



OAKLAND POLICE COMMISSION

MEETING AGENDA

October 14, 2021

6:30 PM

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

Pursuant to California Government Code section 54953(e), members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



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PUBLIC PARTICIPATION

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

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/84656148831> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a webpage entitled “Joining a Meeting”
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 846 5614 8831

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

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

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

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



OAKLAND POLICE COMMISSION

MEETING AGENDA

October 14, 2021
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I. Call to Order, Welcome, Roll Call and Determination of Quorum
Vice Chair Jose Dorado

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh; Alternate Commissioner Marsha Peterson

Absent/excused: Chair Regina Jackson

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

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

III. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; an update on the Negotiated Settlement Agreement; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 3).***

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

IV. Review of Ad Hoc Committees and Standing Committees. The Commission will hear a report about Standing and Ad Hoc Committees. ***This is a new item. (Attachment 4).***

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

V. Recognition of Vice Chair Jose Dorado. The Commission will recognize Vice Chair Jose Dorado for his service on the Commission as he completes his term. ***This is a new item.***

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

VI. **Committee Reports**

Representatives from Standing and Ad Hoc Committees will provide updates on their work. *This is a recurring item.* ([Attachment 6](#)).

Inspector General Search

(Commissioners Milele, Jackson, Peterson)

The Inspector General Search Ad Hoc Committee is tasked with conducting a nationwide search for a civilian Inspector General who will report to the Police Commission.

Missing Persons Ad Hoc

(Commissioners Jackson, Jordan)

The Missing Persons Ad Hoc Committee is tasked with reviewing and updating the OPD's missing persons policy, to ensure that it is in line with the standards of constitutional policing and evolving community values. The resulting policy will be presented for review and approval to the full Police Commission, with the intent that it be formally adopted as the guiding policy for the investigations of missing persons by the OPD.

Community Policing Policy revision (15-01)

(Commissioners Dorado, Harbin-Forte, Hsieh)

The mission of the OPC Community Policing Ad Hoc Committee is to refine OPD's draft of its Proposed Policy 15-01 on Community Policing to ensure that the proposed policy will result in OPD's full implementation of City Council Resolution 79235 governing community policing. The Committee will ensure that OPD'S proposed policy reflects the ideal that community members should take the lead in identifying community priorities for OPD involvement, and that the policy includes specific procedures for, among other things, addressing Beat level challenges, developing Beat and block leaders into viable Citywide networks, expanding public access to information and resources, and increasing community involvement in the training of OPD's Community Resource Officers, other officers department-wide, and staff.

Community Engagement - Standing Committee

(Commissioners Dorado, Hsieh, Jordan)

The purpose of this Committee is to broaden the reach of the Oakland Police Commission ensuring that every Oakland community knows of the Commission and its duties, and can engage with the Commission/Commissioners in a substantive way. This committee will seek to pilot and explore innovative means towards community outreach, transparency of its efforts and engagement so that public voices are captured and elevated.

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

VII. **Open Forum Part 2 (2 minutes per speaker)**

The Presiding Officer will invite public speakers to speak on items that were not on the agenda, and that are within the subject matter jurisdiction of the Commission, with priority given to speakers who were unable to address the Commission during Open Forum at the beginning of the meeting. Speakers who made comments during Open Forum Part 1 will not be permitted to make comments during this Open Forum. Comments previously made during public comment on agenda items may

not be repeated during this Open Forum. The Presiding Officer has the right to reduce speaking time to 1 minute for reasons the Presiding Officer will state on the record. ***This is a recurring item.***

VIII. Review and adoption of meeting minutes

The Commission will vote to approve minutes from August 12 and September 16. ***This is a recurring item. (Attachment 8).***

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

IX. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item. (Attachment 9)***

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

X. Adjournment

NOTICE: In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the videoconference 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 Chief of Staff, Rania Adwan, at radwan@oaklandca.gov for assistance. Notification at least 48 hours before the meeting will enable the Police Commission to make reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids or services.



OAKLAND
POLICE DEPARTMENT

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

CRIME ANALYSIS

Weekly Crime Report — Citywide
20 Sep. – 26 Sep., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	88	4,324	4,278	4,737	11%	4,446	7%
Homicide – 187(a)PC	3	53	70	96	37%	73	32%
Homicide – All Other *	-	3	5	6	20%	5	29%
Aggravated Assault	48	2,055	2,368	2,641	12%	2,355	12%
Assault with a firearm – 245(a)(2)PC	10	224	326	457	40%	336	36%
Subtotal - Homicides + Firearm Assault	13	280	401	559	39%	413	35%
Shooting occupied home or vehicle – 246PC	5	189	275	407	48%	290	40%
Shooting unoccupied home or vehicle – 247(b)PC	6	93	143	208	45%	148	41%
Non-firearm aggravated assaults	27	1,549	1,624	1,569	-3%	1,581	-1%
Rape	1	154	165	98	-41%	139	-29%
Robbery	36	2,062	1,675	1,902	14%	1,880	1%
Firearm	16	755	504	783	55%	681	15%
Knife	3	102	128	85	-34%	105	-19%
Strong-arm	10	912	736	574	-22%	741	-23%
Other dangerous weapon	-	68	57	52	-9%	59	-12%
Residential robbery – 212.5(a)PC	-	67	62	59	-5%	63	-6%
Carjacking – 215(a) PC	7	158	188	349	86%	232	51%
Burglary	29	10,096	7,135	6,544	-8%	7,925	-17%
Auto	15	8,163	5,160	5,193	1%	6,172	-16%
Residential	3	1,326	975	724	-26%	1,008	-28%
Commercial	6	478	812	421	-48%	570	-26%
Other (Includes boats, aircraft, and so on)	1	113	140	118	-16%	124	-5%
Unknown	4	16	48	88	83%	51	74%
Motor Vehicle Theft	75	4,760	6,632	6,338	-4%	5,910	7%
Larceny	25	5,363	4,686	3,891	-17%	4,647	-16%
Arson	3	107	143	131	-8%	127	3%
Total	220	24,653	22,879	21,647	-5%	23,060	-6%

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

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



Weekly Crime Report — Citywide

27 Sep. – 03 Oct., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	121	4,455	4,399	4,903	11%	4,586	7%
Homicide – 187(a)PC	4	57	75	100	33%	77	29%
Homicide – All Other *	-	3	5	6	20%	5	29%
Aggravated Assault	56	2,119	2,440	2,722	12%	2,427	12%
Assault with a firearm – 245(a)(2)PC	7	228	342	468	37%	346	35%
Subtotal - Homicides + Firearm Assault	11	288	422	574	36%	428	34%
Shooting occupied home or vehicle – 246PC	6	194	283	417	47%	298	40%
Shooting unoccupied home or vehicle – 247(b)PC	2	95	147	211	44%	151	40%
Non-firearm aggravated assaults	41	1,602	1,668	1,626	-3%	1,632	0%
Rape	3	158	171	103	-40%	144	-28%
Robbery	58	2,121	1,713	1,978	15%	1,937	2%
Firearm	23	774	517	813	57%	701	16%
Knife	3	103	131	89	-32%	108	-17%
Strong-arm	12	945	748	592	-21%	762	-22%
Other dangerous weapon	1	70	60	54	-10%	61	-12%
Residential robbery – 212.5(a)PC	2	68	62	62	0%	64	-3%
Carjacking – 215(a) PC	17	161	195	368	89%	241	52%
Burglary	93	10,432	7,236	6,865	-5%	8,178	-16%
Auto	78	8,446	5,227	5,466	5%	6,380	-14%
Residential	5	1,363	1,001	747	-25%	1,037	-28%
Commercial	4	488	818	431	-47%	579	-26%
Other (Includes boats, aircraft, and so on)	-	119	140	123	-12%	127	-3%
Unknown	6	16	50	98	96%	55	79%
Motor Vehicle Theft	67	4,883	6,785	6,467	-5%	6,045	7%
Larceny	35	5,574	4,791	4,050	-15%	4,805	-16%
Arson	2	111	147	135	-8%	131	3%
Total	318	25,458	23,363	22,426	-4%	23,749	-6%

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OAKLAND POLICE DEPARTMENT

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CRIME ANALYSIS

2021 Year-to-Date Recovered Guns

Recoveries through 19 Sep., 2021

Grand Total 859

Crime Recoveries	
Felony	450
Felony - Violent	171
Homicide	22
Infraction	0
Misdemeanor	24
Total	667

Crime Gun Types	Felony	Felony - Violent	Homicide	Infraction	Misdemeanor	Total
Machine Gun		3				3
Other	2					2
Pistol	362	143	17		21	543
Revolver	12	5	2		1	20
Rifle	46	15	1		2	64
Sawed Off	5					5
Shotgun	15	1	1			17
Sub-Machinegun						0
Unknown/Unstated	8	4	1			13
Total	450	171	22	0	24	667

Non-Criminal Recoveries	
Death Investigation	16
Found Property	89
SafeKeeping	87
Total	192

Non-Criminal Gun Types	Death Investigation	Found Property	SafeKeeping	Total
Machine Gun		1		1
Other				0
Pistol	8	37	46	91
Revolver	6	24	18	48
Rifle		9	16	25
Sawed Off		1		1
Shotgun	2	11	7	20
Sub-Machinegun				0
Unknown/Unstated		6		6
Total	16	89	87	192



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CRIME ANALYSIS

Week: 13 Sep. to 19 Sep., 2021

Weekly Total 23

Crime Recoveries	This Week	Last Week	+/- Change	% Change
Felony	7	4	3	75%
Felony - Violent	6	10	-4	-40%
Homicide	0	0	0	PNC
Infraction	0	0	0	PNC
Misdemeanor	0	0	0	PNC
Total	13	14	-1	-7%

Other Recoveries	This Week	Last Week	+/- Change	% Change
Death Investigation	0	0	0	PNC
Found Property	6	0	6	PNC
Safekeeping	4	0	4	PNC
Total	10	0	10	PNC

PNC = Percentage not calculated
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CRIME ANALYSIS

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

Recoveries through 19 Sep.

Gun Recoveries	2020	2021	Difference	YTD % Change 2019 vs. 2020
Grand Total	902	859	-43	-5%

Crime Recoveries	2020	2021	Difference	YTD % Change 2019 vs. 2020
Felony	454	450	-4	-1%
Felony - Violent	169	171	2	1%
Homicide	41	22	-19	-46%
Infraction	0	0	0	PNC
Misdemeanor	38	24	-14	-37%
Total	702	667	-35	-5%

Non-Criminal Recoveries	2020	2021	Difference	YTD % Change 2019 vs. 2020
Death Investigation	19	16	-3	-16%
Found Property	76	89	13	17%
SafeKeeping	105	87	-18	-17%
Total	200	192	-8	-4%

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CRIME ANALYSIS

2021 Year-to-Date Recovered Guns

Recoveries through 26 Sep., 2021

Grand Total 902

Crime Recoveries	
Felony	484
Felony - Violent	178
Homicide	22
Infraction	0
Misdemeanor	25
Total	709

Crime Gun Types	Felony	Felony - Violent	Homicide	Infraction	Misdemeanor	Total
Machine Gun	1	2				3
Other	2					2
Pistol	391	146	19		23	579
Revolver	12	5	1			18
Rifle	47	16	1		2	66
Sawed Off	5					5
Shotgun	16	2	1			19
Sub-Machinegun						0
Unknown/Unstated	10	7			0	17
Total	484	178	22	0	25	709

Non-Criminal Recoveries	
Death Investigation	19
Found Property	90
SafeKeeping	84
Total	193

Non-Criminal Gun Types	Death Investigation	Found Property	SafeKeeping	Total
Machine Gun		1		1
Other				0
Pistol	10	38	46	94
Revolver	6	24	15	45
Rifle		9	16	25
Sawed Off		1		1
Shotgun	3	11	7	21
Sub-Machinegun				0
Unknown/Unstated		6		6
Total	19	90	84	193



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CRIME ANALYSIS

Week: 20 Sep. to 26 Sep., 2021

Weekly Total 35

Crime Recoveries	This Week	Last Week	+/- Change	% Change
Felony	24	7	17	243%
Felony - Violent	6	6	0	0%
Homicide	0	0	0	PNC
Infraction	0	0	0	PNC
Misdemeanor	1	0	1	PNC
Total	31	13	18	138%

Other Recoveries	This Week	Last Week	+/- Change	% Change
Death Investigation	3	0	3	PNC
Found Property	1	6	-5	-83%
Safekeeping	0	4	-4	-100%
Total	4	10	-6	-60%

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CRIME ANALYSIS

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

Recoveries through 26 Sep.

Gun Recoveries	2020	2021	Difference	YTD % Change 2019 vs. 2020
Grand Total	921	902	-19	-2%

Crime Recoveries	2020	2021	Difference	YTD % Change 2019 vs. 2020
Felony	464	484	20	4%
Felony - Violent	171	178	7	4%
Homicide	41	22	-19	-46%
Infraction	0	0	0	PNC
Misdemeanor	38	25	-13	-34%
Total	714	709	-5	-1%

Non-Criminal Recoveries	2020	2021	Difference	YTD % Change 2019 vs. 2020
Death Investigation	19	19	0	0%
Found Property	80	90	10	13%
SafeKeeping	108	84	-24	-22%
Total	207	193	-14	-7%

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[Percentage cannot be calculated.](#)



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CRIME ANALYSIS

Weekly Gunfire Summary 20 Sep. – 26 Sep., 2021

Citywide <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	3	53	70	96	37%	73	32%
Homicide – All Other *	-	3	5	6	20%	5	29%
Assault with a firearm – 245(a)(2)PC	10	224	326	457	40%	336	36%
Subtotal - 187 + 245(a)(2)	13	280	401	559	39%	413	35%
Shooting occupied home or vehicle – 246PC	5	189	275	407	48%	290	40%
Shooting unoccupied home or vehicle – 247(b)PC	6	93	143	208	45%	148	41%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	24	562	819	1,174	43%	852	38%
Negligent discharge of a firearm – 246.3PC	20	512	796	1,373	72%	894	54%
Grand Total	44	1,074	1,615	2,547	58%	1,745	46%

Area 1 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	11	7	11	57%	10	14%
Homicide – All Other *	-	-	-	-	PNC	-	PNC
Assault with a firearm – 245(a)(2)PC	3	41	40	62	55%	48	30%
Subtotal - 187 + 245(a)(2)	3	52	47	73	55%	57	27%
Shooting occupied home or vehicle – 246PC	-	38	34	61	79%	44	38%
Shooting unoccupied home or vehicle – 247(b)PC	-	12	19	31	63%	21	50%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	3	102	100	165	65%	122	35%
Negligent discharge of a firearm – 246.3PC	3	64	66	109	65%	80	37%
Grand Total	6	166	166	274	65%	202	36%

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CRIME ANALYSIS

Weekly Gunfire Summary 20 Sep. – 26 Sep., 2021

Area 2 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	2	2	9	350%	4	108%
Homicide – All Other *	-	-	1	-	-100%	0	PNC
Assault with a firearm – 245(a)(2)PC	-	9	20	36	80%	22	66%
Subtotal - 187 + 245(a)(2)	-	11	23	45	96%	26	71%
Shooting occupied home or vehicle – 246PC	-	6	12	15	25%	11	36%
Shooting unoccupied home or vehicle – 247(b)PC	-	6	2	11	450%	6	74%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	-	23	37	71	92%	44	63%
Negligent discharge of a firearm – 246.3PC	2	15	12	44	267%	24	86%
Grand Total	2	38	49	115	135%	67	71%

Area 3 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	12	16	22	38%	17	32%
Homicide – All Other *	-	1	1	1	0%	1	0%
Assault with a firearm – 245(a)(2)PC	2	40	68	96	41%	68	41%
Subtotal - 187 + 245(a)(2)	2	53	85	119	40%	86	39%
Shooting occupied home or vehicle – 246PC	1	31	43	63	47%	46	38%
Shooting unoccupied home or vehicle – 247(b)PC	2	16	29	28	-3%	24	15%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	5	100	157	210	34%	156	35%
Negligent discharge of a firearm – 246.3PC	2	91	172	257	49%	173	48%
Grand Total	7	191	329	467	42%	329	42%

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All data extracted via Coplink Analytics.



OAKLAND
POLICE DEPARTMENT

455 7th St., Oakland, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

Weekly Gunfire Summary
20 Sep. – 26 Sep., 2021

Area 4 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	3	7	17	20	18%	15	36%
Homicide – All Other *	-	2	-	1	PNC	1	0%
Assault with a firearm – 245(a)(2)PC	2	45	67	98	46%	70	40%
Subtotal - 187 + 245(a)(2)	5	54	84	119	42%	86	39%
Shooting occupied home or vehicle – 246PC	2	45	68	88	29%	67	31%
Shooting unoccupied home or vehicle – 247(b)PC	3	20	34	48	41%	34	41%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	10	119	186	255	37%	187	37%
Negligent discharge of a firearm – 246.3PC	6	113	191	342	79%	215	59%
Grand Total	16	232	377	597	58%	402	49%

Area 5 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	21	28	34	21%	28	23%
Homicide – All Other *	-	-	3	4	33%	2	71%
Assault with a firearm – 245(a)(2)PC	2	83	119	152	28%	118	29%
Subtotal - 187 + 245(a)(2)	2	104	150	190	27%	148	28%
Shooting occupied home or vehicle – 246PC	2	68	114	178	56%	120	48%
Shooting unoccupied home or vehicle – 247(b)PC	1	37	58	86	48%	60	43%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	5	209	322	454	41%	328	38%
Negligent discharge of a firearm – 246.3PC	8	226	341	613	80%	393	56%
Grand Total	13	435	663	1,067	61%	722	48%

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OAKLAND POLICE DEPARTMENT

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CRIME ANALYSIS

Weekly Gunfire Summary

27 Sep. – 03 Oct., 2021

Citywide <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	4	57	75	100	33%	77	29%
Homicide – All Other *	-	3	5	6	20%	5	29%
Assault with a firearm – 245(a)(2)PC	7	228	342	468	37%	346	35%
Subtotal - 187 + 245(a)(2)	11	288	422	574	36%	428	34%
Shooting occupied home or vehicle – 246PC	6	194	283	417	47%	298	40%
Shooting unoccupied home or vehicle – 247(b)PC	2	95	147	211	44%	151	40%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	19	577	852	1,202	41%	877	37%
Negligent discharge of a firearm – 246.3PC	22	525	839	1,409	68%	924	52%
Grand Total	41	1,102	1,691	2,611	54%	1,801	45%

Area 1 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	12	7	11	57%	10	10%
Homicide – All Other *	-	-	-	-	PNC	-	PNC
Assault with a firearm – 245(a)(2)PC	2	41	42	65	55%	49	32%
Subtotal - 187 + 245(a)(2)	2	53	49	76	55%	59	28%
Shooting occupied home or vehicle – 246PC	2	40	35	63	80%	46	37%
Shooting unoccupied home or vehicle – 247(b)PC	1	13	21	32	52%	22	45%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	5	106	105	171	63%	127	34%
Negligent discharge of a firearm – 246.3PC	3	64	68	112	65%	81	38%
Grand Total	8	170	173	283	64%	209	36%

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CRIME ANALYSIS

Weekly Gunfire Summary 27 Sep. – 03 Oct., 2021

Area 2 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	2	2	9	350%	4	108%
Homicide – All Other *	-	-	1	-	-100%	0	PNC
Assault with a firearm – 245(a)(2)PC	1	9	21	37	76%	22	66%
Subtotal - 187 + 245(a)(2)	1	11	24	46	92%	27	70%
Shooting occupied home or vehicle – 246PC	-	7	12	15	25%	11	32%
Shooting unoccupied home or vehicle – 247(b)PC	-	6	2	11	450%	6	74%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	1	24	38	72	89%	45	61%
Negligent discharge of a firearm – 246.3PC	1	16	14	45	221%	25	80%
Grand Total	2	40	52	117	125%	70	68%

Area 3 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	12	18	23	28%	18	30%
Homicide – All Other *	-	1	1	1	0%	1	0%
Assault with a firearm – 245(a)(2)PC	2	41	72	99	38%	71	40%
Subtotal - 187 + 245(a)(2)	3	54	91	123	35%	89	38%
Shooting occupied home or vehicle – 246PC	1	31	45	64	42%	47	37%
Shooting unoccupied home or vehicle – 247(b)PC	-	16	29	28	-3%	24	15%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	4	101	165	215	30%	160	34%
Negligent discharge of a firearm – 246.3PC	2	93	178	259	46%	177	47%
Grand Total	6	194	343	474	38%	337	41%

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CRIME ANALYSIS

Weekly Gunfire Summary

27 Sep. – 03 Oct., 2021

Area 4 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	2	7	18	22	22%	16	40%
Homicide – All Other *	-	2	-	1	PNC	1	0%
Assault with a firearm – 245(a)(2)PC	-	45	69	98	42%	71	39%
Subtotal - 187 + 245(a)(2)	2	54	87	121	39%	87	39%
Shooting occupied home or vehicle – 246PC	2	46	70	90	29%	69	31%
Shooting unoccupied home or vehicle – 247(b)PC	-	20	34	48	41%	34	41%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	4	120	191	259	36%	190	36%
Negligent discharge of a firearm – 246.3PC	8	114	204	357	75%	225	59%
Grand Total	12	234	395	616	56%	415	48%

Area 5 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2019	YTD 2020	YTD 2021	YTD % Change 2020 vs. 2021	3-Year YTD Average	YTD 2021 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	24	30	35	17%	30	18%
Homicide – All Other *	-	-	3	4	33%	2	71%
Assault with a firearm – 245(a)(2)PC	2	86	126	156	24%	123	27%
Subtotal - 187 + 245(a)(2)	3	110	159	195	23%	155	26%
Shooting occupied home or vehicle – 246PC	1	69	117	183	56%	123	49%
Shooting unoccupied home or vehicle – 247(b)PC	1	38	60	88	47%	62	42%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	5	217	336	466	39%	340	37%
Negligent discharge of a firearm – 246.3PC	8	234	361	626	73%	407	54%
Grand Total	13	451	697	1,092	57%	747	46%

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For Immediate Release September 17, 2021

OPD NEWS:

Help Locate Missing Person Ariella Rosenberg At Risk

The Oakland Police Department is requesting assistance from our community and media partners in locating Missing Person at risk, Ariella Rosenberg.



Rosenberg was last seen at 3:00 PM, on September 15, 2021, in the 7200 block of MacArthur Boulevard. She was wearing a turquoise headband, yellow shirt, black pants, and holding a black purse in the shape of a box.

Rosenberg is described as Latina, 23-years-old, with a light complexion. She stands 5'8, and weighs 125 pounds, with brown hair and brown eyes and is in good physical condition. Rosenberg's family reports she has mental challenges.

If you have any knowledge or information regarding the whereabouts of Rosenberg, please notify the **Oakland Police Department's Missing Persons Unit at 510-238-3641**.

Visit [Nixle.com](https://www.nixle.com) to receive Oakland Police Department alerts, advisories and community messages, or follow OPD on Twitter, Facebook, Instagram @oaklandpoliceca.



City of
OAKLAND
California

Media Contact:

Officer Johnna Watson
Officer Kim Armstead
Officer Felicia Aisthorpe
Paul Chambers
Comm. Director
Media Relations Office
510-238-7230
opdmedia@oaklandca.gov

News from: **Oakland Police Department**



For Immediate Release
September 26, 2021

Help Locate A Missing Person Carmen Miller

Oakland, CA – The Oakland Police Department is requesting assistance from our community and the media in locating a missing person- Carmen Miller, 18 years-old.

Carmen Miller, 18 resides in Marysville Ca. and was last heard from on September 25, 2021 at 11:21 PM. Family states Miller may be staying in the area of MacArthur Boulevard in a hotel and possibly the victim of human sex trafficking. Miller is in good physical condition; however, the family reports Miller has mild autism and Asperger’s syndrome.

Carmen Miller is a female White, 18-years-old, 5’1”, 130 pounds, brown/red hair and green eyes. Unknown clothing.



This investigation is ongoing and anyone with information is asked to contact the **Oakland Police Department’s Missing Persons Unit at (510) 238-3641.**

For more information, please contact the Media Relations Office at (510)238-7230 or opdmedia@oaklandca.gov.

Visit Nixle.com to receive Oakland Police Department alerts, advisories and community messages, or follow OPD on Twitter, @oaklandpoliceca.

#

News from: **Oakland Police Department**



FOR IMMEDIATE RELEASE

September 29, 2021

Help Locate Missing Person At Risk Kimberly Cooper

Oakland, CA – The Oakland Police Department is requesting assistance from our community and media in locating missing person at risk, Kimberly Cooper.

Cooper’s family reports she has Alzheimer’s and mental health challenges. She was last seen on September 25, 2021, at 9:00 PM, in the 6000 block of San Pablo Avenue.

Cooper is a Black female, 53-years-old, 5’10”, 155 pounds, gray hair, and brown eyes.



City of
OAKLAND
California

Media Contact:

Officer Kim Armstead
Officer Johnna Watson
Officer Felicia Aisthorpe
Manager Paul Chambers
Media Relations Office
510-238-7230
opdmedia@oaklandca.gov



This investigation is ongoing and anyone with information regarding the whereabouts of Cooper is asked to contact the **Oakland Police Department’s Missing Persons Unit at (510) 238-3641.**

For more information, please contact the Media Relations Office at 510-238-7230 or opdmedia@oaklandca.gov.

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###



AGENDA REPORT

TO: Police Commission

FROM: John Alden
CPRA Executive Director

SUBJECT: Costing, Staff Time, and Procedural Requirements for Police Commission Standing and Ad Hoc Committees

DATE: October 8, 2021

RECOMMENDATION

Staff Recommends, Given Current Resourcing, The Police Commission Continues Relying More On Ad Committees And Revisits Standing Committees As The Office Manages Its Current Obligations And Is Able To Grow To Allow For Additional Staff Support.

EXECUTIVE SUMMARY

The Police Commission recently considered the creation of new Standing Committees, and considered the number and type of Ad Hoc Committees it might utilize. This memo responds to Commission questions about the processes for creation of such committees, the tasks required to operate each kind, and current staff time available to support such committees.

In short, Standing Committees require much more staff time, as well as specific hearing rooms at City Hall. Ad Hocs are much more flexible, and could require much fewer resources, than Standing Committees; depending on how the Commission chooses to organize and run them.

Current resources likely allow for very few, if any, additional Standing Committees at this time. Because Standing Committees require more resources than Ad Hocs, each Standing Committee consumes the same resources as several Ad Hocs.

BACKGROUND / LEGISLATIVE HISTORY

This section addresses three background issues: 1. Definitions and Requirements of Police Commission Committees; 2. Processes for Establishing Committees; and 3. Staff Time for Committees.

1. Definitions and Requirements of Police Commission Committees

A. Standing Committees

Municipal Code Section 2.20.030(J) defines Standing Committees as “any number of members of a local body which totals less than a quorum and which has a continuing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution or formal action of the local body.” Thus, Standing Committees must not exceed three Commission members at any

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time. Generally, past Standing Committees have had a “continuing subject matter jurisdiction,” but not necessarily a fixed meeting schedule.

The Municipal Code also requires that each Standing Committee: comply with the Ralph M. Brown Act (2.20.050), post its agenda at least 48 hours prior to the meeting since these will be considered Special Meetings (2.20.070(A)), maintain minutes of actions taken during the meeting (2.20.160(A)), and be at minimum audio recorded for record keeping purposes (2.20.160(B)). Starting this month, these requirements will also include AB 361 compliance, such as passing periodic resolutions permitting continued virtual meetings. Standing Committees do require substantial staff resources, detailed below, because of these requirements.

In Oakland, Standing Committees of any Board or Commission have met at City Hall. Oakland now has approximately 30 Boards or Commissions, and of course meetings of the City Council and its Committees. Meeting space for Standing Committees is fast becoming scarce.

All other Brown Act requirements also apply to Standing Committees, such as public comment procedures and limiting the business conducted at any given meeting to the topics agendized. All meetings of Standing Committees, meaning any gathering of a quorum of that Committee, must comply with these same rules. Members of Standing Committees must then be careful to avoid small gatherings or communications between meetings lest those events trigger Brown Act requirements for the Standing Committee on which they sit together.

B. Ad Hoc Committees

In contrast, Ad Hoc Committees have few rules. They are not subject to Brown Act requirements, so long as less than a quorum of the Commissioners attend any given meeting. Local ordinances do not require compliance with any other rules for meetings of Ad Hocs. They can meet anywhere, even virtually or over the phone. Commission Procedural Rules require Ad Hocs to report to the full Commission periodically.

Historically, the Police Commission has sometimes administered Ad Hocs in a manner similar to Standing Committees, such as providing agendas to the public in advance, allowing public comment, having regularly scheduled meetings, and keeping meeting recordings and/or minutes. Other Ad Hocs have simply been meetings directly between two or three Commissioners without any minutes, agendas, or public comment. In this regard, Ad Hocs are very flexible. The costs and staffing for Ad Hocs also vary according to how they choose to perform.

2. Processes for Establishing Committees

On July 10, 2018, the City Council adopted Ordinance No. 13498 C.M.S. which serves as the Enabling Ordinance for the Police Commission. The Enabling Ordinance added Municipal Code Section 2.45.150, which establishes the criteria for creating Police Commission Standing Committees. The requirements state that “the [Police] Commission must obtain City Council approval prior to the creation of any standing committee. A proposal to create a standing committee of the Commission must include information regarding the costs associated with

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staffing the standing committee, if any, and the costs of complying with noticing and reporting requirements resulting from its establishment.”

These requirements are consistent with other references in the City’s Municipal Code. Specifically, Sections 17.03.030(E) and 17.05.100(D) related to the City’s Planning Commission and Landmarks Preservation Advisory Board, respectively, both state that City Council approval must be obtained prior to the creation of any standing committee for the commission/board. Additionally, the code states a proposal to create a standing committee must include information regarding the costs associated with staffing the standing committee, and the costs of complying with noticing and reporting requirements. For this reason, a staffing analysis such as the one in this memo is a mandatory step in Oakland for creating a Standing Committee.

At the request of the Police Commission in 2018, the City Council created two Standing Committees: the Personnel Committee and the Community Outreach Committee. (See Attachment A, below.) Both remain authorized by the City Council.

Ad Hocs do not require City Council approval. Currently, current Commission Procedural Rules call for Ad Hocs to be formed by the Commission Chair at the Chair’s discretion. Those same rules require Ad Hocs to report to the full Commission periodically.

3. Staff Time for Committees

Staff time for Committees is quite limited, as the Commission currently has only one staffer, Rania Adwan, the Commission Chief of Staff. Her time is already taken up by a series of tasks mandated by Charter or other authorities. Each Committee also requires more time, but that time varies according to whether the Committee is a Standing Committee, and Ad Hoc with a high level of transparency and public engagement, or an Ad Hoc that meets privately with no need for staffing.

A. Existing Time Commitments (30-38 hours / month)

The Chief of Staff role is contracted to work approximately 162 hours per month, a full-time schedule in the City of Oakland.

As a new employee, Ms. Adwan is still onboarding and learning the City systems and requirements, as well as the Commission. Still in her first three months, onboarding is currently requiring almost 10 hours a month dedicated to training as well as connecting with various departments and agencies to establish relationships and work processes. The following six months will likely require less time and could be at 5 hours a month.

Additionally, general upkeep of Commission business (emails, scheduling, web maintenance, budgeting etc.) can take between 20-28 hours a month. All of this without accounting for one-off or infrequent tasks that would be expected, such as onboarding new Commissioners, tracking and supporting Commissioner training and so on (perhaps 2 – 3 hours per task, depending on the task).

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There are several larger projects the Chief of Staff will need to schedule, prepare and complete on behalf of the Commission, including preparing the Commission's Annual report (due Spring of 2022) and organizing the Commission retreat (anticipated early 2022), among other things.

B. Full Commission Meeting Staff Time Requirements (24-48 hours / month)

The Police Commission meets twice a month, and Ms. Adwan is currently the sole staffer for these meetings. She spends between 14 to 24 hours on each meeting, including attending the meeting itself, for a total of 24 to 48 hours monthly. That time includes:

- Agenda setting, including working with agenda team on drafts (3 - 5 hours)
- Following up on needed exhibits and presenters for each agenda (1 - 3 hours)
- Preparing documents for meetings, like exhibits and final agendas for posting (1 - 2 hours)
- Posting the meeting materials for Brown Act compliance (1 -2 hours)
- Running the meeting itself (5 - 7 hours)
- Drafting minutes afterwards (3 - 5 hours) – sometimes this requires less time with transcripts to work from; but transcripts require additional costs, as noted below
- NOTE: Staff time for Commission meetings will increase post-COVID in order to setup the meeting room, including providing hardcopies of documents for the public.

C. Staff Time Required for Ad Hoc and Standing Committees (time varies)

The level of preparation and effort depends on the intentions and objectives of the Ad Hoc or Standing Committee.

At a minimum, each committee requires a base level of organizing, that is working with the committee members to determine a schedule, cadence for meetings, identifying the activities required, as well as potential stakeholder or barriers to success and determining a roadmap to the project's successful completion. With scheduling and following up with commissioners, this can take 3 - 5 hours. (Basic Ad Hoc set up: 3 - 5 hours)

More often than not, it is appropriate to approach and stand up an Ad Hoc as if it were a unique project requiring a general framework to organize activities; broadly this looks like:

1. *Discovery or research phase*: determining what research exists, best practice, model policies, subject matter experts and possible partnerships with stakeholders. Essentially, anything that supports the committee and its members getting quickly up to speed with the topic and confident enough to plot next steps needed to achieve the desired outcome.
2. *Project design*: crafting the first iteration of activities and events that need to happen in service of the desired outcome, this could look like determining how to work through line edits of a policy under review, consolidating ideas, debating direction, requiring forums or subject matters experts to help deepen understanding or guide committee members. These would be identified and mapped to the schedule, ideally with owners - often requiring staff to support momentum.

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3. *Review and presentation:* as well as regularly reporting at Police Commission meetings, some Ad Hocs will require the Commission take action. To do this, the Ad Hoc would be expected to create a presentation, sometimes with additional speakers, to help the full commission and members of the public not involved in the Ad Hoc deeply understand the work being presented. Staff might support this by providing a template, talking points and so on, to help the committee make a clear case to the commission and the public

Overlaying these activities are the following additional tasks:

4. *Planning and logistics:* scheduling, preparation for meetings, following up, keeping notes, responding to queries, creating and updating web pages.
5. *Outreach:* surveys, public forums, promotional material, language access (if required)
6. *Running the meeting (often twice a month per Ad Hoc)*

Supporting the running of an Ad Hoc thus requires anywhere between 5 - 10 hours of work per Ad Hoc meeting/activity.

In addition and as a reminder, Standing Committees require an additional 10 - 16 hours per meeting beyond those required for Ad Hocs (estimated based on work output for Commission meetings, the closest template to a Standing Committee):

- Preparing public-facing documents for meetings, like exhibits and final agendas for posting (1 - 2 hours)
- Posting the meeting materials for Brown Act compliance (1 - 2 hours)
- Running the meeting itself (5 - 7 hours)
- Drafting minutes afterwards (3 - 5 hours) – sometimes this requires less time with transcripts to work from.

D. Remaining Time for Ad Hoc and Standing Committees

Working with a volunteer commission, it is generally understood and accepted that staff would be required to respond and be ready to take on duties outside of regular office hours. Thus Ms. Adwan also manages and conducts Commission business as well as supporting Ad Hocs on evenings and weekends. She is currently committed to supporting (in various degrees of fidelity) the following Committees:

- Inspector General Hiring Ad Hoc
- Community Policing policy review Ad Hoc
- Missing Persons policy review Ad Hoc
- Chief of Police Performance Goals Ad Hoc

Altogether then, the current Commission Chief of Staff expends 24 - 48 hours monthly on Commission meetings, 20 - 28 hours on general Commission business, and 10 hours a month on her own training, leaving 78 to 110 hours monthly for Ad Hocs. The above committees have

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over 12 meetings monthly, requiring 60 to 120 hours monthly. Currently, these obligations therefore expend all of the Chief of Staff's time any given month.

In addition, we have not yet set a level of support from the Chief of Staff for the Community Outreach Standing Committee, or a meeting schedule for that Standing Committee. But given that that is a Standing Committee, the time commitment could be a significant addition to the above totals.

For these reasons, your Chief of Staff will not have more time for additional Committee work until either a) some of these Committees resolve their work, and/or b) additional staff are secured.

ANALYSIS AND POLICY ALTERNATIVES

First, the above time assessments make clear that existing staffing will not support additional Committees – either Ad Hoc or Standing – until some existing Ad Hocs resolve their work and presumably disband.

Second, staff recommends that decisions regarding Committee staffing also take into account the Discipline Committee. Periodically, the Commission will require a Discipline Committee pursuant to its Charter-mandated duty to resolve certain discipline cases. Discipline Committees are subject to the same Brown Act requirements as Standing Committees, and thus have similar staff time costs. While much of the work of such a Discipline Committee occurs in Closed Session, the staff work is essentially the same.

Because Discipline Committees are a Charter-mandated responsibility, and because we can reasonably foresee they will be needed frequently, staff recommends the Commission prioritize Discipline Committee staffing before all other Committee staffing. And, in order to make Discipline Committees less of a burden to Commissioners and to assure they will be available as needed, staff recommends that a regular schedule of Discipline Committees be created. For example, Discipline Committees could be set to meet every two months for a year, with each Discipline Committee having specific Commissioners set on a rotating schedule, like so:

June 1, 9 am:	Commissioners A, B, and C
August 1, 9 am:	Commissioners D, E, and F
October 1, 9 am:	Commissioners A, E, and G
...etc....	

If any given meeting of the Discipline Committee is not needed because there are no cases to resolve at that particular session, that meeting could be cancelled. Given the tight timelines for Discipline Committees set by Charter and state law, setting these meetings on an as-needed basis can be rushed and logistically challenging for all involved. Staff suggest it may be more efficient for staff and more convenient for Commissioners to have a regularly scheduled meeting that cancels from time to time, rather than trying to create new meetings on as-needed basis.

At this time, staff do not recommend creation of any new Standing Committees given the mandatory time commitments involved. We would not be able to identify staffing resources for

such meetings as required by current ordinance. In addition, it is not clear that rooms would be available in City Hall for any regular meeting schedule for new Standing Committees.

This time analysis also shows that robust use of Committees in the future will require additional staffing. Since a substantial portion of this work could be performed by administrative staff, adding an administrative staffer reporting up to the Commission's Chief of Staff may be the most economical way to increase staffing for Committees, and to better leverage the significant skill set of any Chief of Staff. For example, if the Commission Chief of Staff had an Office Assistant or similar position reporting to them, that staffer could be assigned the work of creating minutes, posting agendas, preparing rooms and the like, to support the Chief of Staff. This could significantly increase staffing resources for a greater number of Committees.

Finally, should the Commission consider adopting any new Standing Committees in the future, staff would recommend reassessing whether the two existing Standing Committees should continue or be disbanded.

FISCAL IMPACT

This memo does not address the fiscal impacts of these committees. Those fiscal impacts depend largely on optional discretionary meeting costs the Commission can decide at another time, such as whether to order transcripts for each meeting. Staff intends to bring a budget presentation to the Commission soon detailing possible costs across all categories of Commission spending for this fiscal year.

PUBLIC OUTREACH / INTEREST

Staff conducted no public outreach on this issue beyond the usual posting of this memo with the meeting agenda.

COORDINATION

This report was crafted with the assistance of Police Commission Counsel, the Commission Chief of Staff, CPRA, and the City Administrator's Office. The creation of Standing Committees, if any, will require further coordination with the above entities, as well as the City Council.

SUSTAINABLE OPPORTUNITIES

Economic: None.

Environmental: None.

Race & Equity: As a general rule, providing public access to Commission deliberations on any given topic creates opportunity to better engage the public around the race and equity impacts of the policies and actions the Police Commission may discuss. Public-facing Committees, whether Standing or Ad Hoc, may create an opportunity to gather such input in addition to input gathered at Commission meetings. On the other hand, the existence of a Committee does not, by itself, directly add or detract from the City of Oakland's overall goal of improving racial equity.

Police Commission
Subject: Costing, Staff Time, and Procedural Requirements for Police Commission Standing
and Ad Hoc Committees
Date: October 8, 2021

ACTION REQUESTED OF THE POLICE COMMISSION

Staff recommends, given current resourcing, the Police Commission continue relying more on Ad Hocs and revisits Standing Committees as the office manages its current obligations and is able to grow to allow for additional staff support.

Specifically, staff recommends the Commission:

1. Direct staff to include in the Commission's mid-cycle budget adjustment proposal for FY '22-'23 a request for additional support staffing subordinate to the Commission Chief of Staff to support Commission committees and other Commission needs.
2. Consider whether the two current Standing Committees remain Standing Committees or be converted to Ad Hocs in order to supply more resources for other Ad Hoc Committees.
3. Consider a limit on the number and/or kinds of staffing for Ad Hoc Committees to match current staffing, with a plan to revisit those limits should staffing increase.

For questions regarding this report, please contact JOHN ALDEN, CPRA EXECUTIVE DIRECTOR, at 510-238-7401.

Respectfully submitted,



JOHN ALDEN
Executive Director, CPRA

Attachments (#):

A – November 13, 2018, Police Commission Standing Committees Memo to City Council



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2018 NOV 20 PM 1:18

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Deputy City Administrator

SUBJECT: Police Commission Standing
Committees

DATE: November 13, 2018

City Administrator Approval

Date:

11/20/18

RECOMMENDATION

Staff Recommends That The City Council Consider A Resolution Authorizing The City Of Oakland's Police Commission To Establish A Personnel Standing Committee And A Community Outreach Standing Committee That Will Meet On An As-Needed Basis.

EXECUTIVE SUMMARY

At the request of the City of Oakland's Police Commission and on behalf of the CPRA Executive Director (currently vacant), City Council adoption of the proposed Resolution will allow the Police Commission to create two Standing Committees: A Personnel Standing Committee and a Community Outreach Standing Committee. The Police Commission, authorized by Measure LL in the November 2016 election, is a seven Commissioner, and two alternate Commissioners, civilian oversight board that oversees the policies, practices and customs of the Oakland Police Department (OPD) to meet national standards of constitutional policing and oversees the Community Police Review Agency (CPRA) that investigates complaints of police misconduct and makes recommendations for discipline. The Police Commission is also charged with conducting an annual performance review of the CPRA Executive Director and OPD Chief of Police. The commission has been meeting regularly since December 2017 and requests to establish two formal Standing Committees so Commissioners can plan and discuss efforts around Personnel and Community Outreach. If approved, meetings of the future Police Commission Standing Committees will be considered Special Meetings.

BACKGROUND / LEGISLATIVE HISTORY

On November 8, 2016, voters approved Measure LL which created the Oakland Police Commission run by civilian commissioners to oversee OPD's policies and practices and CPRA's investigations of police misconduct complaints. Measure LL granted the Mayor authority to appoint three regular members and one alternate member to the Police Commission. Additionally, a selection panel comprised of members of the public, appoint four regular members and one alternate member.

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Public Safety Committee
December 4, 2018

At its meeting of October 17, 2017, the City Council approved the Mayor's and selection panel's appointments to serve on the Police Commission. The Police Commission held its first meeting on December 13, 2017, and currently meets twice a month on the second and fourth Thursday of each month at 6:30 pm.

The Police Commission has selected members to serve on ad-hoc committees that meet as-needed to discuss a range of issues from the recruitment of the Executive Director to the CPRA, policies and procedures for the Commission, community outreach, and a review of legislation. At its meeting of May 24, 2018, the Police Commission voted to request City Council approval to establish a Community Outreach Standing Committee, and at its meeting of June 28, 2018, the Police Commission voted to request City Council approval to establish a Personnel Standing Committee.

Standing Committee Requirements

Municipal Code Section 2.20.030(J) defines standing committees as "any number of members of a local body which totals less than a quorum and which has a continuing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution or formal action of the local body." The two proposed standing committees must not exceed three Commission members at any time, comply with the Ralph M. Brown Act (2.20.050), post its agenda at least 48 hours prior to the meeting since these will be considered Special Meetings (2.20.070(A)), maintain minutes of actions taken during the meeting (2.20.160(A)), and be at minimum audio recorded for record keeping purposes (2.20.160(B)).

Process for Establishing Standing Committees

On July 10, 2018, the City Council adopted Ordinance No. 13498 C.M.S. which serves as the Enabling Ordinance for the Police Commission. The Enabling Ordinance added Municipal Code Section 2.45.150, which establishes the criteria for creating Police Commission Standing Committees. The requirements state that "the [Police] Commission must obtain City Council approval prior to the creation of any standing committee. A proposal to create a standing committee of the Commission must include information regarding the costs associated with staffing the standing committee, if any, and the costs of complying with noticing and reporting requirements resulting from its establishment."

These requirements are consistent with other references in the City's Municipal Code. Specifically, Sections 17.03.030(E) and 17.05.100(D) related to the City's Planning Commission and Landmarks Preservation Advisory Board, respectively, both state that City Council approval must be obtained prior to the creation of any standing committee for the commission/board. Additionally, the code states a proposal to create a standing committee must include information regarding the costs associated with staffing the standing committee, and the costs of complying with noticing and reporting requirements.

ANALYSIS AND POLICY ALTERNATIVES

The Police Commission Standing Committees will meet on an as-needed basis, similar to the Planning Commission's Standing Committees. Meeting on an as-needed basis allows for

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December 4, 2018

greater flexibility in scheduling meetings with Police Commissioners and for City Hall meeting room spaces to be available for various City and community meetings.

Because the minimum requirement for non-City Council standing committee meetings is to be audio recorded, when the two proposed Police Commission Standing Committees need to meet, staff can look at various City Hall rooms or even off-site venues to hold the proposed Standing Committee meetings. Those meetings that could not take place inside Hearing Room 1 or the City Council Chambers (the two rooms at City Hall that have video recording capabilities) would be audio recorded with the audio made available on the City's website.

Additionally, meeting as-needed allows the Police Commission Standing Committees to meet prior to the Police Commission's regular meeting inside the City Council Chambers, as the room is available beginning at 12:00 pm on the second and fourth Thursday of the month. If a Standing Committee needs to meet, they could use the City Council Chambers for the Standing Committee meeting so long as the meeting is properly noticed given the 48-hour Agenda posting requirements for Special Meetings.

For those meetings taking place in Hearing Room 1 or the City Council Chambers, staff will work with KTOP, the City's video broadcasting team, to video record the meeting. This would not require additional staff, only reassignment to cover the shift provided advanced notice is given. CPRA staff assigned to the Standing Committees may need to adjust their work schedule to attend and, if needed, audio record meetings not held in Hearing Room 1 or the City Council Chambers. Therefore, no additional staffing is required to support the two proposed Police Commission Standing Committees.

FISCAL IMPACT

Generally, staff resources are necessary for supporting committee meetings; however, the following items will need to be absorbed by existing CPRA staff should the City Council approve the proposed Resolution:

- Identify available meeting rooms and set up for each meeting.
- Notice meetings by posting Agenda on the City's website and providing to the City Clerk's Office.
- Prepare minutes.
- Update the website with approved minutes and video/audio recordings.
- Staff the meetings to record audio, if necessary, and/or provide information to the Standing Committee(s). Overtime pay for staff may be required if meetings occur outside of normal business hours.

The following would be absorbed by existing KTOP staff when the Standing Committee(s) are held in the City Council Chambers or Hearing Room 1:

- Assign a staff member to work from Master Control for the full duration of the meeting. Overtime pay for staff may be required if meetings occur outside of normal business hours.
- Record the meeting in its entirety and provide technical support, if needed.
- Provide CPRA staff with a video link to post on the City's website.

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CPRA staff, in conjunction with the City Administrator's Office, will monitor and evaluate staff time and resources dedicated to the two proposed Standing Committees. It is not anticipated that the Police Commission's request requires significant staff support beyond CPRA's current capacity; however, should that change in the future, staff may need to request additional resources to support the Standing Committees through the City Council.

PUBLIC OUTREACH / INTEREST

No additional public outreach was deemed necessary other than the standard noticing procedures of posting the City Council's Agenda.

COORDINATION

Preparation of this report and proposed Resolution was coordinated with the assistance of CPRA, KTOP, the City Attorney's Office and Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Social Equity: The proposed Police Commission Standing Committees will increase opportunities for the public to participate in police and public safety issues, especially those centered around community outreach. The public would have more opportunities to discuss and have a dialogue with the City's Police Commissioners who have civilian oversight on OPD's policies and practices and CPRA's investigations of police misconduct complaints.

Item: _____
Public Safety Committee
December 4, 2018

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Of Oakland's Police Commission To Establish A Personnel Standing Committee And A Community Outreach Standing Committee That Will Meet On An As-Needed Basis.

For questions regarding this report, please contact Richard J. Luna, City Administrator Analyst, at 510-238-4756.

Respectfully submitted,



STEPHANIE HOM
Deputy City Administrator

Prepared by:
Richard J. Luna, City Administrator Analyst

Item: _____
Public Safety Committee
December 4, 2018

2018 NOV 20 PM 1:19 RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY OF OAKLAND'S POLICE COMMISSION TO ESTABLISH A PERSONNEL STANDING COMMITTEE AND A COMMUNITY OUTREACH STANDING COMMITTEE THAT WILL MEET ON AN AS-NEEDED BASIS

WHEREAS, on November 8, 2016, voters approved Measure LL which created the Oakland Police Commission run by civilian commissioners to oversee the Oakland Police Department's policies, practices and customs to meet national standards of constitutional policing and the Community Police Review Agency to investigate complaints of police misconduct; and

WHEREAS, at its meeting of October 17, 2017, the City Council approved the Mayor's and selection panel's appointments to serve on the Police Commission, which is comprised of seven voting Commissioners and two alternate Commissioners; and

WHEREAS, the Police Commission held its first meeting on December 13, 2017, and currently meets twice a month on the second and fourth Thursday of each month at 6:30 p.m.; and

WHEREAS, since its first meeting, the Police Commission has selected its members to serve on ad-hoc committees that meet as-needed to discuss a range of issues from the recruitment of the Executive Director to the Community Police Review Agency, policies and procedures for the Police Commission, community outreach, review of legislation, among other topics; and

WHEREAS, at its meeting of May 24, 2018, the Police Commission voted to request City Council approval to establish a Community Outreach Standing Committee; and

WHEREAS, at its meeting of June 28, 2018, the Police Commission voted to request City Council approval to establish a Personnel Standing Committee; and

WHEREAS, on July 10, 2018, the City Council adopted Ordinance No. 13498 C.M.S. which serves as the Enabling Ordinance for the Police Commission, and added Municipal Code Section 2.45.150, which requires that the Police Commission must obtain City Council approval prior to the creation of any standing committee; and

WHEREAS, as per the requirements of Municipal Code Section 2.45.150, the Police Commission, through this Resolution, seeks approval from the City Council to establish a Personnel Standing Committee and a Community Outreach Standing Committee that will meet on an as-needed basis, thereby, considered Special Meetings; and

WHEREAS, in accordance with Municipal Code Section 2.20.050, each Police Commission Standing Committee is subject to the Brown Act and Oakland Sunshine Ordinance; and

WHEREAS, in accordance with Municipal Code Section 2.20.070(A), the Police Commission Standing Committees must publish and distribute its Special Meeting Agendas at-least 48 hours in advance; and

Attachment 4

WHEREAS, that the costs to staff to provide administrative support to the proposed Police Commission Standing Committees be absorbed to the existing duties of staff assigned to the Community Police Review Agency; now, therefore be it

RESOLVED, that the City Council authorizes the creation of a Police Commission Personnel Standing Community to meet on an as-needed basis; and be it

FURTHER RESOLVED, that the City Council authorizes the creation of a Police Commission Community Outreach Standing Committee to meet on an as-needed basis.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California



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

Current Committees

Standing Committee	Commissioners
Outreach	Dorado, Hsieh, Jordan
Personnel	Jackson

Ad Hoc Committee	Commissioners
Annual Report	Jackson
Budget	Dorado, Jackson
Community Policing OPD 15-01	Dorado, Harbin-Forte, Hsieh
CPRA Director Performance Evaluation	Dorado, Milele, Jackson
Inspector General Search	Jackson, Milele, Peterson
Mental Health Model	Dorado
Militarized Police Equipment	Gage, Garcia, Jordan
Missing Persons Policy	Jackson, Jordan
OBOA Allegations Investigation	Harbin-Forte, Jackson
Police Chief Goals and Evaluation	Garcia, Milele, Peterson
Racial Profiling Policy	Dorado, Jackson, Milele
Rules of Procedure	Gage, Garcia, Harbin-Forte
White Supremacists and Other Extremist Groups	Dorado, Harbin-Forte, Jackson
OPD's Social Media Policy	Jordan, Hsieh, Jackson

POLICE COMMISSION AD HOC COMMITTEE ASSIGNMENTS (updated 9.23)

AD HOC COMMITTEES	Dorado	Gage	Garcia	Harbin-Forte	Hsieh	Jackson	Jordan	Milele	Peterson
Annual Report						X			
Budget	X					X			
Community Policing OPD 15-01	X			X	X				
Inspector General Search						X		X	X
Mental Health Model	X								
Militarized Police Equipment		X	X				X		
Missing Persons Policy						X	X		
OBOA Allegations Investigation				X		X			
Police Chief Goals and Evaluation			X					X	X
Racial Profiling Policy	X					X		X	
Rules of Procedure		X	X	X					
Social Media Policy					X	X	X		
White Supremacists and Others	X			X		X			
STANDING COMMITTEES									
Outreach	X				X		X		
Personnel						X			
TOTAL ASSIGNMENTS	6	2	3	4	3	9	4	3	2



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

The meeting began at 5:30 pm.

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

Vice Chair Jose Dorado

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh; Alternate Commissioner Marsha Peterson

Absent/Excused: Chair Regina Jackson

II. Closed Session Item

CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6)
District's Negotiator: Ian Appleyard
Employee Organization: Oakland Police Officers' Association

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.

Public Comment provided by the following speakers:
Assata Olugbala

III. Call to Order and Re-Determination of Quorum

Vice Chair Jose Dorado

Roll call: Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh; Alternate Commissioner Marsha Peterson

Absent/Excused: Chair Regina Jackson

IV. Report out of Closed Session

There were no reportable actions taken.

Public Comment provided by the following speakers:
Rashidah Grinage (CPA)



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

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

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

Public Comment provided by the following speakers:

Elise Bernstein (CPA)

Saleem Bey (100 Black Men of the Bay Area)

Assata Ologbala

VI. Update from Police Chief

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

AC Darren Allison presented (on behalf Chief Armstrong) Department updates including: changes to crime statistics and data, crime trends, staffing updates, CHP augmentation and a report back on National Night Out.

Public Comment provided by the following speakers:

Anne Janks

Assata Olugbala

Saleem Bey (100 Black Men)

John Bey

Mary Vale

Mariano Contreras (Latino Taskforce + CPA)

VII. Introduction of Rania Adwan, Chief of Staff to the Police Commission

The Commission will welcome and introduce Ms. Adwan, the newly hired Chief of Staff to the Police Commission. ***This is a new item.***

The Commission welcomes a new Chief of Staff, Rania Adwan



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

Public Comment provided by the following speakers:

Rashidah Grinage (CPA)

Assata Olugbala

VIII. **Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities**

To the extent permitted by state and local law, Executive Director John Alden will report on the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item.***

Executive Director John Alden reported on the Agency's pending cases (July), completed investigations (July) - moving to reporting these two items on a calendar month basis for greater transparency, plus a special report on CPRA staff demographics, as requested by the Commission.

Public Comment provided by the following speakers:

Rashidah Grinage (CPA)

Assata Olugbala

Saleem Bey (100 Black Men)

John Bey

IX. **CPRA and Police Commissioner Attendance at Annual Conference of National Association of Civilian Oversight in Law Enforcement (NACOLE)**

The Commission will discuss and may provide direction regarding whether CPRA staff, and members of the Commission, may attend the in-person annual NACOLE conference in Tucson, Arizona, on Dec. 12-16, 2021, given the City Council's policy urging Departments to avoid travel to Arizona. ***This is a new item.***

The Commission rejected the request to attend the conference in person and expressed disappointment that NACOLE would commit to the Tucson, Arizona venue given the State's policy related to civil rights (SB 1070) and the Oakland City Council policy denouncing it.

Public Comment provided by the following speakers:

Anne Janks

Assata Olugbala

Saleem Bey (100 Black Men)

Commissioner Harbin-Forte moves not to have the CPRA or Commission attend the NACOLE conference in person in Arizona.

Commissioner Milele seconds

Motion passes unanimously



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

X. Request for Qualifications (RFQ) for Commission Counsel

The Commission will review a draft Request for Qualifications (RFQ) to retain outside counsel to the Commission, and may take action to modify the RFQ, issue the RFQ, and/or provide additional direction to staff. ***This item was discussed on 6.24.21.***

Commissioner Gage explains that the draft RFQ provided by the City Attorney was modified to be appropriately used by the Commission to seek a firm or individual to serve as Commission Attorney(s), as authorized by Measure S1. RFQ is the first step in the process. The Commission will review all responses and identify an attorney or a firm to represent and advise the Oakland Police Commission.

Public Comment provided by the following speakers:

Saleem Bey (100 Black Men)

Commissioner Gage moves for approval of the RFQ and asks the Commission to direct staff to issue the document, setting an interim timeline for responses to limit duration of RFQ to 90-days.

Commissioner Harbin-Forte seconds the motion.

The motion passes unanimously.

XI. CPRA Presentation on Racial Profiling Policy and Cases

CPRA will provide a presentation to the Commission regarding OPD's policy on racial profiling and other bias-based policing and CPRA's investigation of allegations of racial profiling and other bias-based policing. ***This is a new item.***

Requested by the Commission, Exec. Dir. Alden reported on the efforts CPRA is undertaking related to alleged racial profiling when investigating cases. Exec. Dir Alden explains the State's ban on racial profiling, as well as Oakland's policy and how both effect investigations at CPRA.

Public Comment provided by the following speakers:

Rashidah Grinage (CPA)

Assata Olugbala

Saleem Bey (100 Black Men)

XII. Committee Reports

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

Rules of Procedure Ad Hoc

(Commissioners Gage, Garcia, Harbin-Forte)



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

The Rules of Procedure Ad Hoc Committee has been formed to examine the organization and operation of the Commission, make recommendations designed to strengthen the Commission, improve the Commission's relationships with governmental partners, and better enable the Commission to fulfill its Charter-mandated oversight duties.

Based on feedback regarding Ad Hoc committees, policy review and public engagement process, the Ad Hoc is working to create protocols that address all three interrelated and complex issues.

Missing Persons Ad Hoc (Commissioners Jackson, Jordan)

The Missing Persons Ad Hoc Committee is tasked with reviewing and updating the OPDs missing persons policy, to ensure that it is in line with the standards of constitutional policing and evolving community values. The resulting policy will be presented for review and approval to the full Police Commission, with the intent that it be formally adopted as the guiding policy for the investigations of missing persons by the OPD.

Policy language is near completion after a line-by-line review with the intent of bringing it to the public during an upcoming public hearing, which will include SMEs and community members to provide perspective, an opportunity for the community to weigh in on language and vet for clarity. Additionally, a resource guide is being assembled (in its final stages) for victims and the families of victims; produced as a collaborative effort between City departments and outside agencies.

Community Policing Ad Hoc (Commissioners Dorado, Harbin-Forte, Hsieh)

The mission of the OPC Community Policing Ad Hoc Committee is to refine OPD Draft Policy 15-01 to assure the full implementation of Resolution 79235 and provide for specific procedures to address Beat level challenges. This mission also includes the development of Beat and block leaders into viable Citywide networks, expanded public access to information and resources as well as increased community involvement in OPD and staff training, especially that of Community Resource Officers.

Preparing a presentation for the upcoming Ad Hoc meeting to maintain momentum. Meeting every two weeks with the intention of bringing a finished product to the full commission in October.

Public Comment provided by the following speakers:

Anne Janks

Elise Bernstein (CPA)

Rashidah Grinage (CPA)

Assata Olugbala

Saleem Bey (100 Black Men)



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

XIII. **Open Forum Part 2** (2 minutes per speaker)

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

Public Comment provided by the following speakers:

Saleem Bey (100 Black Men)
Anne Janks

XIV. **Agenda Setting and Prioritization of Upcoming Agenda Items**

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

- Rules of Procedure Ad Hoc request to present Phase 1 of their work for Commission consideration (Comm. Gage)
- Rules of Procedure Ad Hoc request the Chair to reach out to City Council to have the Ad Hoc Committee serve as a standing committee (Comm. Gage)
- Consideration to create a Standing Committee for Controlled Equipment Ad Hoc to replace the Militarized Equipment Ad Hoc, given the recent passage of controlled equipment ordinance (Comm. Gage)
- CPRA report on app usage (Comm. Hsieh)
- Request for the Chief of Police to provide info about vaccination status of OPD or explain the provision that precludes this ask (Comm. Harbin-Forte)
- Status update from Police Department about deployment of CHP in the city (Comm. Gage)

XV. **Adjournment**

Meeting adjourned at 11:30 pm



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

September 16, 2021, 5:30 PM

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

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Chair Regina Jackson; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh

Absent/Excused: Alternate Commissioner Marsha Peterson

II. Closed Session Item

The Police Commission will take Public Comment on the Closed Session items.

Conference with Labor Negotiators

Representatives: Garcia Hernandez Sawhney, LLP

Employee Organization: Oakland Police Officers Association

California Government Code § 54957.6

Public Employees Discipline/Dismissal/Release

California Government Code § 54957

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

III. Call to Order and Re-Determination of Quorum
Chair Regina Jackson

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Chair Regina Jackson; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh

Absent/Excused: Alternate Commissioner Marsha Peterson

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

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



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

September 16, 2021, 5:30 PM

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

Public Comment provided by the following speakers:

Rachel Beck

Mary Vale

- V. Vote to Ratify DGO K-03 Use of Force Policy.** The Police Commission may take action to approve Meet and Confer revisions to the adopted Use of Force policy.

Chair Jackson explained the role of the Police Commission in the recent Meet and Confer process and the Commission's role and responsibility in revising OPD's Use of Force policy. Comm. Gage, as a member of the original Ad Hoc Committee that worked on this policy, reminds Commissioners and the public of all the time, effort and public input in the nearly year long process to review OPD's Use of Force policy.

Public Comment provided by the following speakers:

Bruce Schmiechen

Anne Janks

Assata Olugbala

Comm. Sergio Garcia calls a motion to approve the ratification of OPD's new Use of Force policy.

Comm. Dorado seconds the motion.

Commission votes unanimously, the motion passes.

- VI. Update from Police Chief**

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

Chief Armstrong updates the Commission and the public on changes to crime statistics and data and crime trends, OPD vaccination rates. Assistant Chief Angelica Mendoza joined the Chief to discuss updates on the Negotiated Settlement Agreement.

Public Comment provided by the following speakers:

Assata Olugbala

Anne Janks

Rashida Grinage (CPA)



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- VII. Develop RFQ w/ City Administrator's Office to Hire a Consultant re: the IAD-to-CPRA Transition.** CPRA Executive Director John Alden will report on the City Council's direction to retain a consultant regarding the transition of resources from IAD to CPRA. ***This is a new item.***

Director Alden explains this item came from the efforts of the City's Reimagining Public Safety group. CPRA will look for support in transferring resources from IAD to CPRA, making CPRA responsible for all public complaints. Director Alden expects to return to the Commission with an RFQ for outside support in the next 3 – 6 months.

Public Comment provided by the following speakers:
Assata Olugbala

- VIII. Committee Reports**
Representatives from Standing and Ad Hoc Committees will provide updates on their work. ***This is a recurring item.***

**Missing Persons Ad Hoc
(Commissioners Jackson, Jordan)**

The Missing Persons Ad Hoc Committee is tasked with reviewing and updating the OPDs missing persons policy, to ensure that it is in line with the standards of constitutional policing and evolving community values. The resulting policy will be presented for review and approval to the full Police Commission, with the intent that it be formally adopted as the guiding policy for the investigations of missing persons by the OPD.

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

The Rules of Procedure Ad Hoc Committee has been formed to examine the organization and operation of the Commission, make recommendations designed to strengthen the Commission, improve the Commission's relationships with governmental partners, and better enable the Commission to fulfill its Charter-mandated oversight duties.

**Community Policing Policy revision (15-01)
(Commissioners Dorado, Harbin-Forte, Hsieh)**

The mission of the OPC Community Policing Ad Hoc Committee is to refine OPD's draft of its Proposed Policy 15-01 on Community Policing to ensure that the proposed policy will result in OPD's full implementation of City Council Resolution 79235 governing community policing. The Committee will ensure that OPD'S proposed policy reflects the ideal that community members should take the lead in identifying community priorities for OPD involvement, and that the policy includes specific procedures for, among other things, addressing Beat level challenges, developing Beat and block leaders into viable Citywide networks, expanding public access to information and



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resources, and increasing community involvement in the training of OPD's Community Resource Officers, other officers department-wide, and staff.

Chair Jackson will be forming a new Ad Hoc Committee to support crafting a social media policy with and for the Oakland Police Department. The Ad Hoc composition includes Commissioners Jordan, Hsieh and Jackson. More information to follow at a later Police Commission meeting.

Public Comment provided by the following speakers:

Anne Janks
Bruce Schmiechen

IX. **Open Forum Part 2** (2 minutes per speaker)

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

Public Comment provided by the following speakers:

Assata Olugbala
Anne Janks

X. **Agenda Setting and Prioritization of Upcoming Agenda Items**

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

- This is a dual request that both Military Equipment Ordinance Ad Hoc and Rules Committee Ad Hoc be transformed into Standing Committees and that it be discussed at a future Commission meeting (Comm. Gage)

Public Comment provided by the following speakers:

Rashidah Grinage

XI. **Adjournment**

Meeting adjourned at 9:40 pm

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
2	Commissioner Trainings	1/1/2018	<p>Complete trainings mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190</p> <p>Some trainings have deadlines for when they should be completed (within 3 months, 6 months, etc.)</p> <p>Several trainings were delivered in open session and have been recorded for future use</p>	<p>The following trainings must be done in Open Session:</p> <ol style="list-style-type: none"> 1. California's Meyers Milias Brown Act (MMBA) and Public Employment Relations Board's Administration of MMBA (done 3.12.20) 2. Civil Service Board and Other Relevant City Personnel Policies and Procedures (done 2.27.20) 3. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees (done 4.22.21) 4. Police Officers Bill of Rights (done 12.12.19; 2021) 	High	COMPLETED (as to current commissioners)		

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3	Confirming the Process to Hire Staff for the Office of Inspector General	5/17/2019	Per the Enabling Ordinance: The City shall allocate a sufficient budget for the OIG to perform its functions and duties as set forth in section 2.45.120, including budgeting one (1) full-time staff position comparable to the position of Police Program and Audit Supervisor. Within thirty (30) days after the first Inspector General is hired, the Policy Analyst position and funding then budgeted to the Agency shall be reallocated to the OIG. All OIG staff, including the Inspector General, shall be civil service employees in accordance with Article IX of the City Charter.	This will require information presented from the City Administrator's Office.	High			
4	Finalize Bylaws and Rules	1/24/2019			High	COMPLETED		Gage
5	Hire Inspector General (IG)	1/14/2019	Hire IG once the job is officially posted	Pending Measure LL revisions to be included in the November 2020 ballot. Recruitment and job posting in process.	High			Jackson
6	Modify Code of Conduct from Public Ethics Commission for Police Commission	10/2/2018		On code of conduct for Commissioners there is currently a code that was developed by the Public Ethics Commission.	High	COMPLETED		
7	Neighborhood Opportunity and Accountability Board (NOAB) Update	5/13/2021	Receive a report on the Neighborhood Opportunity and Accountability Board which launched in April 2020	Tabled from May 13, 2021 meeting	High	July 22, 2021		

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

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10	Performance Reviews of CPRA Director and OPD Chief	1/1/2018	Conduct performance reviews of the Agency Director and the Chief	The Commission must determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation. The Commission may, in its discretion decide to solicit and consider, as part of its evaluation, comments and observations from the City Administrator and other City staff who are familiar with the Agency Director's or the Chiefs job performance. Responses to the Commission's requests for comments and observations shall be strictly voluntary.	High	Annually; Criteria for evaluation due 1 year prior to review		Jackson
11	Prioritization of OPD Policies for Review	5/13/2021	Discuss and prioritize OPD policies for review	Tabled from May 13, 2021 meeting; discussed June 24, 2021 - Gage to reorganize by category	High			
12	Recommendations for Community Engagement	5/13/2021	Discuss recommendations for community engagement	Tabled from May 13, 2021 meeting	High			
13	Reports from OPD	10/6/2018	Commission to decide on what reports are needed prior to receiving them.	Receive reports from OPD on issues such as: response times; murder case closure rates; hiring and discipline status report (general number for public hearing); any comp stat data they are using; privacy issues; human trafficking work; use of force stats; homelessness issues; towing cars of people who sleep in their vehicles	High	Ongoing as appropriate		

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14	Request City Attorney Reports	1/1/2018	Request the City Attorney submit semi-annual reports to the Commission and the City Council	Request the City Attorney submit semi-annual reports to the Commission and City Council which shall include a listing and summary of: 1. To the extent permitted by applicable law, the discipline decisions that were appealed to arbitration; 2. Arbitration decisions or other related results; 3. The ways in which it has supported the police discipline process; and 4. Significant recent developments in police discipline. The City Attorney's semi-annual reports shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code 832.7	High	Semi-annually Next one should be October, 2021		Jackson
15	Sloan Report	5/13/2021	Discuss the independent review commissioned by the City as part of a Step 3 Grievance procedure related to the Pawlik investigation	Tabled from May 13, 2021 meeting, discussed June 24, 2021 -- Commission counsel submitted report	High	COMPLETED		
16	Training on Brown Act, Sunshine Ordinance, and Parliamentary Procedure	5/21/2021	Receive a training session for Commissioners to understand rights and obligations under the Brown Act, the Sunshine Ordinance, Robert's Rules of Order, and the Commission's Rules		High	COMPLETED		
17	Community Policing Task Force/Summit	1/24/2019			Medium			Dorado

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18	CPAB Report			Receive any and all reports prepared by the Community Policing Advisory Board (hereinafter referred to as "CPAB") and consider acting upon any of the CPAB's recommendations for promoting community policing efforts and developing solutions for promoting and sustaining a relationship of trust and cooperation between the Department and the community.	Medium			
19	Determine Outstanding Issues in Meet and Confer and the Status of M&C on Disciplinary Reports	10/6/2018		Need report from police chief and city attorney. Also need status report about collective bargaining process that is expected to begin soon.	Medium			
20	Free Gun Trace Service	1/27/2020		This service was mentioned at a meeting in 2019.	Medium			Dorado
21	Offsite Meetings	1/1/2018	Meet in locations other than City Hall	The offsite meetings must include an agenda item titled "Community Roundtable" or something similar, and the Commission must consider inviting individuals and groups familiar with the issues involved in building and maintaining trust between the community and the Department.	Medium	Annually; at least twice each year		Dorado, Jackson
22	OPD Supervision Policies	10/2/2018		Review existing policy (if any) and take testimony/evidence from experts and community about best practices for supervisory accountability. Draft policy changes as needed. In addition, IG should conduct study of supervisor discipline practices. In other words, how often are supervisors held accountable for the misconduct of their subordinates.	Medium			
23	Public Hearing on OPD Budget	1/1/2018	Conduct at least one public hearing on the Police Department's budget	Tentative release date of Mayor's proposed budget is May 1st of each year.	Medium	COMPLETED for 2021		
24	Report from OPD Regarding Found/Confiscated Items	7/12/2019	OPD will report on the Department's policy for disposition of found/confiscated items.	This came about through a question from Nino Parker. The Chief offered to present a report at a future meeting.	Medium			

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25	Report Regarding OPD Chief's Report	1/1/2018	Submit a report to the Mayor, City Council and the public regarding the Chief's report in addition to other matters relevant to the functions and duties of the Commission	The Chief's report needs to be completed first.	Medium	Annually; once per year		
26	Review Budget and Resources of IAD	10/10/2018		In Discipline Training it was noted that many "lower level" investigations are outsourced to direct supervisors and sergeants. Leaders in IAD have agreed that it would be helpful to double investigators and stop outsourcing to Supervisors/Sgts. Commissioners have also wondered about an increase civilian investigators. Does the Commission have jurisdiction over this?	Medium			
27	Review Commission's Outreach Policy	4/25/2019			Medium			Dorado
28	Revise Contracts with CPRA and Commission Legal Counsels	10/10/2018		The contract posted on the Commission's website does not comport with the specifications of the Ordinance. As it stands, the Commission counsel reports directly to the City Attorney's Office, not the Commission. The Commission has yet to see the CPRA attorney's contract, but it, too, may be problematic.	Medium			
29	Revisit Standing and Ad Hoc Committee Assignments	10/29/2019	The chair will create adhoc and staff standing committees as appropriate		Medium	Ongoing		Jackson
30	Amendment of DGO C-1 (Grooming & Appearance Policy)	10/10/2018		DGO C-1 is an OPD policy that outlines standards for personal appearance. This policy should be amended to use more inclusive language, and to avoid promoting appearance requirements that are merely aesthetic concerns, rather than defensible business needs of the police department.	Low			
31	Annual Report	1/1/2018	Submit an annual report each year to the Mayor, City Council and the public		Low	Spring, 2022		Jackson

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32	Assessing Responsiveness Capabilities	10/6/2018		Review OPD policies or training regarding how to assess if an individual whom police encounter may have a disability that impairs the ability to respond to their commands.	Low			
33	CPRA Report on App Usage	10/10/2018		Report from staff on usage of app.	Low	August, 2021		
34	Creation of Form Regarding Inspector General's Job Performance	1/1/2018	Create a form for Commissioners to use in providing annual comments, observations and assessments to the City Administrator regarding the Inspector General's job performance. Each Commissioner shall complete the form individually and submit his or her completed form to the City Administrator confidentially.	To be done once Inspector General position is filled.	Low			
35	Discipline: Based on Review of MOU	10/6/2018		How often is Civil Service used v. arbitration? How long does each process take? What are the contributing factors for the length of the process? How often are timelines not met at every level? How often is conflict resolution process used? How long is it taking to get through it? Is there a permanent arbitration list? What is contemplated if there's no permanent list? How often are settlement discussions held at step 5? How many cases settle? Is there a panel for Immediate dispute resolution? How many Caloca appeals? How many are granted? What happened to the recommendations in the Second Swanson report?	Low	2023		

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36	Discipline: Second Swanson Report Recommendations – Have These Been Implemented?	10/6/2018		Supervisor discipline Process for recommending improvements to policies, procedures and training, and to track and implement recommendations Tracking officer training and the content of training Comparable discipline imposed – database of discipline imposed, demonstrate following guidelines IAD civilian oversight for continuity in IAD Improved discovery processes Permanent arbitration panel implemented from MOU OPD internal counsel Two attorneys in OCA that support OPD disciplines and arbitration Reports on how OCA is supporting OPD in discipline matters and reports on arbitration Public report on police discipline from Mayor’s office OIG audit includes key metrics on standards of discipline	Low			
37	Feedback from Youth on CPRA App	10/10/2018		Get some feedback from youth as to what ideas, concerns, questions they have about its usability.	Low			
38	OPD Data and Reporting			Review and comment on the Department’s police and/or practice of publishing Department data sets and reports regarding various Department activities, submit its comments to the Chief, and request the Chief to consider its recommendations and respond to the comments in writing.	Low			
39	Outreach Committee: Work with Mayor's Office and City Admin to Publicize CPRA App	10/10/2018			Low			
40	Overtime Usage by OPD - Cost and Impact on Personal Health; Moonlighting for AC Transit	1/1/2018		Request Office of Inspector General conduct study of overtime usage and "moonlighting" practices.	Low			

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