to Delphine Allen et al. v. City of Oakland et al., N.D. Cal. No. 00-cv-4599-WHO**
The Commission Chair will provide an update to the Commission and the public on the July 10 Case Management Conference to support visibility and transparency.

Note: The City of Oakland's Case Management Conference joint statement submitted to the court, including the Police Commission's final statement as Exhibit 3, can be accessed on the Police Commission website: <https://www.oaklandca.gov/government/boards-commissions/police-commission>. Click on "What is the NSA (Negotiated Settlement Agreement) for OPD?"

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

- VI. **Community Police Review Agency (CPRA) Update**
Interim Executive Director Antonio Lawson will provide updates on the CPRA, to the extent permitted by state and local law. Topics discussed in the update may include the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item. (Attachment 1)***

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

- VII. **Internal Affairs Bureau (IAB) to Community Police Review Agency (CPRA) Transition Update**
Interim Executive Director Lawson will provide an update on the IAB transition and solicit feedback and discussion from Chief Mitchell regarding his position and/or recommendations for the process. Commissioners will have an opportunity to ask questions and provide feedback regarding the IAB transition, helping to ensure full alignment among the CPRA, OPC, and OPD. ***(Attachment 2)***

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

- VIII. **Oakland Police Department Update**
Representatives of the Oakland Police Department will provide an update. Topics discussed in the update may include Negotiated Settlement Agreement (NSA) status, risk analysis, crime response, a preview of topics that may be placed on a future agenda, responses to community member questions, and specific topics requested by the Commission. ***This is a recurring item. (Attachment 3)***

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



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IX. **Update from the Office of the Inspector General**

Inspector General Zurvohn Maloof will provide an update on the OIG's work. Topics discussed in the update may include project priorities under the City Charter; staffing updates; community engagement and outreach. Note: OIG reports are typically presented at the 2nd Commission meeting of every other month. This presentation is being given during the 1st meeting due to a scheduling conflict.

This is a recurring item. (Attachment 4)

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

X. **Ad Hoc Committee Reports**

This is an opportunity for Chair Garcia-Acosta to provide general updates about ad hoc committees, if applicable, and for representatives from active or upcoming ad hoc committees to share updates on their work, upcoming meetings, events, etc. Please be advised that ad hoc committee meeting discussions are fluid and may not have an official agenda. Recordings and minutes of meetings open to the public can be found on the Commission's [YouTube Channel](#) and the Commission's [website](#). ***This is a recurring item.***

Discipline Matrix Ad Hoc: Commissioner Garcia-Acosta (Chair)

The Discipline Matrix Ad Hoc committee is responsible for reviewing and providing guidance on the Oakland Police Department's Discipline Matrix to ensure it aligns with the objective of fair and consistent disciplinary practices. The committee works to ensure that the matrix, associated policies, and resulting disciplinary actions reflect contemporary industry standards for progressive discipline. This includes recommending updates, possibly reviewing cases for adherence to these standards, and ensuring transparency and accountability in the disciplinary process. Committee Chair Garcia-Acosta will provide an update on the status and/or next steps, if applicable. ***These meetings are open to the public every 1st and 3rd Wednesday from 6 p.m. to 7:30 p.m.***

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

Militarized Equipment Ad Hoc: Commissioner Riles (Chair), Commissioner Dawit, Alternate Commissioner Farmer

The Militarized Equipment Ad Hoc Committee is tasked with drafting and updating policies regulating the acquisition and use of militarized equipment by the Oakland Police Department in accordance with the City of Oakland's Controlled Equipment Ordinance (OMC 9.65) and state law (AB 481; Gov Code 7070 et seq.). ***These meetings are open to the public every 1st and 3rd Tuesday from 6:30 p.m. to 7:30 p.m.***

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



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Ad Hoc Committees Continued...

NSA Ad Hoc: Alternate Commissioner Farmer (Chair), OPC Chair Garcia-Acosta, Vice Chair Booker The NSA Ad Hoc Committee is tasked with: (1) Representing the Commission in all deliberations and discussions with other stakeholders pertaining to the Sustainability Period and efforts to resolve Court oversight; (2) Reviewing the status of OPD compliance with NSA Tasks 5 (investigations) and 45 (racial disparity in discipline) and make recommendations as to any policies that may be required to achieve compliance in these areas; and (3) Recommend policies and actions required to ensure that the constitutional policing mandated by the NSA continues beyond the Sustainability Period.

Reminder: The City of Oakland's Case Management Conference joint statement submitted to the court, including the Police Commission's final statement as Exhibit 3, can be accessed on the Police Commission website: <https://www.oaklandca.gov/government/boards-commissions/police-commission>. Click on "What is the NSA (Negotiated Settlement Agreement) for OPD?" (**Attachment 5**)

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

XI. **Upcoming/Future 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. The Commission will work on creating a list of agenda items for future meetings.

This is a recurring item. [Upcoming / Future Agenda Items](#)

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

XII. **Open Forum Part 2** (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should submit a speaker card before the start of this item. Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission's Chairperson. ***This is a recurring item.***

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

XIII. **Re-adjourn to Closed Session (if needed) and Read-Out of Closed Session (if any)**

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



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XIV. **Adjournment**

NOTICE: In compliance with the Americans with Disabilities Act and Equal Access Ordinance, for those requiring special assistance to access the video conference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact the Police Commission's departmental email at OPC@oaklandcommission.org for assistance. Notification at least 72 hours before the meeting will help enable reasonable arrangements to ensure accessibility to the meeting and to provide the required accommodations, auxiliary aids, or services.



CITY OF
OAKLAND

**COMMUNITY POLICE
REVIEW AGENCY**

June 2025 Completed Investigations

Page 1 of 5
(Total Completed = 17)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
SD	24-0894 ¹	6/22/2024	6/25/2024	6/17/2025	6/25/2025	Subject 1	Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Use of Physical Force	Within OPD Policy
							Use of Physical Force	Sustained
EM	24-0909	6/26/2024	6/28/2024	6/23/2025	6/25/2025	Subject 2	Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Sustained
							Use of Physical Force	Within OPD Policy
							Use of Physical Force	Within OPD Policy
EM	24-1101	8/1/2024	8/6/2024	6/18/2025	7/31/2025	Subject 1	Use of Physical Force	Within OPD Policy
							Use of Physical Force	Within OPD Policy
							Use of Physical Force	Within OPD Policy
CH	24-1320	9/11/2024	9/12/2025	6/30/2025	9/10/2025	Subject 1	Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
							Use of Physical Force	Unfounded
							Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Not Sustained
CH	24-1408	9/30/2024	9/30/2024	6/16/2025	9/29/2025	Subject 2	Use of Physical Force	Unfounded
							Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Not Sustained
							Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Administrative Closure (Lacks Specificity)

¹ Police Commission Discipline Committee Final Decision



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**COMMUNITY POLICE
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June 2025 Completed Investigations

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(Total Completed = 17)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
CH	24-1759	12/30/2024	12/31/2024	6/3/2025	12/29/2025	Subject 1	Conduct Toward Others – Demeanor	Administrative Closure (Lacks Specificity)
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 2	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 3	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 4	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 5	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
						Subject 6	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
							Performance of Duty – Unintentional/Improper Search, Seizure, or Arrest	Within OPD Policy
CH	25-0027	1/6/2025	1/8/2025	6/12/2025	1/5/2025	Subject 1	Use of Physical Force	Unfounded
						Subject 2	Use of Physical Force	Unfounded
						Subject 3	Use of Physical Force	Unfounded
						Subject 4	Use of Physical Force	Unfounded
						Subject 5	Use of Physical Force	Unfounded
						Subject 6	Use of Physical Force	Unfounded
						Subject 7	Use of Physical Force	Unfounded



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**COMMUNITY POLICE
REVIEW AGENCY**

June 2025 Completed Investigations

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(Total Completed = 17)

Inv.	Case #	Incident Date	Received Date	Completion Date	1-Year Goal	Officer	Allegation	Finding/Conclusion
						Subject 8	Use of Physical Force	Unfounded
CH	24-1449	10/10/2024	10/10/2024	6/30/2025	10/9/2024	Subject 1	Conduct Toward Others – Demeanor	Unfounded
							Use of Physical Force	Unfounded
						Subject 2	Conduct Toward Others – Demeanor	Unfounded
CH	24-1464	10/14/2024	10/15/2024	6/30/2025	10/13/2024	Subject 1	Use of Physical Force	Unfounded
							Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
						Subject 2	Use of Physical Force	Unfounded
							Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Unfounded
						Subject 3	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Not Sustained
CH	24-1016	7/14/2024	7/16/2024	5/29/2025	7/13/2025	Subject 1	Conduct Toward Others – Harassment, Discrimination, or Profiling by Race or Ethnicity	Administrative Closure (Lacks Specificity)

CITY OF
OAKLANDCOMMUNITY POLICE
REVIEW AGENCY***June 2025 Completed Investigations*****Page 4 of 5**
(Total Completed = 17)**Other Cases No Longer Pending:**

According to Oakland City Charter Section 604(f)1, the CPRA “shall not be required to investigate each public complaint it receives, beyond the initial intake procedure, but shall investigate public complaints involving uses of force, in-custody deaths, profiling based on any of the protected characteristics identified by federal, state, or local law, untruthfulness, and First Amendment assemblies.

The following cases were initially determined to have involved at least one required or “mandated” allegation and were assigned to a staff member. Upon review, the CPRA found these cases did not, in fact, include mandated allegations. Pursuant to City Charter Section 604(f)1, the CPRA will not be investigating the allegations in the following cases, and they are being removed from the Pending Case List:

23-1655
24-0817
24-0988
24-1596
25-0272
25-0277
25-0293

Finding Definitions:

Sustained: The investigation revealed a preponderance of evidence that the alleged conduct did occur and was in violation of law and/or Oakland Police Department rules, regulations, or policies.

Exonerated/Within OPD Policy: The investigation revealed a preponderance of evidence that the alleged conduct did occur and was in accordance with the law and Oakland Police Department rules, regulations, or policies.

Unfounded: The investigation revealed a preponderance of evidence that the alleged conduct did not occur.

Not Sustained: The investigations revealed evidence that can neither prove nor disprove by a preponderance of evidence that the alleged conduct occurred and was in violation of law and/or Oakland Police Department rules, regulations, or policies.

Additional Definitions:

No Jurisdiction: The Subject Officer of the allegation is not a sworn member of the OPD.

No MOR Violation: The alleged conduct does not violate any department rule or policy.

Service Related: The allegation pertains to the level of service provided by the Department as opposed to the misconduct of a single sworn officer.

Administrative Closure (Lacks Specificity): Complaint lacks specificity and complainant refuses or is unable to provide further clarification necessary to investigate the complaint.

Administrative Closure (Not OPD Officer): The investigation determined that the subject of this complaint was not a member of the Oakland Police Department.



CITY OF
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COMMUNITY POLICE
REVIEW AGENCY

Attachment 1

June 2025 Completed Investigations

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(Total Completed = 17)

604(g)3 Adjudication: If the Chief of Police prepares his or her own findings and proposed discipline and provides it to the Agency before the Agency's investigation is initiated or completed, the Agency may close its investigation or may choose not to conduct its own investigation in order to allow final discipline to proceed as proposed by the Chief, except that in investigations of Level 1 uses of force, sexual misconduct or untruthfulness, the Commission must approve the Agency's decision by a majority vote. If the Agency chooses not to close its investigation, imposition of final discipline shall be delayed until the Agency's investigation is completed and the Agency makes its findings and recommendations for discipline.

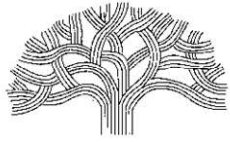


CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of June 2025
(Sorted by One-Year Goal)

Page 1 of 9
 Total Pending = 143 (0%)

Case #	Incident Date	Date Received IAB	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-1102	08/23/2022	10/17/2022	04/19/2023	Investigator YH		02/19/2023	TOLLED	Other	1	1		Obedience to Laws
23-1781	11/07/2023	11/07/2024	11/07/2023	Investigator YH		05/05/2024	TOLLED	Use of Force	1	1	1	Use of Force
24-0582	04/17/2024	04/20/2024	04/17/2024	Investigator YH		10/14/2024	TOLLED	Use of Force	1	2	2	Use of Force
24-1104	08/01/2024	08/01/2024	08/01/2024	Investigator AL		01/28/2025	TOLLED	Other	1	1	3	Obedience to Laws, Reports and Bookings, Truthfulness
24-1107	Multiple dates	08/01/2024	08/01/2024	Investigator YH		01/28/2025	TOLLED	Other	1	1	5	Obedience to Laws, Conduct Towards Others-Demeanor, Conduct Towards Others-Relationship, Conduct Towards Others-Harassment and Discrimination
24-1598	11/06/2024	11/13/2024	11/14/2024	Investigator SD		05/12/2025	TOLLED	Other	2	1	1	Conduct Towards Others, Relationships
25-0014	01/04/2024	01/04/2024	01/07/2025	Investigator AL		07/03/2025	TOLLED	Use of Force	1	1	1	Use of Force
25-0191	02/24/2025	02/24/2025	02/25/2025	Investigator AL		08/23/2025	TOLLED	Use of Force	1	2	2	Use of Force
25-0287	01/19/2024	03/13/2025	03/19/2025	Investigator YH		09/09/2025	TOLLED	Truthfulness	1	1	2	Obedience to Laws, Failure to Report
24-1323	07/06/2024	09/12/2024	09/13/2024	Investigator AL		03/11/2025	07/06/2025	Use of Force	1	4	16	Use of Force, Miranda Violation, Performance of Duty
24-1009	07/13/2024	07/13/2024	07/16/2024	Investigator EM		01/09/2025	07/12/2025	Use of Force, Discrimination	1	2	6	Use of Force, Discrimination, Performance of Duty
24-1114	08/04/2024	08/04/2024	08/06/2024	Investigator SD		01/31/2025	08/03/2025	Use of Force	1	2	2	Use of Force
24-1155	04/26/2024	08/12/2024	08/14/2024	Investigator CH		02/08/2025	08/11/2025	Other	1	1	1	Reports and Bookings
25-0579	09/18/2024	09/18/2024	05/30/2025	Investigator CH		03/17/2025	09/16/2025	Other	1	1	1	Other
24-1406	10/01/2024	10/01/2024	10/01/2024	Investigator EM		03/30/2025	09/30/2025	Use of Force	1	2	3	Use of Force, False Arrest, Demeanor
24-1427	09/11/2023	10/04/2024	10/07/2024	Investigator SD		04/02/2025	10/03/2025	Truthfulness	1	1	1	Truthfulness

*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



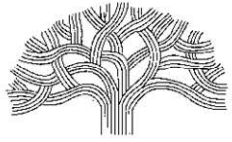
CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of June 2025
(Sorted by One-Year Goal)

Attachment 1

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Total Pending = 143 (0%)

Case #	Incident Date	Date Received IAB	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
24-1431	10/04/2024	10/04/2024	10/07/2024	Investigator	AL	04/02/2025	10/03/2025	Use of Force	1	3	6	Use of Force, False Arrest
24-1451	10/10/2024	10/10/2024	10/11/2024	Investigator	SD	04/08/2025	10/09/2025	Use of Force	1	2	6	Use of Force, Demeanor, Performance of Duty, Discrimination
24-1474	10/15/2024	10/15/2024	10/17/2024	Investigator	CH	04/13/2025	10/14/2025	Discrimination	1	2	1	Discrimination, Care of Property
24-1471	10/12/2024	10/16/2024	10/16/2024	Investigator	AL	04/14/2025	10/15/2025	Use of Force	1	6	15	Use of Force, Performance of Duty
24-1481	10/17/2024	10/17/2024	10/18/2024	Investigator	CH	04/15/2025	10/16/2025	Use of Force	1	3	5	Use of Force, Demeanor, Performance of Duty, Discrimination
24-1520	Unknown	10/20/2024	10/20/2024	Investigator	EM	04/18/2025	10/19/2025	Truthfulness	1	1	1	Truthfulness
24-1525	10/25/2024	10/25/2024	10/28/2024	Investigator	CH	04/23/2025	10/24/2025	Use of Force	1	1	2	Use of Force, Performance of Duty
24-1547	10/28/2024	10/28/2024	10/28/2024	Investigator	SD	04/26/2025	10/27/2025	Discrimination	1	1	1	Discrimination
24-1589	11/09/2024	11/10/2024	11/12/2024	Investigator	CH	05/09/2025	11/09/2025	Racial Profiling	1	2	3	Racial Profiling, Service Complaint
24-1603	11/15/2024	11/15/2024	11/18/2024	Investigator	CH	05/14/2025	11/14/2025	Discrimination	1	2	5	Discrimination, Demeanor, False Arrest
24-0608	12/26/2023	04/22/2024	04/24/2024	Investigator	YH	10/19/2024	11/19/2025	Truthfulness	1	2	4	Obedience to Laws, Truthfulness, Performance of Duty - General, Supervisors - Authority and Responsibilities
24-1618	11/20/2024	11/20/2024	11/21/2024	Investigator	AL	05/19/2025	11/19/2025	Use of Force	1	2	4	Use of Force, Performance of Duty
24-1685	11/25/2024	12/10/2024	12/11/2024	Investigator	EM	06/08/2025	11/25/2025	Use of Force	1	1	1	Use of Force
24-1645	11/30/2024	12/02/2024	12/03/2024	Investigator	SD	05/31/2025	12/01/2025	Use of Force	1	2	2	Use of Force, Demeanor
24-1655	12/02/2024	12/02/2024	12/03/2024	Investigator	CH	05/31/2025	12/01/2025	Discrimination	1	3	4	Discrimination, Performance of Duty
24-0668	02/07/2024	02/07/2024	02/07/2024	Investigator	YH	08/13/2024	12/02/2025	Other	1	1	1	Obedience to Laws

*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
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Case #	Incident Date	Date Received IAB	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
24-1653	11/27/2024	12/03/2024	12/03/2024	Investigator	CH	06/01/2025	12/02/2025	Racial Profiling	1	1	2	Racial Profiling
24-1688	01/01/1990	12/10/2024	12/11/2024	Investigator	CH	06/08/2025	12/09/2025	Other	1	1	1	Obedience to Laws
24-1714	12/16/2024	12/16/2024	12/17/2024	Investigator	YH	06/14/2025	12/14/2025	Use of Force	1	2	2	Use of Force
24-1720	12/06/2024	12/17/2024	12/16/2024	Investigator	CH	06/14/2025	12/15/2025	Harassment	1	1	3	Harassment, Performance of Duty
24-1726	12/19/2024	12/19/2024	12/20/2024	Investigator	EM	06/17/2025	12/18/2025	Use of Force	1	1	1	Use of Force
24-1729	12/22/2024	12/22/2024	12/24/2024	Investigator	CH	06/20/2025	12/21/2025	Use of Force	1	1	1	Use of Force
24-1734	12/22/2024	12/22/2024	12/24/2024	Investigator	CH	06/20/2025	12/21/2025	Use of Force	1	2	4	Use of Force, Performance of Duty
24-1733	12/22/2024	12/23/2024	12/24/2024	Investigator	CH	06/20/2025	12/22/2025	Use of Force	1	1	9	Use of Force, Performance of Duty
24-1746	05/22/2024	12/23/2024	12/27/2024	Investigator	CH	06/21/2025	12/22/2025	Truthfulness, Discrimination	1	1	5	Truthfulness, Discrimination, Performance of Duty
24-1750	12/29/2024	12/30/2024	12/31/2024	Investigator	CH	06/28/2025	12/29/2025	Use of Force	1	2	4	Use of Force, False Arrest
25-0015	01/04/2025	01/04/2025	01/07/2025	Investigator	CH	07/03/2025	01/03/2026	Use of Force	1	1	1	Use of Force
25-0016	01/05/2025	01/05/2025	01/07/2025	Investigator	CH	07/04/2025	01/04/2026	Use of Force	1	1	1	Use of Force
25-0037	01/09/2025	01/09/2025	01/14/2025	Investigator	CH	07/08/2025	01/08/2026	Use of Force	1	1	2	Use of Force, Discrimination
24-0138	01/19/2024	01/19/2024	03/07/2024	Investigator	YH	07/17/2024	01/09/2026	Truthfulness	1	1	1	Truthfulness
25-0040	01/10/2025	01/10/2025	01/14/2025	Investigator	AL	07/09/2025	01/09/2026	Use of Force	1	2	2	Use of Force, Performance of Duty
25-0045	08/21/2024	01/13/2025	01/24/2025	Investigator	CH	07/12/2025	01/12/2026	Use of Force	1	1	2	Use of Force, Performance of Duty
25-0057	01/16/2025	01/16/2025	01/17/2025	Investigator	CH	07/15/2025	01/15/2026	Discrimination	1	2	2	Discrimination

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25-0058	01/16/2025	01/16/2025	01/17/2025	Investigator	CH	07/15/2025	01/15/2026	Racial Profiling	1	1	1	Racial Profiling
25-0071	01/20/2025	01/20/2025	01/21/2025	Investigator	CH	07/19/2025	01/19/2026	Use of Force	1	3	3	Use of Force
25-0077	01/20/2025	01/22/2025	01/22/2025	Investigator	CH	07/21/2025	01/21/2026	Racial Profiling	1	1	5	Racial Profiling
24-0353	03/01/2024	03/01/2024	03/05/2024	Investigator	YH	08/28/2024	01/22/2026	Use of Force	1	1	3	Use of Force, Reports and Bookings, Obedience to Laws
25-0089	01/25/2025	01/26/2025	01/28/2025	Investigator	CH	07/28/2025	01/25/2026	Use of Force	1	2	4	Use of Force, Performance of Duty
25-0097	01/27/2025	01/27/2025	01/28/2025	Investigator	CH	07/26/2025	01/26/2026	Use of Force	1	1	1	Use of Force
25-0106	01/29/2025	01/29/2025	01/30/2025	Investigator	CH	07/28/2025	01/28/2026	Use of Force	1	1	1	Use of Force
25-0110	01/31/2025	01/31/2025	01/31/2025	Investigator	AL	07/30/2025	01/30/2026	Use of Force	1	2	2	Use of Force
25-0135	02/04/2025	02/05/2025	02/06/2025	Investigator	CH	08/04/2025	02/04/2026	Racial Profiling	1	1	4	Racial Profiling, Performance of Duty
22-0622	05/25/2022	08/23/2022	05/25/2022	Investigator	YH	11/21/2022	02/06/2026	Use of Force	1	14	1	Use of Force
25-0152	02/11/2025	02/11/2025	02/12/2025	Investigator	CH	08/10/2025	02/10/2026	Use of Force	1	4	4	Use of Force
25-0166	11/01/2024	02/18/2025	02/18/2025	Investigator	CH	08/17/2025	02/17/2026	Other	1	1	1	Obedience to Laws
25-0176	02/17/2025	02/18/2025	02/19/2025	Investigator	CH	08/17/2025	02/17/2026	Use of Force	1	1	1	Use of Force
25-0175	02/17/2025	02/19/2025	02/20/2025	Investigator	CH	08/18/2026	02/18/2026	Use of Force	1	2	8	Use of Force, Performance of Duty
25-0186	02/22/2025	02/23/2025	02/25/2025	Investigator	SD	08/22/2025	02/22/2026	Other	1	1	1	Other
25-0187	02/23/2025	02/23/2025	02/25/2025	Investigator	CH	08/22/2025	02/22/2026	Discrimination	1	1	2	Discrimination, Demeanor
25-0198	02/25/2025	02/25/2025	02/26/2025	Investigator	CH	08/24/2025	02/24/2026	Use of Force	1	2	3	Use of Force
23-1602	03/29/2022	10/02/2023	10/15/2023	Investigator	YH	03/30/2024	02/26/2026	Truthfulness	1	2	1	Truthfulness, Obedience to Laws

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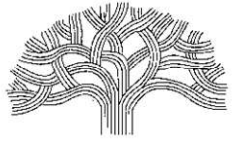


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25-0218	02/28/2025	02/28/2025	03/03/2025	Investigator	CH	08/27/2025	02/27/2026	Use of Force	1	1	2	Use of Force, Obedience to Laws
25-0226	03/01/2025	03/01/2025	03/04/2025	Investigator	CH	08/28/2025	02/28/2026	Use of Force	1	1	1	Use of Force
25-0214	03/03/2025	TBD	03/04/2025	Investigator	AL	09/02/2025	03/03/2026	Other	2	1	1	Performance of Duty
25-0231	03/04/2025	03/04/2025	03/04/2025	Investigator	CH	08/31/2025	03/03/2026	Use of Force	1	1	3	Use of Force, Harassment
25-0232	03/01/2025	03/04/2025	03/04/2025	Investigator	CH	08/31/2025	03/03/2026	Use of Force	1	2	2	Use of Force
25-0234	03/05/2025	03/05/2025	03/05/2025	Investigator	CH	09/01/2025	03/04/2026	Use of Force	1	1	1	Use of Force
25-0247	03/07/2025	03/04/2025	03/11/2025	Investigator	CH	09/01/2025	03/04/2026	Racial Profiling	1	1	1	Racial Profiling
25-0286	01/30/2024	03/05/2025	03/19/2025	Investigator	CH	09/01/2025	03/04/2026	Use of Force	1	1	2	Use of Force
25-0257	03/11/2025	03/11/2025	03/12/2025	Investigator	CH	09/07/2025	03/10/2026	Other	1	3	5	Other, Use of Force
25-0266	03/13/2025	03/13/2025	03/13/2025	Investigator	CH	09/09/2025	03/12/2026	Use of Force	1	1	1	Use of Force
25-0279	03/17/2025	03/17/2025	03/18/2025	Investigator	CH	09/13/2025	03/16/2026	Use of Force	1	2	4	Use of Force
25-0280	03/17/2025	03/17/2025	03/18/2025	Investigator	CH	09/13/2025	03/16/2026	Discrimination	1	1	2	Discrimination
25-0295	03/19/2025	03/19/2025	03/20/2025	Investigator	CH	09/15/2025	03/18/2026	Use of Force	1	1	1	Use of Force
25-0299	03/20/2025	03/20/2025	03/25/2025	Investigator	CH	09/16/2025	03/19/2026	Use of Force	1	1	3	Use of Force, Performance of Duty
25-0304	03/21/2025	03/21/2025	03/24/2025	Investigator	CH	09/17/2025	03/20/2026	Racial Profiling	1	1	1	Racial Profiling
25-0360	05/17/2024	03/25/2025	04/09/2025	Investigator	CH	09/21/2025	03/24/2026	Other	1	1	1	Obedience to Laws
25-0318	03/20/2025	03/26/2025	03/28/2025	Investigator	CH	09/22/2025	03/25/2026	Use of Force	1	4	6	Use of Force, Performance of Duty
25-0320	03/26/2025	03/27/2025	03/02/2025	Investigator	CH	09/23/2025	03/26/2026	Use of Force	1	1	5	Use of Force, Harassment, Performance of Duty, Demeanor

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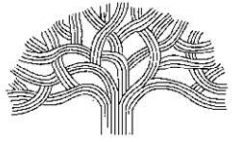


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25-0322	01/16/2024	03/27/2025	03/27/2025	Investigator	CH	09/23/2025	03/26/2026	Other	1	1	2	Racial Profiling, Performance of Duty
25-0326	03/30/2025	03/30/2025	04/01/2025	Investigator	CH	09/26/2025	03/29/2026	Use of Force	1	1	3	Use of Force, False Arrest, Performance of Duty
25-0331	03/31/2025	03/31/2025	04/01/2025	Investigator	CH	09/27/2025	03/30/2026	Use of Force	1	4	4	Use of Force
25-0334	03/25/2025	04/01/2025	04/03/2025	Investigator	CH	09/28/2025	03/31/2026	Use of Force	1	1	4	Use of Force, Performance of Duty
25-0338	04/01/2025	04/01/2025	04/02/2025	Investigator	CH	09/28/2025	03/31/2026	Use of Force	1	1	3	Use of Force, Racial Profiling, False Arrest
25-0339	04/01/2025	04/01/2025	04/02/2025	Investigator	CH	09/28/2025	03/31/2026	Use of Force	1	2	2	Use of Force
25-0352	04/06/2025	04/06/2025	04/08/2025	Investigator	CH	10/03/2025	04/05/2026	Use of Force	1	1	1	Use of Force
25-0353	04/06/2025	04/06/2025	04/08/2025	Investigator	CH	10/03/2025	04/05/2026	Use of Force	1	5	5	Use of Force
25-0355	04/06/2025	04/08/2025	04/08/2025	Investigator	CH	10/05/2025	04/07/2026	Use of Force	1	2	2	Use of Force
25-0371	04/11/2025	04/11/2025	04/14/2025	Investigator	CH	10/08/2025	04/10/2026	Use of Force	1	1	2	Use of Force, Demeanor
25-0375	04/12/2025	04/12/2025	04/15/2025	Investigator	CH	10/09/2025	04/11/2026	Profiling	1	1	1	Profiling
25-0383	04/14/2025	04/14/2025	04/16/2025	Investigator	CH	10/11/2025	04/13/2026	Use of Force	1	1	3	Use of Force
25-0391	02/28/2025	04/16/2025	04/16/2025	Investigator	CH	10/13/2025	04/15/2026	Use of Force	1	1	2	Use of Force, Demeanor
25-0402	04/17/2025	04/17/2025	04/17/2025	Investigator	CH	10/14/2025	04/16/2026	Use of Force	1	1	1	Use of Force
25-0405	04/15/2025	04/17/2025	04/18/2025	Investigator	CH	10/14/2025	04/16/2026	Other	2	1	1	Performance of Duty
25-0412	04/18/2025	04/18/2025	04/21/2025	Intake	CH	10/15/2025	04/17/2026	Other	1	5	5	Other
24-0593	04/20/2024	04/20/2024	04/23/2024	Investigator	SD	10/17/2024	04/21/2026	Other	1	4	10	Obedience to Laws, Use of Force, Performance of Duty
25-0423	04/22/2025	04/22/2025	04/23/2025	Investigator	CH	10/19/2025	04/21/2026	Harassment	1	1	3	Failure to Report, Failure to Supervise, Harassment
25-0430	04/22/2025	04/22/2025	04/23/2025	Investigator	CH	10/19/2025	04/21/2026	Other	1	1	1	Other

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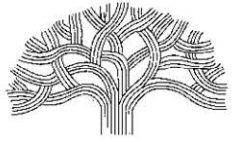


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25-0428	04/08/2025	04/23/2025	04/23/2025	Investigator	CH	10/20/2025	04/22/2026	Other	1	2	2	Other
25-0431	04/18/2025	04/23/2025	04/24/2025	Investigator	CH	10/20/2025	04/22/2026	Discrimination	1	2	2	Discrimination, Performance of Duty
25-0434	04/24/2025	04/24/2025	04/25/2025	Investigator	CH	10/21/2025	04/23/2026	Use of Force	1	1	3	Use of Force, Demeanor, Unlawful Arrest
25-0435	04/24/2025	04/24/2025	04/25/2025	Investigator	CH	10/21/2025	04/23/2026	Racial Profiling	1	1	1	Racial Profiling
25-0442	04/08/2025	04/24/2025	04/29/2025	Intake	KC	10/21/2025	04/23/2026	Other	2	1	1	Other
25-0439	04/24/2025	04/05/2025	04/24/2025	Investigator	CH	10/22/2025	04/24/2026	Other	2	1	1	Performance of Duty
25-0447	04/18/2025	04/25/2025	04/29/2025	Investigator	CH	10/22/2025	04/24/2026	Racial Profiling	1	1	2	Racial Profiling, Performance of Duty
25-0450	04/23/2025	04/28/2025	04/30/2025	Investigator	CH	10/25/2025	04/27/2026	Discrimination	1	1	2	Discrimination, Performance of Duty
25-0453	04/28/2025	04/28/2025	04/30/2025	Investigator	CH	10/25/2025	04/27/2026	Use of Force	1	3	7	Use of Force, Unlawful Arrest, Performance of Duty
25-0463	04/30/2025	04/30/2025	05/01/2025	Investigator	CH	10/27/2025	04/29/2026	Use of Force	1	2	4	Use of Force, Demeanor
25-0465	05/01/2025	05/01/2025	05/02/2025	Intake	DC	10/28/2025	04/30/2026	Other	1	1	1	Other
25-0467	05/01/2025	05/01/2025	05/02/2025	Investigator	CH	10/28/2025	04/30/2026	Use of Force	1	2	9	Use of Force, Performance of Duty, Custody of Prisoners, Service
25-0483	04/11/2025	05/02/2025	05/02/2025	Investigator	CH	10/29/2025	05/01/2026	Discrimination	1	1	3	Discrimination, Performance of Duty
25-0477	05/03/2025	05/03/2025	05/06/2025	Intake	KC	10/30/2025	05/02/2026	Use of Force, Discrimination	1	1	3	Use of Force, Discrimination, Performance of Duty
25-0476	05/04/2025	05/04/2025	05/06/2025	Intake	KC	10/31/2025	05/03/2026	Use of Force	1	1	2	Use of Force, Performance of Duty
25-0488	02/13/2024	05/06/2025	05/08/2025	Investigator	CH	11/02/2025	05/05/2026	Other	1	2	2	Other
25-0497	05/08/2025	05/08/2025	05/09/2025	Investigator	CH	11/04/2025	05/07/2026	Untruthfulness	1	2	2	Untruthfulness
25-0501	05/09/2025	05/09/2025	05/12/2025	Intake	SH	11/05/2025	05/08/2026	Racial Profiling	1	2	4	Racial Profiling, Discrimination

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25-0512	05/12/2025	05/12/2025	05/14/2025	Intake	KC	11/08/2025	05/11/2026	Other	2	1	2	Performance of Duty, Other
25-0515	05/13/2025	05/13/2025	05/14/2025	Intake	KC	11/09/2025	05/12/2026	Other	2	1	1	Performance of Duty
25-0520	04/24/2025	05/14/2025	05/14/2025	Investigator	CH	11/10/2025	05/13/2026	Use of Force	1	1	5	Use of Force, Performance of Duty, Demeanor
25-0522	05/14/2025	05/14/2025	05/15/2025	Intake	CH	11/10/2025	05/13/2026	Use of Force	1	2	3	Use of Force
25-0526	05/16/2025	05/16/2025	05/20/2025	Investigator	CH	11/20/2025	05/15/2026	Other	1	1	1	Improper Dissemination of Information
25-0527	05/17/2025	05/18/2025	05/20/2025	Intake	DC	11/14/2025	05/17/2026	Other	1	1	1	Other
25-0534	05/18/2025	05/18/2025	05/20/2025	Intake	CH	11/14/2025	05/17/2026	Use of Force	1	3	3	Use of Force
25-0532	05/17/2025	05/19/2025	05/20/2025	Intake	DC	11/15/2025	05/18/2026	Other	1	1	1	Other
25-0566	05/19/2025	05/19/2025	05/28/2025	Intake	KC	11/15/2025	05/18/2026	Other	2	1	1	Performance of Duty
25-0544	05/19/2025	05/20/2025	05/21/2025	Intake	SH	11/16/2025	05/19/2026	Use of Force	1	10	10	Use of Force, Performance of Duty, Conduct Toward Others
25-0547	05/20/2025	05/20/2025	05/21/2025	Intake	SH	11/16/2025	05/19/2026	Use of Force	1	2	2	Use of Force
25-0549	05/21/2025	05/21/2025	05/22/2025	Intake	SH	11/17/2025	05/20/2026	Use of Force	1	1	1	Use of Force
25-0550	05/21/2025	05/21/2025	05/22/2025	Intake	DC	11/17/2025	05/20/2026	Use of Force	1	1	2	Use of Force
25-0558	05/24/2025	05/25/2025	05/28/2025	Intake	KC	11/21/2025	05/24/2026	Use of Force, Discrimination	1	1	2	Use of Force, Refused to provide name
25-0552	05/21/2025	05/23/2025	05/28/2025	Intake	DC	11/19/2025	05/26/2026	Use of Force	1	1	4	Use of Force
25-0606	04/30/2025	06/05/2025	06/06/2025	Intake	SH	12/02/2025	06/04/2026	Use of Force	1	2	2	Use of Force
25-0625	06/07/2025	06/07/2025	06/07/2025	Intake	DC	12/04/2025	06/06/2026	Racial Profiling	1	1	2	Racial Profiling
25-0634	06/10/2025	06/10/2025	06/11/2025	Intake	DC	12/07/2025	06/09/2026	Other	1	1	1	Other
25-0665	06/22/2025	06/22/2025	06/24/2025	Intake	SH	12/19/2025	06/21/2026	Use of Force	1	3	4	Use of Force, Performance of Duty

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Case #	Incident Date	Date Received IAB	Date Received CPRA	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
25-0679	06/23/2025	06/24/2025	06/23/2025	Intake	DC	12/21/2025	06/23/2026	Other	1	1	1	Other
25-0676	06/20/2025	06/24/2025	06/24/2025	Intake	SH	12/21/2025	06/23/2026	Use of Force	1	1	6	Use of Force, Performance of Duty, Conduct Towards Others
25-0596	06/04/2025	06/03/2025	06/04/2025	Intake	KC	11/30/2025	06/26/2026	Use of Force, Discrimination	1	1	1	Use of Force

*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



Examining the Transfer of Oakland Police Department Internal Affairs Investigations to the Civilian- Staffed Community Police Review Agency

prepared by :



MOEEL
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Introduction

On May 31, 2021, the Oakland City Council passed Resolution Number 88607, which proposed prioritizing recommendations from the Reimagining Public Safety Task Force in the 2021-23 Fiscal Budget, to “[e]xplore possible transfer, no earlier than July 2022, of most of the Internal Affairs Bureau of OPD to the Community Police Review Agency (CPRA)...” This report, prepared by a private consultant team hired by CPRA, evaluates the potential benefits and challenges in transferring investigative responsibility from the Oakland Police Department (OPD) Internal Affairs Bureau (IAB) to CPRA.

There are some key benefits in transferring the responsibility to CPRA:

Avoids overlapping responsibilities and inefficiencies: Currently, both IAB and the CPRA often investigate the same alleged misconduct by OPD sworn officers, resulting in an inefficient duplication of work. Investigators from each agency conduct parallel reviews, collect identical evidence, and may interview the same witnesses and complainants. This overlapping work slows timelines, strains limited resources, and creates confusion around accountability, especially where the ultimate determinations may differ.

Having clearer jurisdictional lines, rather than overlapping investigations, would simplify the complaint investigation process. This would be similar to Chicago’s oversight model, which has its Civilian Office of Police Accountability investigate specific categories of misconduct such as use of force, search and seizure, and sexual misconduct allegations.¹ The Chicago Police Department’s Bureau of Internal Affairs investigates all other complaints of misconduct.²

Reduces obligations of some OPD field sergeants: A related opportunity lies in reducing the burden on OPD sergeants for Division-Level Investigations (DLI). Field supervisors have been responsible for reviewing a relatively large number of mostly lower-level misconduct allegations, diverting their attention from patrol duties. In the short term, eliminating dual DLI and CPRA investigations should reduce the caseload from field sergeants currently assigned to DLIs. Longer term, as CPRA assumes greater responsibility, it could reduce this burden substantially.

Civilianizes administrative and intake functions currently handled by OPD sworn personnel: These positions, such as intake technicians and administrative support roles, generally do not require law enforcement authority and may be managed more efficiently and cost-effectively by trained civilian professionals within OPD and eventually CPRA.

Increases transparency and independence from OPD: Having an outside entity lead the investigations into alleged misconduct by OPD officers could create greater public trust that the investigations are complete and objective.

1. See <https://www.chicagocopa.org/investigations/jurisdiction/>. COPA investigates bias-based verbal abuse, coercion, death or serious injury in custody, domestic violence, excessive force, improper search and seizure, firearm discharge, sexual misconduct, taser discharge resulting in death or serious bodily injury, pattern or practices of misconduct, and unlawful denial or access to counsel.

2 *Id.* These investigations include but are not limited to criminal misconduct, theft, substance abuse, and residency violations.

There are also challenges that must be addressed with such a transition:

Building Organizational Stability at CPRA: Both IAB and CPRA have undergone significant changes during the short pendency of this project. These changes, particularly at CPRA, might impact the transition in the short term. Within a period of approximately six months, the CPRA team has seen the departure of its Executive Director and its Director of Training and Policy. It also has seen significant turnover among CPRA's investigators, leaving the agency understaffed. The lone investigation and intake supervisor is a temporary employee whose contract expires this summer. In addition to the above changes at CPRA, there is a new reporting structure at IAB and transfer of IAB's leadership.

Tackling Funding and Logistical Challenges: The City's financial issues present real challenges to staffing CPRA to handle more than its docket of Charter-mandated cases and occasional other investigations.

In addition, transitioning cases is not as simple as moving IAB to CPRA. Many officer-involved misconduct cases are dispersed among several dozen field supervisors across OPD. Finding the resources to fund the additional CPRA investigators to handle that case load will cost a significant amount of money absent changes in how these cases are investigated. However, as we outline in our recommendations, there are certain achievable interim steps that the City might implement.

Addressing Legal Complexities: Any changes will have to occur thoughtfully and with adequate staffing and funding for the receiving agency (CPRA), particularly against the backdrop of the Negotiated Settlement Agreement (NSA). Any transfer of investigatory authority would need to consider the federal court-monitored NSA, especially in connection with Tasks 2 and 5 of the NSA, which mandate timely and high-quality internal misconduct investigations. Some changes may involve collective bargaining questions for represented employees from OPD and CPRA.

Any transition should move forward in carefully planned phases with the support of a working group staffed by members of CPRA, OPD, and the Commission, among others. As outlined below in the Recommendations Section, Phase 1 involves adequately staffing CPRA to take the lead on Charter-mandated cases and reducing duplication with IAB. Phase 2 discusses a reduction of IAB's role in these cases, while Phase 3 contemplates longer term and more resource-intensive goals such as shifting Division-Level Investigations entirely to CPRA.

This report is a high-level analysis of our observations based on the limited set of information we obtained to both highlight potential issues and make recommendations to the City should it move forward with this plan. It is important to note that this process is filled with legal, fiscal, and collective bargaining complexities, some of which might not be immediately foreseeable. Ultimately, it is the start of an important process that will need to involve key stakeholders and a committed working group to move this potentially path-breaking project forward.



Project Background

In the summer of 2024, following a public bidding process, CPRA selected the consultant team from Moeel Lah Fakhoury LLP³ to examine the feasibility of transferring responsibilities from IAB to CPRA. The project commenced with the consultant team reviewing and analyzing documents and interviewing key stakeholders. During this first phase of the project, the consultant team also conducted interviews with OPD command staff and Internal Affairs leadership, including Chief Floyd Mitchell, and CPRA's investigative, intake, and leadership teams. They also made a series of preliminary requests for information from both organizations relating to staffing, caseloads, structures, and financial information.

Before receiving all relevant information, however, Oakland's financial outlook changed dramatically. In the late fall of 2024, the City of Oakland declared a fiscal emergency that raised the potential for significant budget and staffing cuts to City agencies, including the OPD and CPRA.

Relatedly, CPRA, which issued the Request for Proposals, requested that the consultants initially pause and then limit the contours of their work given the City's looming fiscal uncertainties. The consultants, after conferring with the now former CPRA Executive Director, agreed to largely freeze its information-gathering and formulate a truncated report and analysis while substantially reducing the budget for this project. This project recommended at the end of May 2025, with a draft report submitted two weeks later. Accordingly, this report focuses mainly on potential short-term transitional recommendations.

The consultant team could not have produced this limited report without gleaning useful information and insight from key stakeholders, including from numerous members of OPD and CPRA, the City Attorney's Office, and others. We thank each department and agency and its members for providing useful information on background, context, and ideas for a phased transition. The team is deeply appreciative of their helpful participation in this project.

3. The consultant team was led by MLF Managing Attorney Andrew Lah and subcontractor Russell Bloom.

Oakland's Current Investigative Structure

A summary of IAB's and CPRA's current investigative structures is below. These operational workflows highlight certain inefficiencies within the current system and opportunities for improvement that tie into our recommendations.

As a baseline, both agencies investigate allegations of violations of the Oakland Police Department's Manual of Rules (MOR). Both agencies properly use the same four categories of findings for completed investigations—sustained, not sustained, exonerated, and unfounded—based on a preponderance-of-the-evidence burden of proof.

OPD has been subject to the Negotiated Settlement Agreement (NSA) resulting from *Allen vs City of Oakland* since 2003.⁴ The conditions principally at issue with any transfer of responsibilities from IAB to CPRA include Tasks 2 and 5 of the NSA, which govern Timeliness Standards & Compliance with IAB Investigations and Complaint Procedures for IAB.

Under NSA Task 2, at least 85% of Class I misconduct investigations and at least 85% of Class II misconduct investigations must be completed within 180 days to be considered timely.⁵ The Department MOR incorporates these timelines and other NSA requirements into various MORs. Any changes stemming from a transfer in responsibilities from OPD to CPRA will need to be updated in the OPD's policies and after conferral with the City Attorney's Office.

The NSA requires OPD to adopt and implement written policies and procedures governing the intake, classification, investigation, and documentation of internal misconduct complaints.⁶ Task 5 mandates that OPD enact a policy requiring a supervisor to respond within three hours of being notified when a complaint is received in the field. If this does not occur, there needs to be documentation in the complaint form as to why that did not occur.⁷ The NSA further requires that all complaints must be classified as either Class I or Class II and entered into IAB's complaint tracking system.⁸ The Department must ensure that supervisors, IAB personnel, and other relevant staff receive appropriate training on the intake and classification of complaints.⁹

The NSA requires full investigations of every misconduct claim regardless of its type. Investigators must assess and document the credibility of all involved parties and summarize those assessments in their investigative reports.

A. IAB

IAB is the internal unit within OPD responsible for investigating complaints of alleged misconduct. Governed by departmental policies and state laws, such as the California Peace Officer Bill of Rights,

4. *Delphine Allen et al. v. City of Oakland*, No. C00-4599 TEH (N.D. Cal. 2003).

5. Ninth NSA Sustainability Period Report of the Independent Monitor for the Oakland Police Department; available at <https://cao-94612.s3.us-west-2.amazonaws.com/documents/OPD-Sustainability-Report-9-122024.pdf>

6. *Id.*

7. *Id.* at 9.

8. *Id.* at 13

9. *Id.* at 23

IAB investigates a range of issues, including complaints of misconduct against sworn and unsworn employees.¹⁰

IAB's Units: IAB's structure is broken down into the following main units: The Intake and Administration Units, IAB Investigations, and IAB DLI.¹¹ Each of these sections has a Commander who reports to the IAB Commander.¹² IAB has a publicly available Internal Affairs Policy and Procedure Manual that outlines the unit's general operating procedures.¹³

Class I and Class II Offenses: OPD categorizes misconduct allegations into two distinct categories: Class I and Class II.¹⁴ Class I offenses are the most serious and, if sustained, can lead to severe disciplinary consequences including suspension, termination, or even criminal prosecution. These offenses include use of excessive force¹⁵, dishonesty (such as perjury or falsifying reports), insubordination, criminal conduct, bias-based policing, retaliation, and obstruction of investigations.

Class II offenses are considered less severe for disciplinary purposes and often involve violations such as failure to perform duties, improper handling of equipment, or discourtesy.¹⁶ These may be addressed by supervisors through informal or corrective action unless they reveal a broader pattern of misconduct or rise in severity, in which case they may be elevated to Class I status.¹⁷

Case Tracking: All of IAB's cases (whether an IA Investigation or a DLI) are captured in Vision, IAB's case management database. Vision is a proprietary database created for Oakland in part to better assist OPD in abiding by the NSA's reporting requirements and to centralize OPD's human resources information. It allows investigators to log their investigative steps into an investigative chronology and stores pertinent documents and reports within each case file. The OPD managers we interviewed discussed certain limitations with Vision, such as its inability to sync with calendars to create deadlines, but it is a functional database that can allow appropriate IAB employees to work within electronic case files. It also can create 180-day reports as required under the NSA and monitor statute of limitations deadlines.

10. See DGO M-3.1 (the "Department shall investigate all misconduct complaints from any source (including anonymous) against a member or employee...").

11. Departmental General Order 23-04; Use of Force Reporting and Review Responsibilities.

12. *Id.*

13. Internal Affairs Policy and Procedure Manual ("Manual"); available at <https://public.powerdms.com/oakland/tree/documents/222>.

14. The OPD Manual of Rules also categorizes uses of force into four distinct levels. Level 1 represents the most serious incidents, encompassing any use of force that results in death, poses a substantial risk of causing death, or leads to serious bodily injury. Level 2 includes significant uses of force that, while not resulting in serious injury, involve substantial physical impact or the use of weapons such as tasers or batons. Level 3 covers moderate uses of force, such as physical strikes or control holds that do not cause serious injury. Level 4 pertains to the least severe instances, including minimal physical contact or the use of verbal commands to gain compliance.

15. Uses of force are Class I violations.

16. Oakland Police Department, Manual of Rules (last accessed June 10, 2025).

17. *Id.*

Other IAB Functions: In addition to the administrative investigative function, IAB staff serve numerous other functions within OPD. These other responsibilities include:

- Non-sworn employee investigations.
- Compliance with SB 2: This is a state-mandated requirement that, among other things, commands the “agency employing peace officers” to update results of officer-involved misconduct investigations to the California Commission on Peace Officers and Standards and Training.¹⁸ IAB has sworn personnel in intake working on SB2 requirements, which involves flagging appropriate cases and updating the allegations and outcomes in Vision.
- *Pitchess* and *Brady* Obligations: IAB personnel are responsible for ensuring compliance with *Pitchess*¹⁹ and *Brady/Giglio*²⁰ obligations by managing requests involving officer personnel files and exculpatory evidence. This includes preparing records in response to *Pitchess* motions, appearing in court for in-camera review, and maintaining a log of motions and judicial outcomes. For *Brady/Giglio* compliance, IAB staff research officer complaint histories to identify any potentially exculpatory or impeachment-related information. They then document those inquiries and maintain records of all such requests. These duties are coordinated by the designated *Pitchess* Officer to ensure lawful disclosure and evidentiary integrity.²¹
- Integrity Testing: The IAB commanders we interviewed noted that this was not a substantial time commitment within IAB.
- FRB/EFRB: The lead investigator and commander of IAB must present their case and the evidence they glean to the Force Review Board or Executive Force Review Board. The Force Review Board (FRB) is convened to review all Level 2 use of force incidents, while the Executive Force Review Board (EFRB) reviews Level 1 use of force incidents, in-custody deaths, vehicle pursuit-related deaths, and other cases designated by the Chief of Police.²²
When a case has been investigated administratively by IAB, the assigned IAB investigator is

18. Cal. Penal Code § 13510.9 (West). This amendment to the Penal Code, also referenced as SB 2 for the enabling legislation, requires the agency to notify POST of any employment changes (hiring or departure from the agency) as well as any “complaint, charge, or allegation of conduct against a peace officer employed by that agency that could render a peace officer subject to suspension or revocation of certification by the commission...” This includes reporting on the final disposition by the employing agency or a civilian oversight entity that the officer engaged in conduct that could subject the officer to suspicion or a revocation of certification, regardless of the discipline imposed.

19. Manual at 31.

20. *Brady v. Maryland*, 373 U.S. 83(1963) and *Giglio vs. United States*, 405 U.S. 150 (1972) are U.S. Supreme Court cases which require that exculpatory information be provided to a criminal defendant to protect their Due Process Rights under the Fifth Amendment. *Giglio* clarified that impeachment evidence must also be disclosed to the defense to comply with the Constitution. Because IAB investigates misconduct that can be considered *Brady* or *Giglio*, there must be appropriate processes to ensure that information is disclosed to prosecutors and ultimately the defense if appropriate.

21. Manual at 31.

22. Department General Order K-4.1, §§ I–VI, pp. 1–16

required to present the completed use of force investigation and all relevant materials to the Board. IAB must provide the Board Chairperson with the complete investigative file within four calendar days of notification. Boards are not convened until the IAB investigation is finalized. CPRA also participates in these meetings.

IAB's Budgeted Positions: In 2024, IAB was authorized the following 32 positions:

Classification	Authorized
Administrative Analyst II	1
Captain of Police	1
Intake Technician	6
Lieutenant of Police	3
Police Officer	4
Police Records Specialist	2
Police Records Supervisor	1
Sergeant of Police	14

IAB is budgeted for 22 sworn positions or varying ranks.

The proposed budget for 2025-27 also authorizes 32 positions.²³ The total cost for IAB in 2026 is projected to be \$10,249,660.²⁴ The cost for 2027 is projected to be \$10,742,960.²⁵ IAB's proposed budget is just below 3% of the total OPD budget.²⁶

A summary of IAB's units is below.

i. Intake & Administrative Section:

The Intake and Administrative Section receives and processes complaints, makes recommendations to open or administratively close complaints, and serves as IAB's custodian of records on both the front end (data and processing) and the back end (preparing disciplinary records). This section also houses OPD's *Pitchess* Officer and responds to *Brady* and *Giglio* inquiries.

The IAB Intake and Admin team works five days a week and handles complaints and intakes that arrive during their shifts. Any off-hours complaints are taken in the field by supervisors or by the communications staff and entered into a daily log. IAB processes cases received during the weekend on the following Monday.

An Intake Officer or Technician processes the complaints and recommends a disposition, which is then reviewed by the Intake Supervisor, an OPD sergeant. After this review, the Intake and Administrative Section Commander reviews the case and recommends that the case be administratively closed or opened as a full investigation.

23. See <https://controlpanel.opengov.com/transparency-reporting/oaklandca/3de931f5-b904-4bd5-9714-3d37bd203e94/4dab3eeb-5c99-477e-8fe9-31666ad7b33c?savedViewId=63c51663-055f-4176-85ff-e1bb8fa8a17e>

24. *Id.*

25. *Id.*

26. *Id.*



On the back end, in cases involving substantiated findings resulting in discipline, IAB's record specialists create most of the documents relating to discipline, including Skelly packets and discipline notices. This section also tracks discipline cases.

Staffing: IAB's Intake and Administrative Section is staffed by six intake technicians, several sworn officers, a sergeant, and a team of four additional professional staff. IAB has also received assistance as needed from light-duty personnel to assist with IAB's workload.

ii. Division-Level Investigations (DLI)

Following an intake review, the Intake and Investigative Division Lieutenants determine whether an open investigation will stay in IAB or be referred to a field supervisor as a DLI. A DLI is a "formal investigation into allegations of misconduct that is conducted outside the Internal Affairs Bureau. DLIs are subject to the same investigative requirements as those conducted by IAB investigators."²⁷ DLIs usually involve Class II allegations, but Class I allegations may be sent out as a DLI if the IAB Commander approves.²⁸

Generally, higher profile or more complex investigations stay within IAB Investigations. Many of the other cases—DLIs—get dispersed across the OPD bureaus for a field supervisor to investigate. The IAB DLI team acts as liaison with the field sergeants assigned DLIs until the investigations are completed. At times, following IAB reviews, the case is sent back to the field supervisor for further investigation.

27. Manual at 54.

28. *Id.*

Most of OPD's misconduct complaints are handled by OPD field supervisors through the DLI process rather than through IAB Investigations. Once assigned to a DLI case, the field supervisor will conduct a full investigation or, if the allegation can be resolved by reviewing the involved officer's body-worn camera (BWC) recording(s), then the field investigator can request through the chain of command to make a summary finding that the case be exonerated or unfounded. Fully investigated cases go up to the area bureau captain for approval and then back to IAB's DLI investigators, who review the file and determine whether there is sufficient evidence to support the findings. The DLI Lieutenant will then agree or send it back to the field for further investigation, if needed. If the finding is not sustained, the case goes to the IAB captain for final review.

DLIs are maintained in Vision just like IAB Investigation cases. In cases where CPRA is also investigating a DLI, there is a check box in Vision to indicate that both agencies are investigating.

In terms of tracking deadlines, the 180-day report is generated from Vision under the "Reports" tab and is downloaded as an Excel sheet. In addition, the Bureau of Field Operations East and West maintain a tracking sheet to stay apprised of deadlines. Any case older than 55 days from the date of complaint will appear on the tracking sheet so that all relevant supervisors are aware of any upcoming deadlines.

Staffing: Within IAB, a three-person team is responsible for monitoring and reviewing DLI investigations from field supervisors. This staff includes a DLI Commander (Lieutenant)²⁹, a DLI Coordinator, (Sergeant)³⁰, and a DLI Section Analyst (Administrative Assistant II).³¹ This staff works to monitor, review, and process DLI cases and coordinates with the CPRA on dual-investigation cases.

Workload Concerns: In terms of workload, virtually all the OPD leadership and staff we met raised concerns about the current DLI process and the burden it placed on field supervisors. A high-ranking OPD official who monitored DLIs opined that approximately 60 to 70 field sergeants (and sometimes lieutenants) could be working on one to two DLI cases at any given time. DLIs may also require certain other supervisors to get involved to monitor the process.

OPD has had between 111 and 120 sergeants over the past five years, and the OPD official believed that a pool of more than 80 sergeants received DLIs. That pool, however, is reportedly shifting because certain sergeants have proven more adept or reliable at handling complaint investigations. Accordingly, those sergeants are assigned cases more frequently and have had to work overtime to handle DLIs.

According to an informal analysis done by an OPD executive, DLI investigations average about 30 hours of work per case. Of course, the actual hours can vary quite a bit: a single discourteous statement from one officer to a single complainant will be less resource intensive than a use of force involving multiple witnesses and officers.

Some IAB supervisors also expressed concern that it is highly inefficient for field supervisors to have to prepare full reports for less serious Level 2 cases. According to these supervisors, these resources should be put into more serious Level 1 cases, but the NSA does not distinguish between case types.

29. Manual at 39.

30. *Id.* at 41.

31. *Id.* at 43.

iii. Investigations Section

IAB's Investigations Section is responsible for completing investigations assigned to IAB, which are often the more serious, high-profile, or complex investigations.³² Under Department General Order M-03, OPD is required to accept and investigate fairly and impartially all complaints of alleged employee misconduct to determine the validity of allegations and to impose disciplinary actions that are justified in a timely and consistent manner. IAB Investigations also has a Force Investigation Section (FIS) which primarily responds to Level 1 force incidents, such as officer-involved shootings.³³ The IAB sergeants who are part of FIS are “standby” investigators who receive “standby pay” and are assigned a Department vehicle to respond to all call-outs within one and a half hours of notification from the FIS Commander (a sergeant).

Notably, OPD differentiates between misconduct complaints and “service complaints,” which may be received from any source regarding inadequacies in policy, procedure, practice, service level, legal standard or statute that “would not result in discipline.”³⁴ These service complaints must be assigned an IAB case number and must be documented in the IAB database, but they are not identified as misconduct allegations. OPD may also address Class II misconduct complaints informally wherein a supervisor, commander, manager, or investigator may resolve a complaint by “addressing and resolving the issues with the complainant and the member or employee.”

The IAB Commander is responsible for ensuring that all complaints, whether received internally or externally, are formally logged, assigned to either the IAB or a division-level investigator, and classified based on severity. This includes generating control files, identifying involved personnel, establishing case due dates, and entering all data into IAB databases. The Commander reviews recommended dispositions and ensures appropriate documentation flows to the involved personnel, their supervisors, and relevant command staff. A Preliminary Inquiry (PI) must be initiated within 14 days, including interviews with the complainant and witnesses, gathering evidence, and reviewing body-worn camera footage. The PI culminates in one of four outcomes—further investigation, supervisor-level handling, administrative closure, or a summary finding—with such closures requiring high-level approval, but minimal additional investigation if existing evidence is deemed conclusive.

Administrative responsibilities during a PI also include providing the complainant with a complaint packet, informing them of their rights, and maintaining secure records. If a disagreement arises regarding the recommended resolution, the matter is escalated to IAB for final adjudication. All complaint memoranda undergo a formal review by the first-level commander for quality, completeness, and appropriateness, with dissent documented and forwarded to IAB within seven days.³⁵

32. See Internal Affairs Policy and Procedures Manual at 24.

33. Level 1 and Class 1 are distinct but overlapping concepts. The MOR breaks down uses of force into levels. A level 1 use of force represents the most serious incidents, encompassing any use of force that results in death, poses a substantial risk of causing death, or leads to serious bodily injury. Use of force is also a Class 1 violation.

34. Oakland Police Department, General Order M-03: Use of Force Reporting and Investigation (rev. June 6, 2018), available at <https://cao-94612.s3.amazonaws.com/documents/M-03-Use-of-Force-Reporting-and-Investigation.pdf>.

35. *Id.*

The Investigations Section ensures that the IA Intake Checklist was followed, including ensuring that the complainant was contacted and the allegations were properly categorized by Intake.³⁶ The IAB investigator also canvasses for witnesses; obtains medical, arrest, and other records; prepares administrative search warrants; refers potential criminal conduct to CID; and conducts appropriate interviews.³⁷ When the investigation is completed, the sergeant prepares a report of investigation that goes up IAB's chain of command.³⁸

The Investigations Section must coordinate with CPRA, since many of IAB's cases will also be Charter-mandated cases within CPRA's jurisdiction. Department General Order M-03.2 outlines requirements for member and supervisor cooperation with CPRA investigations. This includes responding to interview notices; contacting CPRA investigators within three on-duty working days; and complying with investigatory directives, including the production of incident-related records, within 10 calendar days.³⁹

IAB supervisors are responsible for ensuring that investigatory records are delivered promptly. Failure to adhere to these mandates could subject members to potential disciplinary action.⁴⁰

Staffing: The Investigations Section is staffed with an Investigations Section Commander (Lieutenant), a team of approximately 6-8 investigators (Sergeants), and administrative support staff (Administrative Assistant II). Under the NSA, IAB is also responsible for increasing staffing if needed to timely investigate complaints.

IAB Intakes: As the data indicates, IAB's intakes have increased since 2019. According to a high-ranking OPD official, this is because the Department underwent a wide-scale retraining on taking complaints which led to an uptick in the number of intakes.

We also received data from IAD regarding the number of DLIs and IAB investigations by year. However, we were later informed by OPD that the initial data we initially received appears to be inaccurate and undercounted. The IAD Commander recently confirmed that the Department adjudicated over 764 DLI cases in 2024. We did not receive complete data in time for this report due to an accelerated completion time following the project being largely paused. The working group will need to receive that data and ensure properly captures the actual number IAB and DLI cases, as this data will impact the transition.

	2019	2020	2021	2022	2023	YTD 2024
Intake	1450	1621	1565	1747	2070	1399
IAB Investigations	94	114	138	108	143	95

Class II violations have increased during the past two years. In terms of "Other" cases, a number of IAB cases are administratively closed or involve MOR violations that are not Class I or Class II violations.

36. See Internal Investigations Procedures, Index Number V-T1, pp 7-15.

37. *Id.*

38. *Id.*

39. Oakland Police Department, Departmental General Order M-03.2: Community Police Review Agency (effective Sept. 11, 2020), available at <https://public.powerdms.com/oakland/tree/documents/443>.

40. *Id.*

	2019	2020	2021	2022	2023	2024 (Partial)
Class I	222	245	186	224	266	192
Class II	431	500	493	531	692	511
Other⁴¹	797	876	886	992	1112	696
Total	1450	1621	1565	1747	2070	1399

OPD Concerns About Transition to CPRA: OPD personnel whom we interviewed raised a range of questions and concerns about a transition to an outside agency. A common concern that many OPD persons shared involved how a transfer might impact the NSA, and particularly Tasks 2 and 5. Relatedly, OPD staff raised questions about CPRA's staffing and whether the City would or could adequately fund the agency. Some IAB staff mentioned that in many instances they had completed their investigation and were waiting for CPRA to finish their parallel case because CPRA did not have enough investigators to move the investigations forward.

Some OPD staff raised concerns about the relative inexperience of recent CPRA hires and noted that any misconduct investigations had to be fact-bound and evidence-based. Another concern raised was the potential for bias in the process, particularly in disciplinary recommendations from CPRA, which some OPD staff found overly punitive. One relatively consistent statement, however, was the preference to have DLIs reduced or removed from field supervisors. Some OPD supervisors mentioned that DLI sergeants were not as well trained or well versed in these cases and DLIs often had to get sent back for additional work.

B. Oakland Police Commission and CPRA

The Oakland Police Commission⁴² oversees the Oakland Police Department to ensure that its policies and practices conform to constitutional policing standards. The Commission also oversees CPRA, which is the Commission's investigative branch and recommends discipline for substantiated misconduct.⁴³

CPRA's Jurisdiction: CPRA is statutorily required to investigate categories of alleged misconduct, often called mandated allegations. Those categories consist of "public complaints involving uses of force, in-custody deaths, profiling based on any of the protected characteristics identified by federal, state, or local law, untruthfulness, and First Amendment assemblies."⁴⁴ CPRA is directed by the Commission to investigate other matters of alleged misconduct of sworn OPD employees. Accordingly, CPRA and IAB will often conduct parallel investigations into the same alleged incidents of misconduct.

41. Cases noted in the "Other" category are service complaints or complaints that do not relate to the MOR. They have complaint numbers but are administratively closed.

42. The Police Commission is comprised of seven regular and two alternate members, enabled by Oakland City Charter section 604. All commissioners are Oakland residents and serve in a volunteer capacity. (<https://www.oaklandca.gov/boards-commissions/police-commission>; Last accessed June 2, 2025).

43. The Office of the Inspector General, led by the civilian Office of Inspector General for the Department, is also under the Commission's purview.

44. Oakland City Charter § 604(f)(1).



Required Investigative Timelines: In terms of timing, the CPRA is required to make “reasonable effort” to complete its investigations within 180 days.⁴⁵ In circumstances where the CPRA cannot meet the 180-day date, the CPRA is required to complete the investigation within 250 days of the filing of the complaint unless the Agency Director makes written findings of exceptional circumstances in a particular case beyond the Agency’s control.⁴⁶ Of course, CPRA is required to abide by California Government Code section 3304’s one-year statute of limitation.

Mandated Staffing Requirement: The Oakland Charter mandates that CPRA “shall consist of no fewer than one line investigator for every one hundred (100) sworn officers in the Department, rounded up or down to the nearest one hundred (100). The number of investigators shall be determined at the beginning of each budget cycle based on the number of sworn officers employed by the Department the previous June 1. At least one investigator shall be a licensed attorney.”⁴⁷

CPRA’s Investigative Process: CPRA, like IAB, also utilizes intake and investigative teams to initially review and then investigate appropriate cases.

1. Intake:

CPRA currently has three full-time intake technicians who process complaints from IAB and from the public. The intake technician is responsible for reviewing the complaints, obtaining relevant evidence such as body-worn camera (BWC) footage, and identifying potential OPD policy or legal violations. This includes identifying potential violations that the community member may not have expressed. Intake technicians also flag the relevant portions of BWC footage for investigators or supervisors and request documents

45. *Id.* at 604(f)(3).

46. *Id.*

47. *Id.* at 604(e)(4)

from IAB. CPRA currently has one supervisor (Investigator III), who is on a temporary contract, to oversee all intake technicians and investigators. CPRA has been allocated two Investigator III positions in the past, but that second position was frozen due to budget constraints.

Once this process is completed, the Investigator III will review the summary and may recommend a finding based on the available evidence, forward the case to an investigator, or return the case to the intake technician for further steps. There was a period when the reviewing employee varied because the Investigator III was initially hired on a part-time contract and was later rehired as a full-time employee after a gap in employment.

It should be noted that at both CPRA and IAB, the intake process serves as a preliminary investigation. The intake process is also used for both agencies to administratively close cases where the allegations can be resolved by BWC or other available evidence without investigating further. This ultimately allows for a more targeted use of investigative resources for those other cases.

Timelines in Intake: CPRA was unable to provide complete data analysis on how long the intake process takes. The CPRA's most recent annual report notes: "In July 2023, informal CPRA staff polling and partial data analysis indicated that it was taking approximately seven months, on average, for a case to proceed from the intake stage to supervisory review. With the same standard of analysis, as of May 2024, this time had been cut at least in half. By August 30, 2024, the oldest case at the intake stage was 64 days old, and the average case at the intake stage was 36 days old."⁴⁸

This excerpt reveals three things of note. First, it demonstrates that CPRA can dramatically reduce the time for its intake process. Second, although that reduction in time in intake is laudable, CPRA should ensure its processes have some flexibility to allow an investigator to respond more quickly in cases where a complainant may have visible injuries or where canvassing for evidence needs to be done quickly. The third point is a broader observation: CPRA reliance on "informal CPRA staff polling" highlights the urgent need for the agency to have a more robust and consistently utilized case management platform that can reliably and accurately report data.

2. Investigators:

CPRA's investigations generally follow this process. After being assigned a case, investigators review the initial evidence collected during the intake process and obtain any additional evidence. Investigators also interview witnesses and complainants as appropriate. CPRA usually interviews OPD officers toward the end of their investigations, often with their IAB or OPD DLI counterparts. CPRA has at times interviewed OPD trainers as part of its use-of-force investigations.

Once all the available evidence is obtained, the CPRA investigator prepares a Report of Investigation detailing the pertinent facts, the relevant policies, the analysis of the facts as applied to the policies, any credibility analysis, and investigative findings.

Working with OPD: Some investigators reported difficulties communicating with DLI investigators but found IAB more responsive. In terms of obtaining documentary evidence, CPRA investigators we interviewed said IAB was generally accommodating to their requests, and, according to longer tenured

48.FORECAST OF CPRA REPORT-OUT FEBRUARY 27, 2025, at p. 9. Available at CPRA-Report-Forecast-02.27.25.pdf

staff, IAB's response time has improved substantially over the past several years.

The most common concerns raised included OPD investigators using leading questions in interviews or failing to ask challenging or probing questions during interviews. Another critique was that IAD did not recommend discipline commensurate with the seriousness of the misconduct. Some CPRA staff also reported that the IAB has at times categorized serious allegations such as untruthfulness as less serious performance issues, thereby limiting any disciplinary or preventative impact. There was concern that DLI investigators were slow in their response times to CPRA's requests for information and that the quality of those investigations was lacking.

Investigator Staffing: CPRA has seen its investigator staff drop dramatically in the past seven months due to Oakland's fiscal emergency. CPRA is currently budgeted to receive seven Complaint Investigator II positions and one Complaint Investigator III position.⁴⁹

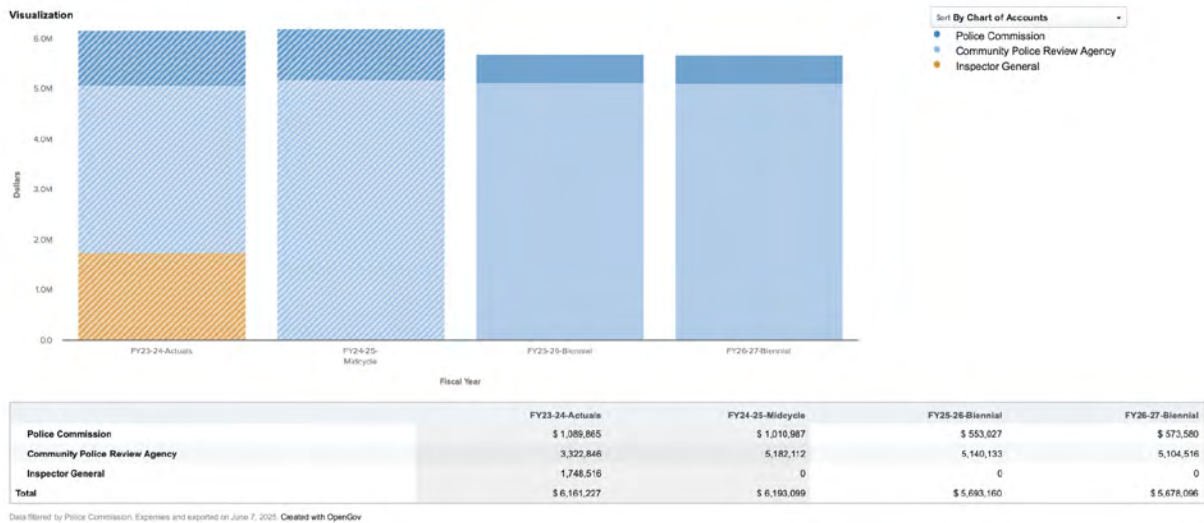
	2024-25 Adopted Midcycle FTE	2025-26 Proposed Biennial FTE	2026-27 Proposed Biennial FTE
Administrative Analyst III	2	1	1
CPRA Attorney	2	2	2
Complaint Investigator II	7	7	7
Complaint Investigator III	1	1	1
Crime Analyst	2	2	2
Executive Director CPRA	1	1	1
Intake Technician	3	3	3
Project Manager	2	2	2
Total	20	19	19

This would largely return investigative staffing back to mid-2024 levels before the fiscal crisis impacted the City but below the budgeted positions CPRA had in 2023 and 2024. CPRA's allocated budget Fiscal Year 2025-2026 is \$5,140,133.

Department	Year	FTE
Police Commission	2027	19
Police Commission	2026	19
Police Commission	2025	20
Police Commission	2024	25
Police Commission	2023	26
Police Commission	2022	18
Police Commission	2021	17
Police Commission	2020	17

49. CPRA Budget, available at <http://bit.ly/45vRgu0>

!!!FY25-27 Proposed Financial Category



The recent attrition has negatively impacted CPRA's investigative capacity. CPRA's Forecast from February 2025 explicitly notes: "CPRA is currently struggling to complete its Charter-mandated functions and duties. Additional cuts risk leading to missed statute of limitations deadlines, noncompliance with the Charter and ordinance, and serious impacts to the City's police accountability efforts."⁵⁰ That Forecast also noted that CPRA had approximately 110 pending cases, with an average time from case receipt to case close of 285 days (an increase of 2.3% from December 2024).

After that Forecast, CPRA lost another investigator. In terms of their investigator staffing as of the date of this report, CPRA currently has one temporary supervisory Complaint Investigator III, two Complaint Investigator IIs, and two temporary Crime Analysts performing investigative duties. As the Chair of the Police Commission has recognized, "staff turnover due to budget cuts comes with its own significant cost, as familiarity with Oakland's specialized oversight system is developed over years of experience."⁵¹ CPRA's operational challenges must be addressed before it can reasonably absorb duties from IAB.

CPRA Staff Concerns About Transition:

Reducing Turnover: CPRA is currently being headed by its fifth permanent or interim Executive Director since mid 2023. The prior Executive Director, from whose staff we received much of the information for this report, left the City in March 2025. We strongly believe CPRA must address its leadership situation before moving forward with a transition.

CPRA staff raised concerns about assuming a greater caseload without a commitment to fully funding the agency and to reducing turnover. The current interim is taking concrete steps to hire permanent investigative and other staff, and this process should continue in order to comply with the Charter's staffing mandate for CPRA.

50. <https://cao-94612.s3.us-west-2.amazonaws.com/documents/CPRA-Report-Forecast-02.27.25.pdf>

51. Statement from the Chair of the Police Commission RE: Adequate Funding for Effective, Legally Mandated Civilian Police Oversight. Available at https://drive.google.com/file/d/1EGjqConFGm_8b2AesLjFJ1qtNM6JnICT/view



Need for a Database and Standard Procedures: Numerous CPRA staff whom we interviewed in 2024 noted that the agency lacks a proper investigative database and standardized procedures. Investigators rely heavily on email, Excel spreadsheets, and sometimes physical notebooks because of the lack of a modern centralized case management platform. CPRA does have a database, but it was reportedly compromised during the February 2023 ransomware attack on the City and it has not been fully reintegrated into the investigative process. Numerous CPRA staff members noted challenges with using the database, however, which was referred to as “outdated” and “unworkable for investigative purposes.” Unsurprisingly, because there was no functional database, obtaining data from CPRA for this project was challenging.

Prior iterations of CPRA leadership reportedly used the database in different ways (or not at all), and the staff we interviewed who used the database found it largely unhelpful. The prior CPRA Executive Director noted CPRA’s technology issues and was attempting to create a case management system using an outside vendor, but that contract was terminated due to the City’s financial circumstances.

CPRA’s Interim Director has required staff to use the existing database as of April 2025.

Clearer Onboarding and Supervision: CPRA staff consistently wanted more formalized onboarding for new employees, training, and more robust supervision. A recurring concern was that one supervisor (who for a period of time during this project was part time) was woefully insufficient to supervise all of the intake technicians and investigators.

3. The Commission and Discipline

The Oakland City Charter establishes a shared and interdependent disciplinary framework among the CPRA, the Chief of Police, and the Commission.

Section 604(g) of the Charter requires that, for any public complaint alleging misconduct that is investigated by both CPRA and OPD, the existence of agreement or disagreement regarding the investigative findings must be established by the Chief of Police and the CPRA Executive Director prior to any disciplinary adjudication.

In cases where CPRA sustains a finding and recommends discipline, but the Chief of Police disagrees with the proposed disciplinary action, either by disputing the finding or proposing a penalty outside of the recommended disciplinary range, the matter is elevated to a Discipline Committee.⁵²

The Discipline Committee has the authority to issue a final determination regarding the appropriate discipline to be imposed. In such cases, CPRA serves not only as the investigative body but also as a contributor to the evidentiary record on which the Committee will rely. Some OPD interviewees raised concerns that the Discipline Committees overwhelmingly supported CPRA's higher disciplinary recommendation.

This shared model emphasizes the need for CPRA to be organizationally and administratively equipped to meet its obligations within the disciplinary framework.

52. OMC Section 2.45.130. The OMC notes that the Discipline Committee, comprised of three Commission members, "decide[s] any dispute between the Agency and the Chief regarding the proposed or final findings or proposed or final level of discipline to be imposed on a subject officer."

Findings and Recommendations

The City of Oakland has an opportunity to create a path-breaking structure for investigating police misconduct cases—one that balances independence, accountability, and operational feasibility. Given the challenges of Oakland’s fiscal situation and the ongoing oversight pursuant to the Negotiated Settlement Agreement (NSA), any structural shifts should proceed in carefully sequenced phases, each tied to clear benchmarks.

The recommendations outlined in this report contemplate foundational investments in CPRA staffing and systems, consistent coordination with OPD and the City Attorney’s Office, and interim procedural reforms such as the phased transfer of certain complaints. Collectively, these steps are designed to strengthen investigative integrity while ensuring that the City can deliver on its promise of fair, effective, and community-supported independent oversight.

This transition should occur in phases to test procedures and CPRA’s ability to meet case deadlines. The City should create a working group of stakeholders to assess next steps and course correct on issues that arise. We strongly agree with the observations of both CPRA and OPD interviewees that any process would have to be tested with a smaller subset of cases to work out processes.

Phase 1: Fully Staff CPRA and Eliminate Parallel Investigations

The first step before any transfer should occur is to fully staff CPRA to its budgeted allocation, with additional administrative support. This budget will need to increase as Phase 1 is completed and the City looks to remove DLIs from OPD. However, there are numerous current vacancies at CPRA that will take time to fill. Longer term, staffing CPRA should create cost efficiencies, as outlined below.

The current dual investigative agency system means that two agencies are conducting parallel investigations—including simultaneously reviewing and analyzing documents and BWC footage; interviewing complainants, witnesses, and subject officers; and writing separate reports—for the same administrative complaint. Both agencies can also present or attend the Force Review Board or Executive Force Review Board, and present to the Chief of Police at the conclusion of administrative investigations. Reportedly, in the cases where both IAB and CPRA investigate, the two agencies have agreed on investigative findings in the majority of them.

A starting point is to have CPRA be the only agency to investigate Charter-mandated and other cases that it is already investigating. This would amount to more than 100 cases per fiscal year, based on CPRA current docket. Those cases already include many resource-intensive cases such as officer-involved shootings and other serious force cases that both agencies are currently required to investigate. This approach would allow IAB Investigations and some DLIs to be gradually reduced while freeing up some officers to return to other non-duplicative OPD functions. A back of the napkin estimate done by an OPD official indicated that having only CPRA investigate the cases it currently has on its docket could eventually free up approximately 3 to 5 sworn officers.

Additionally, methodically reducing IAB’s staffing and shifting certain resources over to CPRA— particularly civilian administrative support—could create greater long-term efficiency to avoid dual intakes of the same complaint and double-tracking efforts to obtain records and documents. It could also reduce confusion for complainants who might not understand why they are being contacted by multiple agencies.

An additional cost saving layer would be to civilianize some intake and other functions while this transition is occurring. IAB uses sworn officers for administrative and intake positions at IAB, but civilians can fulfill many of those administrative and intake job duties. As outlined in the chart below, the potential cost savings by having civilian staff instead of sworn officers perform administrative and intake functions could be approximately \$160,000 per position.

The chart below based on the City's proposed budget indicates the differences in salaries and benefits between somewhat comparable positions. It is excerpted from the City's projected budget information, which is included as Attachment A at the end of the report.

	Total IAD Budget FY 25-26	Total CPRA Budget FY 25-26	
Total Division/Agency Budget	\$10,249,660	\$5,140,133	
IAD vs CPRA Comparable Position (number of staff based on projected budget)	IAD⁵³ Total Employee Compensation	CPRA Total Employee Compensation	Potential Cost Savings Per Position
Deputy Chief (1) / Executive Director (1)	\$557,002	\$402,650	\$154,352
Captain (1)/CPRA Attorney (1)	\$474,512	\$371,752	\$102,760
IAD Lieutenant (3)/ CPRA Investigator III (1)	\$433,966	\$253,250	\$180,716
Sergeant (14)/CPRA Investigator II (8)	\$322,954	\$217,326	\$105,628
Police Officer (4)/ Civilian Intake & Admin	\$322,954	\$162,184	\$160,770

These salary differences are not a one-for-one replacement in terms of cost savings. The OPD employees in IAB would not fall off the OPD side of the ledger; they would eventually be transitioned into other duties within OPD. But as more positions are shifted to CPRA over time, and as civilians take over other positions, it would presumably reduce IAB's role in OPD's budget and in the City's overall costs. If most of IAB's positions were civilianized, the cost differential would exceed \$1 million before including overtime pay.

Before CPRA can assume sole responsibility for cases, however, it needs appropriate staffing.

53. These figures reflect data from the City's proposed budget figures for 2025-26. Many of the figures for ranked positions at OPD vary, presumably because salaries differ based on years of service. We selected a number in the middle if the budget included multiple positions included. Accordingly, those figures could be somewhat higher or lower if other figures were selected.



Recommendation 1: Hire Permanent CPRA Executive Director

CPRA has cycled through five permanent or interim Executive Directors over the past three and a half years. The Executive Director with whom the consultants initially worked resigned during the pendency of this project. Numerous interviewees from IAB and CPRA noted the challenges caused by leadership shifts at CPRA, including the inherent changes in direction when new leadership comes aboard. Each leadership change initiates a new recruitment process and can result in periods of stagnation and/or rebuilding. This recurring cycle of transition and upheaval has prevented the agency from establishing a long-term strategic direction, hampered morale, and contributed to a lack of consistency in investigative approaches and internal expectations.

In addition, as of the date of this report, the CPRA has reduced investigative staffing and one contract Investigator III (supervisory role) due to budget challenges. This minimal number of investigative staff falls below the Oakland Charter's mandate that there be one CPRA investigator per 100 Oakland police officers. OPD has approximately 678 officers in its ranks during Fiscal Year 2025.⁵⁴ In addition, CPRA is not in compliance with the Charter's requirement that it have an investigator who is an attorney. Because it is so understaffed, CPRA cannot presently absorb functions from IAB.

Therefore, increasing CPRA's investigative and administrative personnel numbers must be a priority. Under the current proposed budget, CPRA is allotted seven full-time investigators. An incoming Executive Director will need to hire investigators as the budget allows before any meaningful transition can commence. Hiring at least one investigator with experience as a prosecutor, public defender or as a civil

54. <https://oaklandca.nextrequest.com/documents/4478739955>.

litigator used to interfacing with law enforcement officers in a professional setting would help buttress CPRA's investigative needs.

One frustration we heard from CPRA was the lengthy process associated with Oakland's civil service recruitment process that has reportedly slowed hiring for new employees. This process should be made as efficient as possible considering potential future cost savings.

Recommendation 2: Create a Transition Working Group

The impacted agencies and other necessary parties should create a working group to create concrete timelines with transitional steps. At minimum, representatives from CPRA, OPD, the Commission, and OCA should be involved and in constant communication with the Monitoring Team, the City Administrator's office, community stakeholders, and the Mayor's office. Constant communication and cooperation will be imperative to ensure that the process is workable and to course correct as issues will invariably arise.

This working group should address the civilianization of IAB to the extent that entity continues to exist following any transition. The working group should also address budgetary and overtime issues within OPD and CPRA.

Recommendation 3: Increase CPRA Supervisory Staff

The current budget only has one Investigator III (supervisory) position to oversee all the investigative and intake staff. Numerous CPRA employees we interviewed noted that the lack of supervision was a significant issue on both the intake and investigative sides, both in terms of receiving timely guidance on how to proceed with intakes or investigations, and in terms of receiving timely feedback on investigative reports. Our interviews and review highlighted that one investigative supervisor is inadequate for an agency charged with leading sensitive investigations.

CPRA should have *a minimum* of two supervisory investigators—one to supervise intake and one to supervise the investigators. IAB has a much higher supervisor-to-investigator ratio – with three Lieutenants who respectively monitor Intake, Investigations, and DLIs. Allotting CPRA more supervisory resources allows for more timely intervention, on-the-job training, second chairing interviews, and more levels of review for cases as appropriate.

Recommendation 4: Increase Administrative Support

The CPRA has only one administrative assistant budgeted for its staff, and the proposed budget seeks to remove a second administrative assistant position incorporated in prior budget years. Virtually every CPRA staff member we interviewed noted that the administrative support was insufficient and slowed the overall agency operations.

Civilian staff at IAB's Intake and Administrative sections are already well versed in working on matters within CPRA's jurisdiction. As IAB is reduced in size, one possibility, where appropriate, is to reassign or hire those administrative support persons to CPRA.

If the City wishes to more quickly reassign some sworn officers doing administrative work out of those positions, perhaps OPD and CPRA could jointly interview and hire for those administrative slots in IAB as



CPRA prepares to assume sole responsibility for mandated cases. As the transition progresses, those civilians could then transfer from IAB to CPRA.⁵⁵

CPRA will also need to fill its analyst roles and ensure it has the staff to report appropriate data to the Commission, OPD, and other stakeholders. CPRA's need for data analysts also ties into the following recommendation.

Recommendation 5: Establish an Improved CPRA Database

CPRA should explore whether its case management and data capabilities are adequate to handle a transition. As noted above, CPRA, at the time the consultants reviewed CPRA's processes in Fall 2024, was utilizing a mix of email, Excel spreadsheets, handwritten logs, and inconsistent use of its database to memorialize its work and for data collection. Before submitting this report, we were informed that CPRA had reinstituted the use of its database.

If CPRA's current database proves unworkable, one possible database solution is for CPRA to transition to Vision, which is IAB's and OPD's current system. Vision is currently the only functional investigative case management platform in Oakland that tracks misconduct cases. Vision also houses OPD's human resource and performance data. CPRA recently explored creating its own replacement proprietary database, but that endeavor was terminated due to the City's fiscal situation. Given that there is no clear alternative currently, Vision appears to be the most viable option.

⁵⁵ We recognize that Oakland's civil service hiring rules may require additional steps or more complex processes that might make this recommendation less feasible.

Using an existing system such as Vision offers potential benefits. It includes a better reporting function on case deadlines and timelines. It offers a centralized place to find case information and incorporates tools such as an investigator chronology built into its user interface. It has been tested under the NSA's task requirements. It is already paid for. Additionally, adoption of the Vision system by CPRA during transitional phases would support continuity of case management processes and will allow for direct data comparisons to better evaluate the efficacy of any transfer of duties and responsibilities.

Expanding Vision for the CPRA is an imperfect solution. Vision lacks certain capabilities, such as sending push notifications and syncing with a calendaring system and may not currently capture all data that the CPRA must report. The prior CPRA Executive Director had full access to Vision. Other CPRA staff have more limited access, but it is seldom, if ever, used. Accordingly, if this option is pursued, CPRA staff will need to be trained on using Vision with the expectation that it is consistently utilized.

Perhaps most critically, strong firewalls would need to be instituted to ensure that the CPRA's work is confidential and protected, both to protect investigative integrity and to ensure public trust that only authorized users have access to the details of the independent investigation materials. These firewalls exist within OPD to protect IAB's work product from unauthorized access; similar or stronger firewalls will need to protect CPRA's work as well and should include an auditing function to track user access to the database and its contents

To make the necessary changes to Vision to bring CPRA into the fold, the consultants were informed that a handful of persons in City IT understand the platform. Those persons would need to be consulted as part of this process if City stakeholders decide to proceed down this path. This could also be an opportunity to update and improve Vision based on OPD's input on working with the system.

This transition will likely require staff time to import data and cases from CPRA. There may be costs associated with updating Vision to incorporate CPRA's work. The time involved in creating or transferring into a new case management platform should be discussed by the transition working group early in the process.

Regardless of platform, CPRA must at minimum standardize its case management practices. If CPRA's database that was in use prior to the last permanent Director's arrival proves functional, then that database should be tested to see if it can properly accommodate a transition.

Recommendation 6: Amend Oakland's Municipal Code, OPD's Manual of Rules, and Potentially the NSA As Needed.

Because these recommended changes differ from the current processes Oakland has established for addressing investigations of alleged officer-involved misconduct, it will require updating the OMC, OPD's MOR, and potentially the NSA. For example, the OMC currently contemplates a system of two agencies investigating misconduct cases. The OMC would need to be modified to recognize CPRA as the lead investigative agency on Charter-mandated cases.

Some of these changes may also trigger collective bargaining issues. The City Attorney's Office should be part of the working group to advise on what legal issues may arise during the transition process. Finally, this process will require discussion with plaintiffs' counsel from *Allen* and the Monitoring Team regarding these potential changes to IAB's responsibilities.

Recommendation 7: Continue to Address Gaps in CPRA Policies and Procedures

As the CPRA moves toward assuming sole responsibility for mandated allegations, the next leadership team should continue to standardize CPRA's investigative procedures, some of which the City Auditor previously noted. These suggestions include:

An onboarding for new investigators specific to civilian oversight and police misconduct investigations. Topics should include effective questioning of complainants, witnesses and subjects, securing evidence, and documenting investigative steps.

- Having a standardized investigations and intake manual. Numerous staff indicated that there were different materials prepared by different CPRA leaders), and a lack of clarity on which to follow. The CPRA should standardize these materials so that staff understand how to properly meet expectations.
- Completing the policies and procedures manual. A draft manual was in progress and under review shortly before this consulting project was initially paused. The manual should be updated as the initial transitional steps become clear and further updated as the transition develops. A clear, useful manual would assist both internal staff and external stakeholders in understanding how the CPRA's processes work.
- Using standardized closing reports. There was movement toward standardizing the CPRA's closing reports of investigations prior to this project being paused. This process of having standard report templates should also be completed and implemented if it has not yet occurred. If CPRA assumes the sole responsibility for conducting investigations into officer-involved alleged misconduct, then it will be critical for CPRA to consistently and accurately communicate about the evidence evaluated, CPRA's analysis of it, and the investigative steps that lead to that analysis. This is especially vital in cases where allegations are substantiated so that the evidence and MOR violations are clearly communicated to the Chief of Police, the Commission, and OCA.
- Ensuring CPRA's independence in investigative findings. CPRA's investigations must be completed with appropriate levels of confidentiality and lack of interference from other agencies or persons to reach complete and objective investigative conclusions.

With a clear leadership team, adequate staffing, and independence, CPRA should be able to establish these processes within a reasonable period.

Recommendation 8: Ensure CPRA Complies with Timelines

When the prior Executive Director assumed that position in 2023, CPRA was facing numerous lapses on 3304 deadlines. The agency proceeded to focus on clearing cases that were nearing or had surpassed statutory deadlines. It is unclear whether CPRA will again have to triage cases to avoid missing the 3304 deadlines in light of recent budget cuts, but if so, those dated cases will need to be completed in advance of a transition. Otherwise, CPRA would be facing a crisis in meeting deadlines even before it assumes greater responsibility.



There should be clear benchmarks as CPRA staff members take sole responsibility of Charter-mandated and other cases assigned to it from the Commission. In our view, meeting 3304 deadlines should be a minimal threshold before an expansion commences.

Recommendation 9: Selecting Pilot Cases

These internal issues—hiring and training investigators, preparing set procedures, and expanding Vision pr another database—are achievable benchmarks.

As CPRA nears meeting these benchmarks, the CPRA Executive Director should evaluate the CPRA docket and its staffing levels and capabilities. The Executive Director should select a test docket of cases and confer closely with IAB and the Commission in determining which cases CPRA will have sole responsibility for investigating. This initial set of cases should be ones without pressing 3304 or 180-day issues. This will allow CPRA to build on processes and work through issues with OPD, the Commission, and OCA. Another benefit of this selection process is that it requires constant communication between the agencies to ensure that appropriate deadlines are being met.

Phase Two: Expanding CPRA's Investigative Capabilities

Once Phase 1 is completed, CPRA should assume sole investigative jurisdiction over all Charter-mandated cases and other cases that the Commission designates it to investigate. The working group should determine what achievable timelines and benchmarks for expanding CPRA look like once it is fully staffed. As CPRA assumes sole authority for Charter-mandated cases, it will need appropriate support from OPD and the Commission to obtain evidence, receive transitional support and input, and work through protocols.

Recommendation 1: Address Critical Incident Callouts

To ensure timely initiation of critical incident investigations, such as officer-involved shootings or in-custody deaths, stakeholders should consider establishing a formal protocol for CPRA participation as it assumes responsibility for these cases.

The former CPRA Executive Director previously responded to such incidents. This practice should continue for the short term. As CPRA assumes sole responsibility for Charter-mandated cases, OPD and CPRA should work through clear protocols for CPRA staff to receive OPD-escorted walkthroughs of secured scenes of incidents and to ensure that criminal and administrative investigators are appropriately firewalled.

Incorporating CPRA into these responses would promote transparency, investigative integrity and quality, and would align with public expectations for independent oversight. Because many critical incidents occur outside of ordinary CPRA working hours, putting CPRA investigators on call may raise collective bargaining questions. IAB's investigators receive on-call pay and a take-home vehicle as part of their on-call duties.

COPA in Chicago transferred non-criminal responsibility for these cases to civilian hands, and stakeholders in Chicago may be worth contacting.

Recommendation 2: Ensure CPRA's Timely Access to Evidence and Records & Establish a CPRA-OPD Liaison

As CPRA gains additional staffing and responsibility and IAB reduces in size, there will need to be clear channels for obtaining access to records and evidence. Under OMC section 2.45.080(B), CPRA is required to have access to OPD's records. Currently, CPRA has direct access to BWC footage and works with IAB to obtain other evidence. To the extent legally permissible, all CPRA investigators and supervisors should have direct access to OPD evidence and records to ensure timely and independent investigations rather than working through an intermediary. Creating unnecessary layers can slow investigative processes and create administrative barriers. For example, some civilian-led oversight agencies, including the local BART Office of the Independent Police Auditor, have direct access to platforms such as the police department's web-based records management systems, officers' disciplinary history, and computer-aided dispatch (CAD) entries.

The ability to review and collect relevant video evidence early in the investigative process also allows for more accurate identification of all potential misconduct allegations at the outset. Direct access to evidence significantly improves the likelihood of meeting investigative deadlines, whether self-imposed or required by law.

Within OPD, CPRA investigators reported a lack of cooperation from the Criminal Investigation Division, with some resistance reportedly stemming from uncertainty about *Garrity*⁵⁶ protections and the legal implications of open communication with CPRA. This can be resolved in two ways. First, the administrative statute of limitations may be tolled if there is a criminal investigation into the same conduct that CPRA is investigating. Second, concerns about an officer's Due Process rights under *Garrity* flow only in one direction. The criminal section does not generate compelled statements from the subjects of misconduct investigations; only the administrative section compels statements that require an officer to answer the investigator's questions. Accordingly, this does not limit the flow of information from the criminal side to the administrative side. Without clear protocols or assurances from OPD Command staff, investigative information to CPRA may remain limited.

56. *Garrity v. New Jersey*, 385 U.S. 493 (1967). *Garrity* held that police officers cannot have compelled administrative statements that were obtained by a potential sanction of a loss of employment used against them in criminal proceedings. To utilize compelled statements in criminal proceeds would violate the officer's 5th Amendment rights.

Of course, there are certain records that CPRA will need assistance from OPD to obtain, such as warrants, the Crime Record Information Management System (CRIMS), and certain other law enforcement records. CPRA has limited access to certain databases (such as the California Law Enforcement Telecom System (CLETS)). To support interagency coordination during and after the transition of investigative duties, OPD should designate a dedicated CPRA Liaison. This liaison could serve as a key point of contact for CPRA, ensuring timely access to records, facilitating communication with OPD personnel, and supporting case coordination, including with Criminal Investigations (CI) when applicable. Establishing this role could help streamline operations, reduce delays in evidence sharing, and strengthen cooperation and trust between agencies.

Recommendation 3: Address Staffing at Internal Affairs

A transfer of cases would allow the caseload for IAB Investigations and DLIs to decrease, but it would not entirely disband IAB.

For example, the IAB DLI process, where the greatest quantity of misconduct cases are addressed within OPD, would continue during the initial phases of any transition unless it was a mandated case. Longer term, the goal would be for CPRA to take over DLIs, a step that has the support of multiple OPD leaders we interviewed. If DLI's could largely be removed from OPD's purview, that would free up IAB DLI to return to other law enforcement functions and relieve field sergeants of the burden of investigating hundreds of cases per year. In 2024 alone, OPD reportedly completed 764 DLIs.

For the more immediate future, if CPRA is already conducting a misconduct investigation, it would reduce some duplication and free up the bandwidth of field supervisors. The working group will need to quantify the additional individual or collective bandwidth and availability due to the varying levels of complexity of each misconduct investigation and each sergeant's daily workload.

Similarly, IAB's Intake and Administrative Units will need to exist in some capacity moving forward. Although some duplication could be reduced by moving civilian intake and administrative support from OPD to CPRA, IAB Intake and Admin would still need to prepare a high volume of cases during the transition.

In addition, some of IAB's functions would have to continue, either remaining at IAB or moving to the Bureau of Risk Management. In the case of administrative disciplinary work, much of that should eventually be transferred to CPRA. An example of other functions include:

- SB2: This function would remain at OPD, as the relevant Penal Code section requires that the employing agency update POST on misconduct issues.
- *Brady* and *Pitchess* responsibilities: CPRA will need to ensure that it is providing appropriate *Brady* and *Giglio* information to OPD. CPRA is not part of the criminal prosecution team; that reporting responsibility to provide exculpatory evidence should flow through OPD. The City should confer with OCA to determine the best path for addressing this issue. *Pitchess* deals with OPD employee personnel issues in litigation and should also remain within OPD.
- OPD will need to be involved in physically serving discipline and placing an officer on administrative leave (e.g. recovering Department-issued firearms).

- IAB Integrity Testing: these administrative “stings” should remain in OPD.
- Preparing disciplinary packets: CPRA should assume this responsibility in Phase 2 as it builds its administrative staff.

Phase 3: Transferring Discipline Functions and DLIs to CPRA

Recommendation 1: Fully Civilianize Misconduct Investigations including DLIs

While the long-term objective of fully civilianizing the misconduct investigation process remains an overarching target, transferring DLIs from OPD to CPRA presents significant operational and fiscal challenges. DLIs constitute a substantial portion of the overall misconduct caseload and shifting them to CPRA would considerably increase the agency’s investigative workload.

Given the City’s ongoing financial constraints and CPRA’s current staffing limitations, the volume of DLI cases raise immediate feasibility concerns, without regard for the complexity of any given complaint investigation. Although there appears to be consensus among various stakeholders that DLIs should eventually be removed from OPD’s purview to allow OPD sergeants to commit more time to public safety-related tasks, the City should first ensure that CPRA can successfully implement the foundational elements of Phases 1 and 2 before moving toward this additional expansion.

This approach may better enable the agency to build the necessary investigative capacity, supervisory infrastructure, and procedural consistency required to absorb the additional DLI-related duties. After CPRA has demonstrated measurable success under the earlier phases and secured adequate staffing levels and training processes the City and CPRA leadership should evaluate the full reassignment of DLI responsibilities.

OPD reportedly totalled more than 700 DLI cases in 2024. These cases, on average, should take fewer investigative hours than IAB’s cases, but CPRA would need to increase its investigator FTE dramatically to handle this case load. Presuming approximately 30 hours of work per DLI case, that would equal 9000 hours of work per year, not including administrative, meeting, or potential discipline-phase time.

Some CPRA and OPD staff suggested using a better triaging method for lower-level complaints rather than requiring full written reports for every case. The NSA does not make distinctions between how lower level versus serious cases are investigated.

Recommendation 2: Consider Reforming CPRA Intake Process

The current CPRA model of conducting intakes, which function as preliminary investigations, sometimes takes months to complete before being assigned to an investigator. This period could be shortened substantially by using investigators earlier in the process and by having the intake process be a largely administrative role. The intake process can begin with an initial collection of basic information, a summary of the nature of the misconduct allegations, a request for documents from OPD, and a preliminary review of the relevant BWC footage. These things can then be flagged for a supervisor. More serious cases involving ephemeral evidence, such as physical injuries requiring more immediate attention, should be flagged and sent for investigation immediately. This way, trained investigators can quickly go to the scene to canvass for witnesses and evidence.

CPRA will also need to develop a process for receiving complaints from the Communications Division, which logs all complaints received when IAB is unavailable.

Recommendation 3: Transfer Administrative Discipline Responsibilities to CPRA

CPRA must be sufficiently staffed and equipped to handle the additional workload associated with notification of discipline⁵⁷, *Skelly* hearings, disciplinary committee reviews, and arbitration proceedings. The IAB currently employs personnel dedicated to redacting records, preparing *Skelly* documents, and serving as liaisons to the City Attorney's Office. CPRA lacks comparable administrative and logistical support. To fulfill these functions effectively, CPRA would need to expand its capacity by employing administrative staff responsible for managing these processes.

OPD has struggled with a significant backlog of *Skelly* hearings.⁵⁸ To the extent that the lack of hearing officers has played a role, CPRA and OPD should explore having non-OPD hearing officers handle them.

Moreover, CPRA should develop a structured internal process to coordinate with the City Attorney's Office, ensure the legal sufficiency of documentation, and maintain procedural timelines. This may require establishing designated roles focused exclusively or primarily on supporting disciplinary case progression after findings are issued. Absent sufficient staffing, the process could overburden CPRA, delaying or otherwise undermining the efficacy of the intended disciplinary process. Eventually, CPRA's attorneys may be able to handle some of the disciplinary proceedings such as arbitrations.

Technology upgrades will also be essential in this area. CPRA must implement systems that allow for secure, trackable workflows and document management, and provide real-time visibility into the status of *Skelly* responses, scheduling, and the tracking of final disciplinary outcomes. Effective case tracking and documentation are especially important in the event of challenges brought by employee representatives or external reviewers such as the Independent Monitor.

Finally, to match the procedural support currently in place at IAB, CPRA will need to establish clear protocols and lines of responsibility for handling *Skelly*-related materials. This includes redaction standards, coordination of mechanisms for document delivery, and staff who can serve as consistent points of contact with OPD, the City Attorney, and any relevant third parties. Without this infrastructure, CPRA could risk missing deadlines, end up producing incomplete or inadmissible records, or failing to uphold due process requirements. Each of these results could lead to disciplinary outcomes being overturned or otherwise invalidated.

Recommendation 4: Transfer DLIs to CPRA Immediately Following Initial Field Interview or Contact by Field Sergeant

The City should implement a procedural shift in the handling of DLIs. Field sergeants are required to respond to the scene or speak to a complainant within three hours under NSA Task 5.1. When CPRA has

57. IAB's Pre-Discipline process requires the following: "Upon approval of a sustained finding in an internal investigation, unless the Chief has waived the process, the IAB shall provide a printed copy of the subject's five (5) year disciplinary history, his/her two most recent performance evaluations, the Complaint Investigation Report (CIR) and the Report of Investigation (ROI) for the current case. The documents shall be forwarded to the sustained member's Captain." IAB Manual at 57.

58. <https://www.sfchronicle.com/bayarea/article/oakland-police-discipline-backlog-19499706.php>

the appropriate staffing, OPD sergeants could complete only an initial field interview with complainants and then promptly transfer the case to CPRA for further handling and investigation. This approach would maintain continuity in the initial response and documentation of allegations while enabling the CPRA to assume responsibility for case development, documentation, and investigation. Delegating only the initial intake to OPD supervisors preserves the continuity of complaint processing while relieving sergeants from the burdens of some administrative tasks. It would also establish a clear procedural division between first-responder duties and investigative oversight, thereby aligning with any efforts to ultimately fully civilianize misconduct investigations. For this transition to be effective, protocols for handoff, evidence transfer, and timeline tracking will need to be clearly established and jointly managed by OPD and CPRA leadership.

Recommendation 5: Non-Sworn Employees

CPRA lacks the legal authority to investigate allegations of misconduct involving non-sworn OPD personnel, such as dispatchers. As a result, such cases must either remain within the purview of OPD or be reassigned to the City's Employment Investigations and Civil Rights Compliance unit. Given OPD's size relative to other City departments and agencies, we recognize that this is not a minor shift and may raise a number of logistical and legal issues. The receiving agency will need to hire staff to handle that additional case load.

In the interim, the City should establish and communicate a clear and enforceable division of investigative responsibilities across departments to prevent oversight gaps, and to ensure consistent handling of complaints involving all categories of OPD personnel.

Conclusion

This report has explored whether some of IAB's responsibilities can be effectively transferred to the CPRA. While the overarching goal of fully civilianizing misconduct investigations reflects the values of transparency and accountability sought by Oakland and its residents, it must be pursued with strategic care.

The City is currently navigating severe fiscal constraints, and CPRA continues to contend with staffing limitations, leadership transitions, and operational backlogs. These realities require the City to approach any expansion of CPRA's duties via a measured and thoughtful plan. If Oakland can successfully accomplish exclusive civilian oversight, it could become a national leader and be one of the very few to embark on this path.

The recommended three-phase transition framework offers a preliminary roadmap. Beginning with the transfer of certain Level I complaints and gradually increasing CPRA's scope over time, this approach allows for necessary investments in CPRA's investigative staffing, internal systems, and interdepartmental coordination. Success must be evaluated at each stage, not only in terms of caseload metrics, but also in the consistency, fairness, and integrity of outcomes to all parties. At the heart of this work is a shared commitment to building a public safety system that earns and sustains the trust of the community and all stakeholders.

Attachment A

Bureau	Job	FTE	Amount	Position Type	Year
Internal Affairs Bureau	Captain of Police (PERS).PS107	1	474512	Sworn Staffing	2026
Internal Affairs Bureau	Deputy Chief of Police (PERS). EM135	1	557002	Sworn Staffing	2026
Internal Affairs Bureau	Intake Technician.AP434	1	155695	Professional Staffing	2026
Internal Affairs Bureau	Intake Technician.AP434	1	158741	Professional Staffing	2026
Internal Affairs Bureau	Intake Technician.AP434	1	155695	Professional Staffing	2026
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Internal Affairs Bureau	Intake Technician.AP434	1	155695	Professional Staffing	2026
Internal Affairs Bureau	Lieutenant of Police (PERS) (80 Hr). PS152	1	454221	Sworn Staffing	2026
Internal Affairs Bureau	Lieutenant of Police (PERS) (80 Hr). PS152	1	433966	Sworn Staffing	2026
Internal Affairs Bureau	Lieutenant of Police (PERS) (80 Hr). PS152	1	389789	Sworn Staffing	2026
Internal Affairs Bureau	Police Officer (PERS) (80 Hr).PS168	1	322954	Sworn Staffing	2026
Internal Affairs Bureau	Police Officer (PERS) (80 Hr).PS168	1	337119	Sworn Staffing	2026
Internal Affairs Bureau	Police Officer (PERS) (80 Hr).PS168	1	306041	Sworn Staffing	2026
Internal Affairs Bureau	Police Officer (PERS) (80 Hr).PS168	1	303135	Sworn Staffing	2026
Internal Affairs Bureau	Police Records Specialist.SS165	1	120894	Professional Staffing	2026
Internal Affairs Bureau	Police Records Specialist.SS165	1	120894	Professional Staffing	2026
Internal Affairs Bureau	Police Records Supervisor.PS171	1	180612	Professional Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	386251	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	377369	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	389827	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	391806	Sworn Staffing	2026

Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	392650	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	381357	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	388755	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	356945	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	368547	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	347710	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	368991	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	380288	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	390734	Sworn Staffing	2026
Internal Affairs Bureau	Sergeant of Police (PERS) (80 Hr). PS179	1	390075	Sworn Staffing	2026

CPRA

Position Status	Position	Job	Fund	Org	Project	Program	FY26 FTE	FY26 Amount	FY27 FTE	FY27 Amount
Filled	PN_10027	Complaint Investigator II.AP146	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	217,326	1.00	215,761
Filled	PN_2056	Complaint Investigator II.AP146	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	217,326	1.00	215,761
Filled	PN_34865	Intake Technician. AP434	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	165,231	1.00	164,016
Filled	PN_34900	Executive Director CPRA. EM229	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	402,650	1.00	399,782
Filled	PN_35961	Complaint Investigator II.AP146	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	217,326	1.00	215,761
Filled	PN_37514	Intake Technician. AP434	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	162,184	1.00	161,016
Filled	PN_37515	Intake Technician. AP434	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	162,184	1.00	161,016
Filled	PN_40099	Complaint Investigator II.AP146	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	217,326	1.00	215,761
Filled	PN_40100	Complaint Investigator III. AP144	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	253,250	1.00	251,439
Filled	PN_43416	Project Manager II.EM211	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	354,047	1.00	351,500
Filled	PN_44872	CPRA Attorney. MA165	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	371,752	1.00	369,076
Filled	PN_45341	Administrative Analyst II.AP106	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	195,350	1.00	193,945
Filled	PN_45342	Complaint Investigator II.AP146	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	217,326	1.00	215,761
Filled	PN_48848	Crime Analyst. AP446	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	187,765	1.00	186,415
Filled	PN_48849	Crime Analyst. AP446	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	187,765	1.00	186,415
Filled	PN_48860	CPRA Attorney. MA165	FD_1010	OR_66211	PJ_1003737	PG_IP06	1.00	371,752	1.00	369,076

**OAKLAND POLICE DEPARTMENT REPORTING TEMPLATE
FOR POLICE COMMISSION MEETING**

*There hereby is established the Oakland Police Commission (hereinafter, Commission), which shall oversee the Oakland Police Department (hereinafter, Department) in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing. * - Oakland City Charter Section 604(a)(1)*

Prepared 7/7/2025

I. 52 NSA Task Force – Status of Compliance, Charter 604(f)(5)

Task	
Tasks 2, 5, and 45	<p>The monitoring team has completed the Ninth NSA Sustainability Period Report of the Independent Monitor for the Oakland Police Department.</p> <ul style="list-style-type: none"> ▪ 10th IMT Sustainability Report (2 Jun 25): ▪ Task 2: Timeliness Standards and Compliance with IAB Investigations <ul style="list-style-type: none"> ○ Not in compliance ▪ Task 5: Complaint Procedures for IAB <ul style="list-style-type: none"> ○ Not in compliance ▪ Task 45: Discipline Policy <ul style="list-style-type: none"> ○ No compliance Finding.
IMT Visit	28 May 25
Next CMC	10 Jul 25

II. Policies Related to Constitutional Policing Matters – Status Update, Charter 604(b)(2) and 604(b)(4)-(5)
III. Any Other Policy, Procedure, Custom, or General Order Regardless of Its Topic – Status Update, Charter 604(b)(2) and 604(b)(6)

Policy	
J-04 Pursuit Policy	In the OPC Community Policing Ad Hoc. Attended and presented at the Public Forum on 31 Jul 24. Presented at OPC 23 Jan 25.
BFO P&P 15-01 Community Policing	OPC approved the Draft First Reading – 25 Jul 24 Police Commission Reviewing Policy outcome from Ad Hoc. The approval of the Police Commission of the language is pending.
Sexual Misconduct Policy	Under review with the City Attorney's Office and IG. No timeline of completion was given as of 24 Sep 24.
Racial Profiling / Bias Policy (DGO M-19)	In Police Commission Ad hoc for review. Currently with the OPD Executive Team and City Attorney's Office for review.
K-4: Reporting and Investigating the Use of Force. (SO 9214)	Sent to OPC on 5 Feb 25. OPD will present on 13 Mar 25, the new timelines for use of force reporting and investigations.
Discipline Matrix	Currently with the Police Commission Ad Hoc.
Militarized Equipment Annual Report	The 2024 report is completed and posted on the city website.

IV. OPD Budget, Charter 604(b)(7) & MC 2.45.070(C)-(D)

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* "Constitutional Policing Matters" include: Use of force; Use of force review boards; Profiling based on any of the protected characteristics identified by Federal, State, or local law; First Amendment assemblies; Use of militarized equipment; and Elements expressly listed in Federal court orders or Federal court settlements such as the Negotiated Settlement Agreement.

Topic																																																										
Staffing & resource management	<p>Sworn Staffing Authorized: 678 Filled: 656 Operation Strength: 518</p> <p>Communications Dispatchers Authorized: 78 Filled: 65 (7 new Dispatcher Trainees started on Oct. 28th. 18 are currently in training) Three (3) Dispatchers hired eff 10 May 25.</p> <p>Professional Staffing Authorized: 272.5 Filled: 238</p> <p>Vacancies of note: All vacant positions are frozen, with the exception of the Police Communication Dispatchers. Police Communications Dispatcher (13)</p> <table><tr><th>As of Jul 7, 2025 (Sworn only)</th><th>Admin Leave</th><th>Medical Leave On-Duty Illness/ Injury</th><th>Medical Leave Personal Illness/ Injury</th><th>Military Leave</th></tr><tr><td>2+ Years</td><td>7</td><td>2</td><td></td><td></td></tr><tr><td>1-2 Years</td><td>13</td><td>13</td><td>1</td><td></td></tr><tr><td>6 mo.– 1 Year</td><td>6</td><td>13</td><td>1</td><td></td></tr><tr><td>2-6 months</td><td>11</td><td>19</td><td>2</td><td></td></tr><tr><td>Less than 2 months</td><td>1</td><td>10</td><td>3</td><td>2</td></tr><tr><td>Total</td><td>38</td><td>57</td><td>7</td><td>2</td></tr></table>					As of Jul 7, 2025 (Sworn only)	Admin Leave	Medical Leave On-Duty Illness/ Injury	Medical Leave Personal Illness/ Injury	Military Leave	2+ Years	7	2			1-2 Years	13	13	1		6 mo.– 1 Year	6	13	1		2-6 months	11	19	2		Less than 2 months	1	10	3	2	Total	38	57	7	2	<p>Long-term leave: 104 sworn employees</p> <ul style="list-style-type: none">• 64 Medical Leave• 38 Admin Leave<ul style="list-style-type: none">○ 7 Sergeants of Police○ 31 Police Officers• 34 Sworn on Modified Duty• 2 Military Leave<ul style="list-style-type: none">○ 9 Active Military Reservists <p>Of the 38 sworn personnel on admin leave, 19 have been off for 1-2 years. The annual cost associated with those 19 employees is \$5,856,524. The cost breakdown is below:</p> <table><tr><th>Admin Rank</th><th>Position</th><th>Cost</th><th>Total Cost</th></tr><tr><td>Sergeant</td><td>5</td><td>347,682</td><td>1,738,410</td></tr><tr><td>Police Officer</td><td>14</td><td>294,151</td><td>4,118,114</td></tr><tr><td>Total</td><td>19</td><td></td><td>5,856,524</td></tr></table> <p>Attrition Rate – 6/mo. (45 separated over the past year)</p> <p>Reemployments – None</p> <p>Retirement Projections for 2025: 70 possible</p> <ul style="list-style-type: none">• 1 Assistant Chief of Police• 2 Deputy Chief of Police• 2 Captains of Police• 6 Lieutenants of Police• 24 Sergeants of Police• 35 Police Officers		Admin Rank	Position	Cost	Total Cost	Sergeant	5	347,682	1,738,410	Police Officer	14	294,151	4,118,114	Total	19		5,856,524
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Total	19		5,856,524																																																							
Academy Recruits	195 th Academy: First day will be July 19, 2025 196 th Academy: TBD																																																									
General Department functions (Internal Affairs Bureau, IAB Skelly Process)	<p>Skelly Data:</p> <p># of pending Skelly by Case: 79 # of pending Skelly by Subject: 113 # of Skelly awaiting dissemination – 14 (-2) Number of Skelly Hearing Officers: 19 (-2)</p> <ul style="list-style-type: none">• Upcoming retirements, laterals, and reassignments <p>Process Improvements:</p>					<p>* Wait time for each Skelly – Varies * How are Skelly Officers selected (training, recusals, etc.) - Must attend Skelly Hearing Officer Training & be of appropriate rank</p> <p>Skelly Comparison by Month</p>																																																				

	<ul style="list-style-type: none"> All trained Commanders and Managers can conduct Skelly's. Changed to digital format Waiver for Officers <ul style="list-style-type: none"> Working with the City Attorney to formalize Added personnel to assist VISION integration (assists in tracking ex. Reminders, emails) Skelly Dashboard fully operational 	<table> <tr> <th>2025</th><th>By Case</th><th>By Subject</th></tr> <tr> <td>Jan</td><td>-</td><td>158</td></tr> <tr> <td>Feb</td><td>-</td><td>157</td></tr> <tr> <td>Mar</td><td>-</td><td>149</td></tr> <tr> <td>Apr</td><td>-</td><td>148</td></tr> <tr> <td>May</td><td>86</td><td>123</td></tr> <tr> <td>Jun</td><td>83</td><td>119</td></tr> <tr> <td>Jul</td><td>79</td><td>113</td></tr> </table>	2025	By Case	By Subject	Jan	-	158	Feb	-	157	Mar	-	149	Apr	-	148	May	86	123	Jun	83	119	Jul	79	113
2025	By Case	By Subject																								
Jan	-	158																								
Feb	-	157																								
Mar	-	149																								
Apr	-	148																								
May	86	123																								
Jun	83	119																								
Jul	79	113																								
IAB Cases	<p>2024 Total cases closed – 1508 (126) Sustained cases (235) Sustained allegations</p> <p>2025 (as of 30 Jun 25) Total cases closed YTD – 819 Total cases opened in Intake YTD- 699 Total Cases assigned to Intake (not yet assigned to an investigator) - 158</p> <p>Case Load Total investigations assigned to IAB- 127 Total investigations assigned as DLIs – 161</p> <p>Total cases currently open - 578 This number represents all open cases, including those awaiting CPRA concurrence and Skelly hearing results. It should be noted that this number does not indicate that the IAB investigation is not completed, only that the case is not completely closed out.</p>																									
SB 2	https://post.ca.gov/Peace-Officer-Certification-Actions	SB 2 List: 2025 (Year-To-Date) 3 total Oakland PD																								
General Department functions (CID)	<p>SVS Juvenile Cases: 2025 (Year-To-Date)</p> <ul style="list-style-type: none"> Juvenile Arrests: 132 total juvenile arrests YTD Referrals to restorative justice programs: 28 <ul style="list-style-type: none"> Neighborhood Opportunity & Accountability Board (NOAB) - 27 Community Works West Referrals – 1 (No longer in service as of January 2025) <p>Missing Persons: 2025 (Year-To-Date)</p> <ul style="list-style-type: none"> YTD MPU Cases: 706 YTD Closed MPU Cases: 617 	<p>Hate Crimes: 2025 (Year-To-Date)</p> <ul style="list-style-type: none"> Total Cases: 4 New cases: 0 <p>DVU Cases: 2025 (Year-To-Date)</p> <ul style="list-style-type: none"> Total cases: 2,200 The clearance rate on DV cases is nearly 100%. These are named suspect cases. An investigator reviews all I/C and Out-of-custody cases. Domestic Dispute – 699 Domestic Battery, 243(e)(1) - 527 Inflict corporate Injury Spouse/cohabitant 273.5 - 554 																								
Education and training regarding job-related stress, PTSD, Wellness	<p>The Oakland Police Department (OPD) is proud to be named Law Enforcement Partner of the Year by the Black and Missing Foundation, Inc. (BAMFI). OPD's Missing Persons Unit (MPU) continues to collaborate with BAMFI on important cases and to raise awareness about missing persons of color.</p> <p>BAMFI works closely with law enforcement agencies nationwide to improve the investigation and resolution of missing persons cases in minority communities. OPD values this</p>																									

	recognition and its ongoing commitment to collaborating with BAMFI and the community to advocate for missing persons, support affected families and enhance investigative practices.
Budget QUARTERLY	Last: Next:
Citywide Risk Management QUARTERLY	Last: 4 Mar 25 Next: 27 May 25

V. Collaboration with OIG

Project	Status
NSA Inspections Tasks: 3, 4, 7,8, 9, 11, and 13	Meetings and data sharing.
OPD Staffing Study	Biweekly meetings with OIG and PFM. Ongoing data collection and sharing.
M-19 Audit Response	Completed and provided to the Ad Hoc on 3 Apr 24.
Sexual Misconduct Policy	Policy: see policy section.
"Patterns" definition	Collaboration meeting with OIG, CPRA, IMT on 19 Mar 24.
OIG Document on OPD Policy Types	Created by OIG and OPD, completed review.
FTO Study	Completed.

VI. Collaboration with CPRA**VII. Rules and Procedures for Mediation and Resolution of Complaints of Police Misconduct, OMC 2.45.070(N)**

Project	Status
Transition of IAB to CPRA	Information sharing with the Transition Consultants, Moeel Lah Fakhoury Law Firm – Andrew Lah and Russell Bloom
Daily Complaint Log, Weekly IAB Meetings	Ongoing
Complaints & Mediation	Pending
"Patterns" definition	Collaboration meeting with OIG, CPRA, IMT on 19 Mar 24.

VIII. Collaboration with the Community

Militarized Equipment Use Annual Report Town Hall Meeting	1021 81 st Avenue Oakland, CA 94621 July 16 th 5:00 p.m. - 7:00 p.m.
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IX. Status of Submitting Records/Files Requested by Commission, Charter 604(f)(2)

File	Status
None	

X. New Laws Affecting OPD

Law	
2025 New Laws	<ul style="list-style-type: none"> Presented on 27 Feb 25 - Lieutenant Dorham

XI. Required Reporting to the California Department of Justice / Attorney General**XII. Policy/Practice on Publishing Department Data Sets, OMC 2.45.070(P)**

Report	Status
--------	--------

OIS or SBI (GC 12525.2)	Annual report: sent 26 Jan 24
DOJ Clearance Rates	OPD Records Division provides monthly validated crime data to the DOJ. Uniform Crime Reporting (UCR). https://openjustice.doj.ca.gov/exploration/crime-statistics/crimes-clearances
Stop Data (GC 12525.5)	Annual report 2024 Stop data was transmitted to State – sent 11Mar 25

XIII. Any Commission Requests Made by Majority Vote of Commission – Status Update, Charter 604(b)(8)

XIV. Report from the Department via City Administrator or designee, on Issues Identified by Commission through the Commission’s Chair, OMC 2.45.070(R)

Request	
Update on Pursuit Policy	<ul style="list-style-type: none"> Chief Mitchell – 22 May 25
Update on Pursuit Policy	<ul style="list-style-type: none"> Chief Mitchell – 13 Mar 25
Special Order 9214	<ul style="list-style-type: none"> Use of Force Timelines – DC Ausmus on 13 Mar 25
Update on 2025 New Laws	<ul style="list-style-type: none"> Presented on 27 Feb 25 - Lieutenant Dorham
Update on Pursuit Policy	<ul style="list-style-type: none"> Presented 23 Jan 25 – Chief Mitchell <ul style="list-style-type: none"> History of the Pursuit Policy since 2014
Sanctuary Ordinance	<ul style="list-style-type: none"> Presented on 23 Jan 25 – Lieutenant Dorham <ul style="list-style-type: none"> Sanctuary Ordinance Training for OPD
Pursuit Policy	<ul style="list-style-type: none"> Presented on 9 Jan 25 and on 15 Jan 25 - Acting Deputy Chief Ausmus and Sergeant Urquiza
Youth Services	<ul style="list-style-type: none"> Presented on 24 Oct 24 – Lieutenant Campos <ul style="list-style-type: none"> Juvenile Arrest Referrals NOAB
Encampment Management	<ul style="list-style-type: none"> Presented on 10 Oct 24 - Captain Eriberto Perez- Angeles
Missing Persons	<ul style="list-style-type: none"> Presented on 10 Oct 24 – Lieutenant Campos
Ceasefire	<ul style="list-style-type: none"> Presented on 26 Sep 24 - Director Reverend Damita Davis <ul style="list-style-type: none"> Ceasefire
30x30 - OPOA Women’s Committee	<ul style="list-style-type: none"> Presented on 19 Sep 24 - Lt. Alexis Nash <ul style="list-style-type: none"> 30x30 OPOA Women’s Committee Women Leaders in Law Enforcement Symposium (WLLE)
Patterns Definition	<ul style="list-style-type: none"> Presented on 22 Aug 24 - “Patterns” Definition – Lt. Hubbard
Skelly	<ul style="list-style-type: none"> Presented on 22 Aug 24 - Update on Skelly – Act. Capt. Dorham
Wellness Unit	<ul style="list-style-type: none"> Presented on 22 Aug 24 - Wellness Unit Update – Dr. Nettles
J-04 Pursuit Policy	<ul style="list-style-type: none"> Presented on 31 Jul 24 at the Community Policing Ad Hoc Public Forum Capt. Ausmus, A/Captain E. Perez-Angeles, and Sgt. Urquiza-Leibin
SB 2	<ul style="list-style-type: none"> Presented on 25 July 24 – Lt. Dorham
911 System Grand Jury	<ul style="list-style-type: none"> Presented on 11 July 24 – Deputy Director Suttle and Mgr. Cheng

Report Presentation																																			
MACRO Strategy Development	<ul style="list-style-type: none">Presented on 11 July 24 – Deputy Director Suttle and Mgr. Cheng																																		
Paid Admin Leave Budget	<ul style="list-style-type: none">Presented on 13 Jun 24, Manager Marshall and Chief Mitchell																																		
MACRO Presentation	<ul style="list-style-type: none">Presented on 23 May 24 Communications Manager – Mgr. Cheng																																		
Ceasefire	<ul style="list-style-type: none">Presented on 8 May 24 – A/Capt. Valle																																		
IAD/Skelly	<ul style="list-style-type: none">Presented on 8 May 24 and 13 Jun 24 - Lt. Dorham																																		
MACRO Data	<ul style="list-style-type: none">June 15th- 30th 2025 bi-weekly data:37 calls were referred from OPD Dispatch to MACRO5 incidents were returned from OFD and sent back to OPD to handle1504 potential calls not referred to MACRO due to the below incident type criteria (radio code/description): <table><tr><td>415 (Disturbing the Peace)</td><td>415J (Disturbing the Peace – Juvenile)</td><td>912 (Possible Suspicious Person)</td><td>EVAL (Evaluate the scene/person)</td></tr><tr><td>415C (Disturbing the Peace – Investigate)</td><td>647B (Prostitution)</td><td>5150 (Possible Mental Health Crisis)</td><td>OMC (Oakland Municipal Code)</td></tr><tr><td>415D (Disturbing the Peace – Drinking)</td><td>647C (aggressive panhandling)</td><td>602L (trespassing)</td><td>SLEEP (evaluate/person sleeping)</td></tr><tr><td>415F (disturbing the Peace – Family/Domestic Disturbance)</td><td>601I (incorrigible juvenile)</td><td>922 (person drunk on the street)</td><td>WELCK (conduct a welfare check on someone)</td></tr><tr><td>415E (Disturbing the Peace – Music Party)</td><td>647F (person possibly drunk)</td><td>314 (indecent exposure)</td><td>SENILE (evaluate the scene, welfare check, could be a missing person unable to care for themselves)</td></tr></table> <ul style="list-style-type: none">Below is a sample of 10 calls that were not eligible to be sent to MACRO due to the details provided by the reporting person calling dispatch. These calls included details such as:<ul style="list-style-type: none">the incident occurring inside a dwellingmention of a crime, weapons and/or threats of violence <table><tr><th># of Calls</th><th>Call Type</th><th>Reason not Referred</th></tr><tr><td>2</td><td>5150</td><td>1. Violent/Inside Dwelling 2. Subject close to being hit walking in middle of lane.</td></tr><tr><td>2</td><td>EVAL</td><td>1. Inside Dwelling - canceled 2. Inside dwelling</td></tr><tr><td>3</td><td>415C</td><td>1. No specified location given - canceled 2. No specified location given - canceled 3. No specified location given - canceled</td></tr></table>			415 (Disturbing the Peace)	415J (Disturbing the Peace – Juvenile)	912 (Possible Suspicious Person)	EVAL (Evaluate the scene/person)	415C (Disturbing the Peace – Investigate)	647B (Prostitution)	5150 (Possible Mental Health Crisis)	OMC (Oakland Municipal Code)	415D (Disturbing the Peace – Drinking)	647C (aggressive panhandling)	602L (trespassing)	SLEEP (evaluate/person sleeping)	415F (disturbing the Peace – Family/Domestic Disturbance)	601I (incorrigible juvenile)	922 (person drunk on the street)	WELCK (conduct a welfare check on someone)	415E (Disturbing the Peace – Music Party)	647F (person possibly drunk)	314 (indecent exposure)	SENILE (evaluate the scene, welfare check, could be a missing person unable to care for themselves)	# of Calls	Call Type	Reason not Referred	2	5150	1. Violent/Inside Dwelling 2. Subject close to being hit walking in middle of lane.	2	EVAL	1. Inside Dwelling - canceled 2. Inside dwelling	3	415C	1. No specified location given - canceled 2. No specified location given - canceled 3. No specified location given - canceled
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	1	WELCK	1. Life threatening subject in the middle of the street.
	1	415	1. Argument regarding vehicle incident
	1	912	1. Inside dwelling

XV. Police Chief's Annual Report, OMC 2.45.070(F) (ANNUALLY)



CITY OF OAKLAND OFFICE OF INSPECTOR GENERAL

**AGENDA REPORT
JULY 14, 2025**

AGENDA

RESOURCES

- Professional Services Agreement - Auditing Services
- Law Clinic - Policy Evaluations
- Summer Interns - Policy Evaluations & Community Engagement

CURRENT OIG PROJECTS

- Inspection - NSA Task 3: Integrity Tests - Published June 6, 2025
- Policy Evaluation - TB-V-T.4 Due Process Hearings (Skelly)
- Policy Evaluation - DGO O-01 Persons with Mental Illness & DGO O-01.1 Crisis Intervention Program

OUTREACH & ENGAGEMENT

- Summer Listening Tour
- First Thursdays

PROFESSIONAL DEVELOPMENT

- NACOLE Bay Area Regional Meeting
- NOBLE Conference
- Western States Chapter AIG Updates



RESOURCES

The Office of Inspector General is reviewing different options to conduct core functions without a Policy Analyst or Performance Auditors.



AUDITING SERVICES

Reviewing Professional Service Agreement.



LAW CLINIC

Discussion with law clinic about evaluating policies related to technology.



INTERNSHIPS

Working with a law student and open to future opportunities for local students.



CYDL INTERN PROGRAM

Continuing our partnership with the Center for Youth Development through Law.

AGENDA REPORT
JULY 14, 2025





Compliance Inspection: Task 3

Published June 6, 2025



TASK 3: IAD (NOW IAB) INTEGRITY TESTS

IAD shall be proactive as well as reactive.

- IAD shall conduct integrity tests in situations where members/employees are the subject of repeated allegations of misconduct.
- IAD shall have frequency standards, among other parameters, for such integrity tests.

WHAT IS AN INTEGRITY TEST

Integrity tests are selective or planned review assessments of OPD members/employees who are the subject of repeated allegations of misconduct, to verify compliance with Departmental policies, procedures, or laws. The Internal Affairs Division Integrity Testing Unit (IADITU) conducts these integrity tests.

WHY THIS POLICY MATTERS

OPD members with repeated allegations of misconduct that are not specifically monitored and remain unchecked, can erode public trust, create a culture of impunity within the Department, and have an increased risk of future misconduct. Integrity tests are not only NSA required, but also necessary assessment tools to monitor and establish that such members are not engaging in violations of OPD policies and procedures, and to serve as confirmation of OPD's commitment to accountability and constitutional policing.

RELEVANT LAW & POLICY

- Charter of the City of Oakland, Section 604(f)5
- The Negotiated Settlement Agreement resulting from *Delphine Allen, et al., v. City of Oakland, et al*
- Departmental General Order (DGO) M-03.3

RESULTS

OPD is **NON-COMPLIANT**





Compliance Inspection: Task 3 Findings

NON-COMPLIANCE IS BASED ON:

- DGO M-03.3 indicates that integrity tests will be conducted when members have repeated allegations of misconduct, however, the policy does not indicate the *frequency* within which those members will be identified and tested. Without a set frequency for testing, there is no determination for when or if the tests will occur at all.
- DGO M-03.3 does not indicate any method or procedure utilized to identify members with repeated allegations of misconduct that should be subject to integrity testing.
- The one (1) integrity test that was completed in 2024 did not have an attached form 3346.1 or other chronological log attached.
- The one (1) integrity test that was completed in 2024 did not start until 34 days after the signed approval, although it was supposed to be completed by 14 days from the approval.
- The one (1) integrity test that was completed in 2024, once it was started, lasted for 22 days, instead of the required 14 days without an included extension request.





Compliance Inspection: Task 3 Recommendations & Considerations

RECOMMENDATIONS

- I. The OIG recommends that OPD revise DGO M-03.3 to include frequency standards, and delineate the method utilized to determine which members with repeated allegations of misconduct will be tested.
- II. The OIG recommends that Internal Affairs and/or Integrity Test Unit commanders document monitoring of integrity test operations during the process so that the test is conducted to reach findings that support compliance or non-compliance with OPD policies, procedures, or laws.
- III. The OIG recommends that OPD regularly conducts the 3-year “automatic revision cycle” review as required by DGO M-03.3 to determine if revision is necessary.

CONSIDERATIONS

- I. The OIG submits for consideration re-training members and supervisors who conduct and approve OPD integrity tests to comply with the requirements and purpose of the DGO M-03.3.





Compliance Inspection: Task 3

OPD Response

OPD Response		
OIG Recommendation / Consideration	OPD Response	Implementation Target
Recommendation I - Revise DGO M-03.3	Concur: The policy will establish realistic annual testing targets based on data-driven risk analysis and operational feasibility.	October 31, 2025
Recommendation II - Document Monitoring	Concur: Effective immediately, IAB command staff will review and document oversight of all integrity test operations at key milestones...to match current staffing and caseload	October 31, 2025
Recommendation III - Regular Policy Review	Concur: Next policy review will be scheduled for completion by October 31, 2025.	October 31, 2025
Consideration I - Training	Accept: New training curriculum will be developed.	October 31, 2025



Compliance Inspection: Task 3

OPD Response

OPD Response
Additional Operational Improvements
Documentation Compliance: All integrity tests will require a completed chronological activity log and after-action report, using standardized forms/templates provided by IAB.
Operational Planning: An operational plan will be prepared for any field-based integrity test, consistent with existing policy. For administrative/non-field tests, a summary plan will suffice.
Case Tracking: IAB will maintain a simple, centralized tracking log (e.g., Excel spreadsheet) of all integrity tests to monitor compliance with timelines and procedural requirements.
Milestone Check-Ins: Supervisors will review integrity test progress at key milestones (initiation, mid-point, conclusion) to ensure effective monitoring and documentation– weekly meetings are not required
Candidate Identification: IAB will regularly (at least annually) analyze complaints data to identify potential integrity test candidates, documenting the rationale for any selection
Correct Reporting: Only tests meeting the criteria of an integrity test under DGO M-03.3 will be reported as such. Audits or inspections conducted under other policies will be properly classified.





POLICY EVALUATIONS



TB-V-T.4: Due Process Hearings (Skelly)

Currently in the Background Research Phase



DGO O-01: Persons with Mental Illness

Currently in the Background Research Phase



DGO O-01.1: Crisis Intervention Program

Currently in the Background Research Phase





Community Engagement

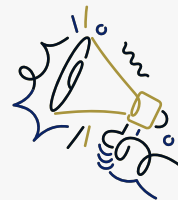


SUMMER LISTENING TOUR

Attachment 4

The Office of Inspector General is hosting a community table in different branches across the Oakland Public Library system to hear from residents about OPD policies and practices that concern them.

JUNE 25	12:00 PM - 2:00 PM Eastmont Branch Library 7200 Bancroft Ave #211	JULY 16	12:00 PM - 2:00 PM Elmhurst Branch Library 1427 88th Ave
JUNE 26	12:00 PM - 2:30 PM Melrose Branch Library 4805 Foothill Boulevard	JULY 23	12:00 PM - 2:00 PM West Oakland Branch Library 1801 Adeline St
JULY 2	12:00 PM - 2:00 PM Main Oakland Library 125 14th Street	JULY 30	12:00 PM - 2:00 PM 81st Avenue Branch Library 1021 81st Ave
JULY 9	12:00 PM - 2:00 PM César E. Chávez Branch Library 3301 East 12th Street, Suite 271	AUGUST 6	12:00 PM - 2:00 PM Asian Branch Library 388 9th St #190



FIRST THURSDAY PROGRAM

Attachment 4

Meet with the Inspector General to discuss OPD policies, practices, and procedures that concern you.

12:00 noon - 1:00 pm
30 - minute virtual appointments

Can't make the appointment?
Call or email the OIG to reschedule.

Online
Registration
Required



AGENDA REPORT
JULY 14, 2025





Professional Development



CONFERENCES AND MEETINGS

- NOBLE Conference: August 8 - 12, 2025
- NACOLE Bay Area Regional Meeting: August 27 - 28, 2025

Western States AIG Newsletter

June 2025

Western States Chapter of the Association of Inspectors General

VOLUME 01 | ISSUE 03

WESTERN STATES OIG SPOTLIGHT

City of Oakland OIG

The Oakland Office of the Inspector General aims to enhance reform efforts and establish and sustain community trust in the Oakland Police Department (OPD). The OIG fulfills its charter mandates by publishing its audits, evaluations, inspections, and reviews on its website and engaging with community members about their concerns regarding OPD policies and practices. Crucially, the OIG operates independently of the OPD, City Administration, Mayor’s Office, and City Council. The Inspector General submits reports to the Police Commission, which is comprised of nine Oakland residents. Leadership includes Inspector General Zurvohn A. Maloof, who brings over 20 years of law enforcement oversight via various federal and local OIGs, and Deputy Inspector General Charlotte Jones, who brings over 27 years of experience in civilian oversight. The OIG staff includes a Director of Communications & Engagement, a Policy Analyst, and an Administrative Analyst, all of whom are crucial in civilian oversight.

WESTERN STATES AIG 2023-2026 BOARD OF DIRECTORS

Claudette Biemeret President	Nicole Hernandez Secretary	Gene Cottrell Director	Roy Wesley Director	Matt Espenshade Director
Bolivar Vilchez 1 st Vice President	Steven Anderson Treasurer	Peter Pacheco Director	Roger Ikemoto Director	Jorge Oseguera Director
Karen Gorman 2 nd Vice President	Bryan Beyer Director	Brad Hauk Director	Sue Stengel Director	Zurvohn Maloof Director

Contact Us: aigwsc@gmail.com or [linkedin.com/in/aigwsc](https://www.linkedin.com/in/aigwsc)





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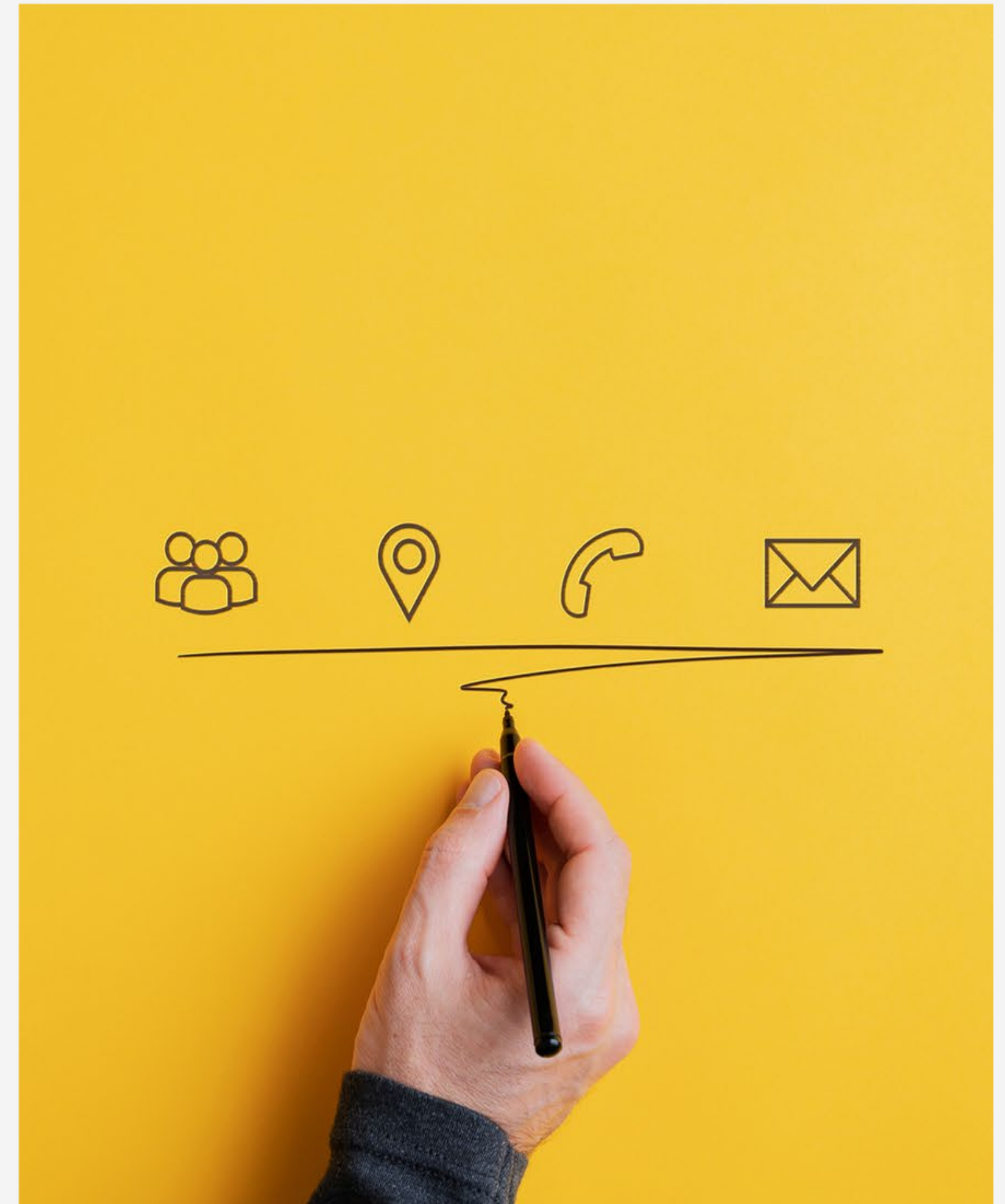
NEWSLETTER

Scan the QR code
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the OIG mailing list.

OIG CONTACT INFORMATION

 **Email** oig@oaklandca.gov

 **Call** (510) 238-2088





CITY OF OAKLAND OFFICE OF INSPECTOR GENERAL

QUESTIONS

Date: July 8, 2025

To: Oakland Police Commission (OPC), Chief of Staff (CoS)
From: Omar Farmer, NSA Ad Hoc Chairperson
Cc: Ricardo Garcia-Acosta, OPC Chair; Shawana Booker, OPC Vice-Chair;
 Zurvohn Maloof, IG; Tony Lawson, CPRA Director, Katina Ancar, OPC Counsel
Subject: Case Management Conference (CMC), Plan of Action, & Milestones (POAM)

Mid-March to Mid-April

March 13	OPC meeting, NSA ad hoc members announced.
March 24-26	NSA Ad hoc email discussions. NSA ad hoc Chair requests and receives research documents.
March 27	OPC meeting.
March 28-Apr 1	NSA ad hoc chair reviews research, creates outline and drafts CMC statement.
April 2	NSA ad hoc meeting #1. Discuss Statement
April 2-4	CMC statement revisions and additions. Solicited input from CPRA Director and OIG. Ad hoc Chair adds them to the committee. CMC timeline/POAM created.
April 5-6	OPC counsel reviews and provides recommendations.
April 7	NSA ad hoc meeting #2. Discuss Statement.
April 10	OPC meeting, review draft statement and applicable references in closed session.
April 11-13	Edit CMC statement.

Mid-April to May 31

April 14	NSA ad hoc meeting #3. Discuss Statement.
April 15-20	Edit statement.
April 21	NSA ad hoc meeting #4. Discuss Statement
April 24	OPC meeting, review draft statement, outline, and applicable references in closed session.
April 28	NSA ad hoc meeting #5. Create a plan of action for OPC as Compliance Director, aka the Director Action Plan.
May 6	NSA ad hoc meeting #6. Discuss statement and Director action plan.
May 8	OPC meeting, tentatively finalize statement for future agenda and discuss the Director action plan in closed session.
May 12	NSA ad hoc #7. Discuss the Director action plan. Discuss Statement. Incorporate Commissioner feedback.
May 19	NSA ad hoc meeting #8. Discuss Director action plan. Discuss Statement.
May 22	OPC meeting. Test run #1 of Director action plan. Introduce NSA Task subtasks for all 52 tasks.
May 23	Initiate CMC Statement Outreach to Warshaw & Chanin if no additional input from OPC.
May 27	NSA ad hoc meeting #9. Discuss feedback from Director action plan test run. Discuss Statement.

June 1 to July 10

June 2	NSA ad hoc meeting #10. Finalize CMC statement for outreach. Discuss the Director action plan.
June 3	Initiate CMC Statement Outreach to Warshaw, Chanin, CAO.
June 6	Submit final CMC statement to CoS for OPC agenda.
June 9	NSA ad hoc meeting #11. Discuss feedback received from Warshaw & Chanin outreach.
June 12	OPC meeting, review CMC statement. Test run #2 of Compliance Director action plan: NSA Task 2 Subtask discussion.
June 16	NSA ad hoc meeting #12. Prepare to discuss items not in the statement or results from the action plan test run.
June 23	NSA ad hoc meeting #13. Send statement to CoS for inclusion into meeting agenda.
June 26	OPC meeting. Vote on CMC, final Statement. Test run Compliance Director action plan #3: Wellness KPI's.
July 2	OPC Chair meeting with Mayor. Statement edited.
July 3	CMC statement filed with the Court. NSA ad hoc meeting #14: CMC Planning.
July 7	NSA ad hoc meeting #15: CMC Planning.
July 9	NSA ad hoc meeting #16: CMC Planning.
July 10	<u>Case Management Conference at 3:30 pm 450 Golden Gate Ave. San Francisco Courthouse - Courtroom 2, 17th Floor.</u>



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

THE OAKLAND POLICE COMMISSION'S STATEMENT

I. Introduction

At its September 4, 2024 Case Management Conference (CMC), this Court asked the Parties, including the Oakland Police Commission (the Commission), to provide “forward-looking solutions” to the “ongoing problem” of the Oakland Police Department’s (OPD or the Department) failure to sustain compliance with the terms of the Negotiated Settlement Agreement (NSA). The Court has helpfully noted that good intentions are not enough; rather, OPD must shift its core operating paradigm to achieve sustainable compliance and earn an exit from Court oversight.

It will come as little surprise that the Commission strongly agrees with the Court’s sentiment. In that spirit of agreement, the Commission uses its portion of the CMC Statement to supplement its feedback on the Court-mandated Internal Affairs Bureau (IAB) reporting structure with an additional proposal for an even deeper, more forward-thinking, paradigm-shifting reform solution that will build on community input, better empower OPD to comply with the NSA, and finally fulfill the goals of this Court’s 2012 Order Re: Compliance Director. As noted at the last CMC, doing the same thing going forward will not result in a different outcome. (CMC Transcript at 33:10-13 (Sept. 4, 2024)). As such, the Commission proposes to reconfigure monitoring and oversight to foster lasting, sustainable culture change.

II. Paradigm Shift One: Court Appointment of Oakland Police Commission As Compliance Co-Director

This Court continues to seek paradigm shifting recommendations to spur structural and cultural change within OPD. Although the current NSA oversight structure has had a significant

1 time to accomplish its compliance objectives, unfortunately (as the Court is aware), OPD has fallen
2 short of reaching full and sustained compliance. In its fiduciary capacity to the citizens of Oakland,
3 the Court has rightly sought additional avenues to jumpstart forward movement. The Commission
4 proposes such an option to begin shifting the compliance dynamic and requests that the Court
5 exercise its authority to appoint the Commission to collaborate with the current Compliance
6 Director to fulfill a portion of the Director duties and responsibilities in creating a detailed plan to
7 guide OPD toward an ultimate exit from the NSA.

8 Oakland voters overwhelmingly approved both Measure LL and Measure S1 which revised
9 the City's Charter to establish the Oakland Police Commission. The Commission is composed of a
10 governing body of Commissioners, the Community Police Review Agency (CPRA), and the Office
11 of the Inspector General (OIG). Per Oakland's Charter, CPRA performs investigations of citizens'
12 allegations of misconduct against sworn Department officers. The CPRA's determinations are
13 independent of OPD influence. The CPRA's Interim Director Antonio Lawson brings over 20 years
14 of investigation and monitoring class action litigation and settlements to the office. An
15 accomplished attorney, Director Lawson has deep experience with police oversight, having served
16 for a decade as independent counsel to Oakland's Citizens' Police Review Board (the predecessor
17 to the Oakland Police Commission). Should the Department's own Internal Affairs Bureau (IAB) be
18 drawn down in the future (as has long been contemplated by the City Council and successive
19 mayors), CPRA will serve as the primary body charged with investigating OPD officer misconduct.
20 As an impartial body outside of OPD, CRPA is able to address the problem of the Department being
21 unable or unwilling to police itself. (*OPD Incident Assessment and Report* (Case No. 23-0459 at p.
22 6) (noting that a transfer of IAB duties to an independent CPRA will allow CPRA to hold individual
23 officers accountable for misconduct and discipline those in leadership who overlook or attempt to
24 conceal wrongdoing.). With this shift, many of the sworn officers currently performing IAB
25 investigations could be redeployed to patrol duties throughout the City.

26 Within the Commission, the Charter amendment ballot measures also created an Office of
27 the Inspector General (OIG), which is responsible for program and performance-based audits,
28 evaluations, inspections, and reviews of both the Department and the Commission's CPRA arm.

The Commission’s Inspector General Zurvohn Maloof brings to his role over 20 years of experience in federal and local agency offices of inspectors general. Holding an Inspector General Certification from the Association of Inspectors General, IG Maloof possesses a strong background in criminal investigations, audits, administration, management, supervision, and oversight. Notably, the Charter provides that the OIG “shall audit the Department’s compliance with the fifty-two tasks described in the Settlement Agreement in United States District Court case number C00-4599, *Delphine Allen, et al. v. City of Oakland, et al.*, and make recommendations to the Department, the Commission, and the City Council based on its audit(s), *even after the Settlement Agreement expires*” (Oakland City Charter Section 604(f)(5))(emphasis added). As this structural design reflects, the singular and most significant purpose underlying the creation of the Commission was to establish an independent body to take over the role of Compliance Director and oversee OPD’s ongoing compliance with the 52 NSA Tasks once the Department earns its exit from Court oversight.

COMPLIANCE DIRECTOR DUTIES	INSPECTOR GENERAL DUTIES
A plan for the oversight, acquisition, and implementation of a personnel assessment system to provides a sustainable early-warning system to mitigate risk by identifying problems and trends at an early stage.	The OIG prepares an annual report that includes trends and patterns regarding Department training and education, and the Department's use of any early warning system(s). (Oakland Municipal Code Chapter 2.45.120(A))
Strategies to ensure allegations made by citizens against the OPD are thoroughly and fairly investigated	The OIG prepares reports summarizing annual reviews of OPD’s and CPRA’s processes and procedures for investigating alleged misconduct; for determining the appropriate level of discipline for sustained findings of misconduct; for training and/or policy issues that arise during the investigations of complaints. (Oakland Municipal Code Chapter 2.45.120(A))

Strategies to decrease the number of police misconduct complaints, claims, and lawsuits

OIG develops and presents a plan to the Commission to measure the performance of each element of The Department's discipline process for sworn employees.

(Oakland Municipal Code Chapter 2.45.120(C))

The OIG monitors and evaluates, on at least an annual basis, the number and percentage of sworn officers who have received in-service training on profiling and implicit bias, procedural justice, de-escalation, diplomacy, situational problem-solving, and work-related stress management, and make recommendations, as appropriate, to the Commission regarding changes to the Department's training programs.

(Oakland Municipal Code Chapter 2.45.120(C))

Because moving the Commission's Office of the Inspector General into the Compliance Director role is part of the Charter's anticipated evolution of the Court oversight process, the Commission's proposal set forth herein builds on its prior Statement to the Court in which the Commission requested the Court to "consider separating the Monitor and Compliance Director roles as originally envisioned and executed." (Joint Case Management Conference Statement at 55:21-23 (Aug. 28, 2024)). The Commission's 2024 request was itself a result of feedback from the Oakland community. Throughout the Commission Era the Oakland community has demanded that the Commission increase its participation in the Court oversight process. Via the Commission's Reimagining Public Safety Task Force, Oakland citizens voiced strong opinions, even asking for a determination of the "feasibility of the Commission filling Warshaw's Compliance Monitor role." (Oakland Public Safety Taskforce, *Oakland Reimagining Public Safety Taskforce Report and Recommendations (Report)* at p. 182)). In its final *Report*, the Task Force offered specific recommendations (Nos. 7, 8, 100) for the City to "consider requesting [the Court to] implement a separate monitor and compliance director...." (*Id.*) Moving the Commission into the Compliance Co-

Director position for a trial period will communicate to the public that its voice is being heard in the oversight process.

This Court has expressed some hesitancy about the extent to which the Court's continued supervision can guide OPD toward full NSA compliance. The Commission considers the Court indispensable in helping OPD reach the finish line. Nonetheless, a transition of duties to the Commission as Compliance Co-Director will ensure that the Commission has a sufficient amount of transition time during which both the Director and the Independent Monitoring Team (IMT) can work directly with and share its institutional knowledge with the body that will ultimately take over all oversight duties. Beginning the preparation for this turnover is critical to demonstrate that the Court and the Commission are forward-looking stewards of the oversight process. The Commission, thus, proposes to move into this role on a trial basis. Doing so now, rather than later, will allow for a seamless transition when the NSA sunsets – both ensuring the Court and the Oakland community that experienced and rigorous oversight will continue into the future and setting up the City of Oakland for sustained, long-term success.

Appointing the Commission as Compliance Co-Director will provide the Court with a fresh perspective on the obstacles to compliance and build trust among the Court, the Commission, and the citizens of Oakland. Moreover, while the combined Monitor/Compliance Director role has its limitations, the Commission and its Office of the Inspector General (OIG) are uniquely situated to assume the position of Compliance Co-Director without those downsides. In fact, the Commission has the autonomy, capacity, and connections with the Oakland community that can produce results where the existing oversight regime has not yet been fully successful.

A. Appointing the Commission as Compliance Co-Director Will Achieve Sustained Cultural Change Within OPD.

Since the Monitor and Director appointments merged, OPD reached the sustainability period, only to then regress or suffer mixed results on most of the Tasks that the Court's 2012 Order identified as of the utmost importance in driving sustained cultural change. (Tasks 5, 20, 24, 25, 26, 30, 34, 40, 41). These Tasks involve First Amendment Assemblies, Use of Force, Officer Wellness, Culture, Discipline. Compliance with Task 45 (consistency in discipline) has also regressed. The Commission

1 is currently preparing a sequence of benchmarks that OPD will track and report to the Commission
2 during the Department's update at the Commission's twice-monthly meetings. The Commission will
3 measure these benchmarks via tailored performance indicators focused on achieving sustained
4 cultural change. The Commission is similarly developing a strategic plan to take proactive, forward-
5 looking steps toward ensuring sustained Constitutional policing rather than reacting to changes within
6 City Hall or from OPD leadership.

7 According to the Court's 2012 Order creating the position, the Director has the power to
8 review, investigate, and take corrective action regarding OPD policies, procedures, and practices -
9 both those related to the NSA and even those that do not fall squarely within any specific NSA task.
10 As contemplated by the Court's 2012 Order, during the proposed trial period, the Commission is
11 prepared to provide the Court with detailed monthly status reports analyzing OPD's progress toward
12 achieving the compliance with all three of (1) the NSA Tasks currently being evaluated by the Court,
13 (2) the Commission's own benchmarks (as well as any reasons for delayed progress), and (3) any
14 corrective actions proposed or undertaken to address inadequate progress. Similarly, prior to each
15 case management conference, the Commission can provide the Court with a comprehensive summary
16 of any pre-existing, new, or evolving circumstances as well as status reports on additional
17 Commission recommendations to assist OPD in achieving cultural change.

18 Although the Commission acknowledges that OPD had previously entered the NSA's
19 sustainability period, events involving leadership derailed compliance and exposed an ingrained
20 resistance to cultural change within the Department. The Commission is best positioned to direct this
21 cultural change. Integrity is pivotal to accomplishing the goal of compliance with the NSA, and the
22 Commission has no fear of directly opposing Department actions that do not comport with
23 Constitutional policing practices. Accordingly, to further ensure that the Commission never risks even
24 appearing to serve as a rubber stamp, with the assistance of its investigative (CPRA) and audit (OIG)
25 arms, the Commission will work to improve compliance levels and to remedy compliance errors,
26 regarding all portions of the NSA, including but not limited to: (1) changes to policies, the manual of
27 rules, or standard operating procedures or practices, (2) disciplinary actions in misconduct cases and
28 use-of-force reviews; and the discipline, demotion or removal of the Chief of Police; tactical

1 initiatives that may have a direct or indirect impact on the NSA; (3) procurement of equipment,
 2 including software, vehicles, para-military weapons, and equipment categorized under California
 3 Assembly Bill 481 (or other resources intended for the purpose of NSA compliance); and (4) OPD
 4 programs or initiatives related to NSA tasks or objectives. Moreover, the Commission will work hand-
 5 in-hand with the current Director/Monitor and continue to collaborate with, not only OPD, but also
 6 the Mayor, City Administrator, and City Attorney to address outstanding Tasks and other issues
 7 related to compliance with NSA objectives.

8 Guided by strong community participation in its NSA Ad Hoc Committee, the Commission
 9 in its prior August 28, 2024 CMC Statement suggested several actions to steer the Department toward
 10 the kind of accountability, transparency, and culture change that would lead to sustained compliance.
 11 (Docket 1660 at 61:26 – 71:3). These included:

- 12 • Developing an educational campaign on the NSA and its history at all department levels and
 13 addressing oversight resistance through training, education, and discipline to reduce officer
 14 fear of being chastised for taking the actions necessary to shift culture and move the
 15 Department towards NSA compliance.
- 16 • Analyzing all public complaints (sustained or not) to identify patterns to identify and address
 17 any patterns in alleged misconduct to understand community needs and to proactively
 18 identify and remediate those issues.
- 19 • Assessing the effectiveness of disciplinary actions to determine whether and how
 20 disciplinary actions shift culture, deter misconduct, and model accountability.
- 21 • Establishing an annual public assessment of police disciplinary actions to understand
 22 community needs and to proactively identify and remediate those issues.
- 23 • Setting a goal to reduce civil monetary awards to settle or pay civil judgements due to police
 24 misconduct – an estimated \$57 million from 2001 to 2011 and \$35 million from January
 25 2011 to December 2021 – to demonstrate culture shift.
- 26 • Establish an 18-month sustainability period with robust metrics gathering to allow
 27 evaluation of OPD misconduct during two successive summers – the time period with the
 28 most citizen-police interaction – to reveal whether culture shift has occurred.

- 1 • Restructure Compliance Directorship fee during Co-Directorship and Monitor fee during the
- 2 Sustainability Period allowing a portion of the Compliance Director fee to be used to fund
- 3 the OIG and permitting the Monitor to actively participate in the sustainability effort at a
- 4 lowered rate.
- 5 • Work collaboratively with stakeholders (including an ongoing NSA Ad Hoc Committee that
- 6 includes members of the public) to ensure a shared vision of compliance problem(s) and
- 7 solution(s).

8 As Compliance Co-Directors, the Commission through its OIG along with the current

9 Compliance Director will collaborate to ensure that the Department integrates these elements and

10 the NSA's 52 Tasks into its cultural identity.

11 **B. Appointing the Commission As Compliance Co-Director Will Return to the**

12 **Initial Intent Behind the Court's December 2012 Order.**

13 Over a decade ago, in December 2012, this Court nearly placed OPD in full receivership. As

14 an alternative, the Court created the Compliance Director (Director) position instead. The Court

15 crafted the role with receivership-like duties with the goal of addressing the deficiencies that led to

16 OPD's noncompliance. The Director was tasked with developing a plan for facilitating sustainable

17 compliance with all outstanding tasks. In this way, the Director would drive results toward

18 sustained NSA compliance. Thereafter, in 2014, the Court essentially merged the roles of Director

19 and Court Monitor, appointing one person to serve in both positions. The combined position seems

20 to have diminished the capacity of the Monitor/Director to focus fully on either role, while creating

21 unease within the Oakland community about the Monitor's ability to steer OPD toward compliance

22 with impartiality. Appointing the Commission as Co-Director will alleviate these concerns and

23 redirect the Director role toward developing a roadmap to guide OPD toward achieving full NSA

24 compliance.

25 The Court's Order Re: Compliance Director (Dec. 12, 2012) (2012 Order) states,

26 "[t]he Compliance Director and the Monitor will be independent positions that

27 report only to the Court and not to each other. However, the Court expects the

28 Compliance Director and the Monitor to work closely and in consultation with

1 each other.”

2 (2012 Order at 3:25).

3 The Commission and its IG are equipped with multiple sets of lenses through which to
4 evaluate compliance with the 52 tasks. The Commission provides for seven Commissioners (and two
5 alternate Commissioners), all Oaklanders, selected for their experience in relevant personal and
6 professional fields, along with an Inspector General (IG) whose office was first formed and has been
7 built up over time with the specific vision that the IG would take on the Director duties. (Office of
8 the Inspector General, *Compliance Inspection – NSA Task 3: IAD (IAB) Integrity Test* (June 6, 2025))
9 ([https://cao-94612.s3.us-west-2.amazonaws.com/documents/NSA-Task-3-Compliance-Inspection-](https://cao-94612.s3.us-west-2.amazonaws.com/documents/NSA-Task-3-Compliance-Inspection-Final-Copy.pdf)
10 [Final-Copy.pdf](https://cao-94612.s3.us-west-2.amazonaws.com/documents/NSA-Task-3-Compliance-Inspection-Final-Copy.pdf)). As Oaklanders with roots in the community, the Commission by design has its finger
11 on the pulse of the City, especially as to police-community interaction and police reform issues. The
12 Commission holds two meetings per month during which it discusses and facilitates a forward-facing
13 forum while conducting extensive public outreach for comment on topics within its subject matter
14 jurisdiction, especially as to NSA-related matters. The IG also has access to, and the demonstrated
15 capacity to engage directly with, Oakland community members. The IG’s ongoing effort to discuss
16 its work and to demonstrate to the citizens of Oakland exactly *how* the Commission is holding OPD
17 accountable will increase the community’s trust in Court oversight. Currently, no official channel
18 exists for the community to engage and share its concerns with the Director. Therefore, appointing
19 the Commission as Co-Director would address some community members’ oft-heard critiques that
20 Court oversight can itself seem opaque and its goals enigmatic from the vantage point of the average
21 Oakland citizen who may not make the trip over to the federal courthouse on the other side of the Bay
22 or who may not feel like that process is tailor made for ongoing public comment and critique.
23 Implementing a Co-Director structure that already incorporates gateways to community input will
24 enhance the quality of compliance reports to the Court and for OPD to achieve enduring compliance
25 with the NSA.

26 The decision to appoint one person to both Monitor and Director roles was well-considered
27 and appropriate for the time. Over the course of time, however, its implementation has yet to result
28 in the necessary outcomes. As noted above, when the Director role was created, the intention was for

the Director and Monitor role positions to be independent, full-time positions, *based in the City of Oakland*. Asking one person to hold two full-time positions concurrently is less than ideal. Aside from the time commitments and the disparate purposes and necessary skills needed for each role, while based full-time out-of-state, the Director faces a unique challenge in gaining a full sense of the inner workings of OPD and the needs of the City. Conversely, the volunteer Commissioners, the IG, and CPRA Director are all deeply embedded in the Oakland community. Each has a deep love for and commitment to the City of Oakland, making the Commission a superb and responsible candidate for guiding OPD on the path to full achieving compliance in collaboration with the Monitor and current Compliance Director. Appointing the Commission to the role of Co-Director will help ease the burden of some of the existing Director challenges and fulfill the Court's intended goal.

The current arrangement of housing both the Monitor and Director in a single person is a framework that the current Court inherited. Nonetheless, under this Court's oversight and despite having had ample time, the arrangement has yet to yield full and sustained compliance success. Beginning to process of separating the Monitor and Director positions by appointing the Commission to the Co-Director role will not only fulfill the original intent of this Court's 2012 Order but also install an entity with a strong understanding of the needs of the Oakland community - all while investing in the body created to ultimately step into the Court's oversight position when the NSA sunsets. Such a structure will create a win-win situation for both the Court and OPD.

C. Appointing the Commission As Compliance Co-Director Will Fulfill the Goals of NSA Task 49.

The Parties modeled the NSA on the Los Angeles Police Department's (LAPD) November 2000 consent decree. (Oakland Police Department and the City of Oakland, *The Oakland Police Department and Court Ordered Reform: The Negotiated Settlement Agreement drives cultural and operational change* at p. 2 (no date)). Pursuant to the decree, the LAPD fully implemented 174 reforms in nine years. Within another three years, the LAPD completed its sustainability/transition period. In comparison, the OPD's NSA includes far fewer reforms (52) and remain incomplete after a whopping twenty-two years. Although one person has served in the OPD NSA's combined Monitor/Director position for nearly half that time, the NSA itself places an express limit on the

1 number of years an appointee can perform those roles. The Commission's proposal will allow the
2 Court both to start a new pathway to OPD compliance and to begin to "reset" the Director position as
3 decreed by the NSA.

4 In accordance with the "Period and Appointment" section of the NSA's Task 49B Pattern
5 and Practices document from December 2008, the Parties agreed - and the Court ordered - that the
6 NSA Monitor would serve for no longer than five years. Allowing for exigencies, however, the
7 document permits an extension of that time period. Nonetheless, the NSA mandates that under no
8 circumstances may any Monitor appointment exceed seven years. Despite these terms, the current
9 Monitor has now served in that role since 2010 for a total of fifteen years - over twice the original
10 time limit. In addition, the Monitor and Director roles have been combined for nearly a decade.
11 Although the "Staffing" and other restrictions discussed in Task 49C were created at a time when
12 only the Monitor role existed, the same person currently staffs both the Director and Monitor roles.
13 As a result, to the extent that the NSA imposes a limit on the amount of time that a single Monitor
14 may serve, the time limitations set forth in Task 49B and 49C appears to apply equally to the Director
15 position. Therefore, the NSA similarly restricts the number of years that a person may hold the
16 Director position.

17 An arrangement whereby the Commission and its IG transition into the Co-Director role will
18 also accomplish one of the likely goals of the NSA's limitation on the number of years one person
19 may serve as the Monitor/Director. New eyes bring new perspectives and produce novel solutions to
20 entrenched problems. The IG, CPRA Director and Commissioners can serve as those fresh eyes for
21 the Monitor and the Court reviewing OPD's current status and developing innovative processes or
22 procedures tailored to coach the Department, not simply toward compliance, but to ongoing success.
23 Like the NSA's restriction on the Monitor's term of service, an individual Commissioner also may
24 serve no longer than five years with the IG and CPRA Director holding career positions. This
25 combination of term-limited Commissioners and permanent roles provides an ideal configuration to
26 generate innovative ideas for a roadmap to compliance while maintaining an accompanying long-
27 term perspective - much like the structure mandated within the NSA.

1 The Parties created - and the Court approved - the Negotiated Settlement Agreement as a
 2 methodical collection of National Best Practices for law enforcement and federal court oversight of
 3 consent decrees toward which OPD and the oversight Monitor would work. According to the Court,
 4 OPD's inability to govern itself appropriately and obtain compliance with NSA Task 5 is due to
 5 Department leadership's failure to follow existing policies or agreements. (Tr. at 12:13-17 (Sept. 4,
 6 2024)). The Court admonished OPD leadership to approach disciplining officer misconduct with
 7 integrity and courage. (Tr. at 50:15-17). Authorizing a pilot period during which the Commission will
 8 step into the Co-Director position, long held by a single person, will set the tone from the top of the
 9 oversight structure that fidelity to mandated procedures is proper - even when continuing down the
 10 present path looks to be the less complicated choice. However, easier in the short-term does not
 11 always lead to better outcomes in the long-term. Thus, the Commission asks the Court to endorse a
 12 proposed co-Directorship as a pilot period to begin the formal process of transferring the Director
 13 responsibilities to the Commission.

14 **D. Appointing the Commission as Compliance Co-Director Is Cost-Effective**
 15 **for Oakland Taxpayers.**

16 The Commission is profoundly aware that the City's budget as currently proposed does not
 17 fully fund the Commission's OIG. The consequent lack of auditors leaves the OIG unable to perform
 18 one of its most significant Charter-mandated functions, without which the Department cannot exit
 19 Court oversight. This funding deficiency not only limits the Commission's capacity to seek
 20 appointment as full Compliance Director (including to implement the Commission's own prior
 21 recommendations to the Court for transparency, accountability, and cultural change within the
 22 Department) but demonstrates a lack of commitment to absolute and sustained NSA compliance.

23 Ironically, not only will the Commission's proposal allow it to continue its collaboration with
 24 the City while guiding OPD toward full NSA compliance but serving as Compliance Co-Director will
 25 achieve greater cost-effectiveness for Oakland taxpayers. Currently, the City makes two separate
 26 monthly payments connected to Court oversight: one to the Monitor and a second to the Director. The
 27 ultimate transition of Compliance Director duties to the Commission could allow the City to redirect
 28 savings from the Director payment to funding the OIG. City leadership has worked diligently to close

a \$129 million shortfall in the City’s FY 2024-2025 budget and to eliminate an additional \$280 million projected deficit over the next two years. At this time of fiscal crisis, City leadership (including Mayor Barbara Lee) must be able to fully utilize all resources at their disposal.

Drawing on the Commission’s skills to share in the Compliance Co-Director role will provide a significant cost savings. City leaders will gain the flexibility to reinvest those funds toward the pressing needs of the Commission’s OIG and CPRA arms for long-term stability.

III. Paradigm Shift Two: Court Restructuring the Internal Affairs Bureau to Report Directly to Chief of Police

One of the values of implementing reforms through this Court is its receptive approach to welcoming new reform ideas that push the boundary. This Court’s order that the Internal Affairs Bureau (IAB) report directly to the Chief of Police (Chief) is one such example. Along with the change in the reporting structure, the Chief and IAB conduct biweekly meetings in which the participants, including the Commission, review outstanding allegations and investigations against certain officers. OPC respectfully submits to this Court that more can be done on this score. The Commission respectfully submits that altering the internal reporting structure is unlikely to prove sufficient in producing long-term change within the Department. The Commission proposes therefore that the Department’s culture change issues calls for additional, *contemporaneous* guidance and direction toward compliance incorporated within the oversight process. The Commission proposes to finally implement the vision Oakland citizens first articulated when they created the Commission and vested it with its initial spate of oversight powers. The Commission itself should step into the role of Compliance Co-Director.

The Commission is confident that its appointment as independent Compliance Co-Director will build on the tremendous amount of work done by the Parties, the Monitor /Compliance Director, and the Court while guiding OPD and the City of Oakland across the finish line to sustained success.

Accordingly, the Commission requests that the Court issue an order as follows:

1. The Oakland Police Commission will collaborate with the Compliance Director to gain a comprehensive understanding of the role as currently organized and to identify avenues

1 through which duties can begin transitioning to the Commission and the Office of
2 Inspector General as Compliance Co-Director (with the specific duties to be determined
3 by agreement of the Monitor/Compliance Director and the Commission).

- 4 2. The Commission and Monitor/Compliance Director will submit a status report to the
5 Court within six months of this Court's Order.
- 6 3. One year after this Court's Order, in conjunction with the Monitor/Compliance Director
7 and the Commission, the Court will determine the Commission's readiness to begin to
8 serve as sole NSA Compliance Director.

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10
11 Respectfully Submitted,

12
13 *Ricardo Garcia-Acosta*

14 Ricardo Garcia-Acosta

15 Chair, Oakland Police Commission

16
17 Omar Farmer

18 Chair, NSA Ad Hoc Committee

19 Alternate Commissioner, Oakland Police Commission

20
21 NSA Ad Hoc Committee Members:

22 Shawana Booker, Vice Chair, Oakland Police Commission

23 Antonio Lawson, Interim Director, Community Police Review
24 Agency

25 Zurvohn Maloof, Inspector General, Oakland Police Commission
26
27
28