



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

Chair Milele: (silence) I'm going to do a call to order. Vice Chair Peterson.

Vice Chair Peterson: Present.

Chair Milele: Commissioner Gage is not with us at this moment. Commissioner Harbin-Forte.

Comm. Harbin-Forte: Present.

Chair Milele: Commissioner Howell. Commissioner Howell?

Comm. Howell: Can you hear me now?

Chair Milele: Yes.

Comm. Howell: Yeah, present.

Chair Milele: Commissioner Jackson.

Comm. Jackson: Present.

Chair Milele: Commissioner Jordan is not with us today, and Commissioner Hsieh.

Comm. Hsieh: Present.

Chair Milele: Thank you. Okay, so we have our closed session. I believe that we can take public comment on that item presently.

Commission staff: Thank you for that. Members of the public wishing to make comment on this, the closed session item, please make your hand. I'll call on you in the order that they've appeared. Chair Milele, I see no hands.

Chair Milele: Okay, well we will adjourn to closed session and reconvene at approximately 6:30. Thank you.

Connor Kennedy: Commissioner Hsieh, do you have a link to the closed session, or should I give- (silence)

Chair Milele: ...To do a roll call and redetermine quorum. Vice Chair Peterson.

Vice Chair Peterson: Present.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

Chair Milele: Commissioner Gauge. Commissioner Harbin-Forte. Okay. I will come back. Commissioner Howell. Commissioner Howell? Commissioner Jackson.

Comm. Jackson: I'm here. Present.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Here.

Chair Milele: I don't believe...

Comm. Harbin-Forte: Excuse me, Madam Chair. I'm here. Commissioner Harbin-Forte.

Chair Milele: Oh, you're here. Okay. Commissioner Harbin-Forte.

Comm. Harbin-Forte: Present.

Chair Milele: Do we have a quorum there or no?

Commission staff: You do. Do you want to, and I do see Commissioner Howell on. I don't know if he's having technical issues. We'll come back. You have quorum.

Chair Milele: He texted that he's here and Zoom is acting up, but I don't know if that establishes a quorum.

Commission staff: Yep. You have a quorum anyway.

Chair Milele: Okay. All right. Well, I'm going to report out before our open forum.

Comm. Harbin-Forte: Excuse me, Madam Chair. I'm sorry. I'm confused. Who are our five for the quorum? You're counting Commissioner Howell? [crosstalk] Commissioner Hsieh?

Commission staff: Commissioner Howell is listening, he's just not able to respond.

Harbin-Forte: He is, okay. He is present. All right. He's the five we're counting. All right. Thank you.

Commission staff: Should we check with counsel? Do we need a verbal?

Comm Hsieh: Your alternative is to promote me to Commissioner to make quorum.

Conor Kennedy: I do believe that do not need...



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

- Commission staff: Mr. Kennedy, unfortunately, you are breaking up.
- Conor Kennedy: One second here. Is this better, Chief of Staff [inaudible]
- Commission staff: Yes. Yes, we can hear.
- Conor Kennedy: Can you hear me?
- Commission staff: Thank you. Absolutely. Go ahead.
- Conor Kennedy: Hello? Can folks hear me?
- Commission staff: Now we've lost you. Okay. Try now. I'm sorry, Mr. Kennedy, you start talking, we start hearing and then you stop. Okay. Gremlins in the system this evening. Sorry folks, sorry commissioners. Just bear with us, please. Commissioner Howell is trying to log back in. Mr. Kennedy, if you can hear us, please also do the same or keep trying.
- Conor Kennedy: I'm trying. I think I can hear you, and I hope you can hear me.
- Commission staff: We can now. Go ahead.
- Conor Kennedy: Excellent. There's nothing under the Brown Act, including AB-361, which are the provisions that allow us to meet telephonically that require either visual or even auditory confirmation that Commissioner Howell can hear the proceedings and is present. Unfortunately, we may have to rely upon some kind of text based participation from Commissioner Howell if he is to participate while also is continuing to not be visible to us, but I think you have quorum based on the confirmation that you received.
- Commission staff: We just lost quorum, Mr. Kennedy. Commissioner Howell is having to dial in.
- Conor Kennedy: I see. I think that he can dial in, and when he does, I do think that would satisfy quorum. If at some point he gets booted, though, you do always have the opportunity for the chair to designate one of the alternates, in this case Alternate Commissioner Hsieh, and I would suggest that you just do that by default for the rest of the meeting. If that becomes necessary, maybe give Commissioner Howell a minute or two, then I'd propose you go forward with that. Just for the chair's sake, I think you've already taken role. Once you elevate Alternate Commissioner Hsieh, if that becomes necessary, I'd go straight to that report out and then we can go to the first open forum. Thanks, everyone.
- Chair Milele: Okay. I'm hearing that. Give it a minute, and then if that doesn't work, promote commissioner Hsieh.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

- Conor Kennedy: Bingo.
- Chair Milele: All right, we'll give it a minute.
- Chair Milele: Okay. How do I promote Commissioner Hsieh? Do I just do so?
- Conor Kennedy: Yep. You just do so.
- Chair Milele: You are here by promoted, Commissioner Hsieh. Are you present?
- Comm. Hsieh: Yes.
- Chair Milele: All right. Okay. On a motion made by Commissioner Jackson and seconded by Commissioner Harbin-Forte, the police commission has voted unanimously by five votes to none, with two absences, to select Mr. Aaron Zisser as the next interim executive director of the Community Police Review Agency effective April 9th, 2022. The vote tally was as follows: Chair Milele was a yes, Vice Chair Peterson a yes, Commissioner Harbin-Forte yes, Commissioner Howell yes, Commissioner Jackson yes, Commissioners Gage and Jordan were absent.
- Commission staff: Ready for public comment?
- Chair Milele: Yes.
- Commission staff: Thank you. Members of the public wishing to make public comment on the open forum, please raise your hand. Open forum part one, please raise is your hands and I'll call, just one hand, and I'll call on you in the order that they've appeared. Give me just a second. I will also start stop. Okay. First up, Miss Elise Bernstein, when you're ready.
- Elise Bernstein: Thank you. Good evening. I'm a member of the Coalition for Police Accountability, and I am speaking in regarding agenda six, item six, and I urge you to adopt the resolution endorsing assembly, bill 2557, which will alleviate and concerns that are the block that we have in making public the results of investigations of the civilian oversight commissions, such as yours. It's a really important measure to support, and I urge you all and thank you all for considering it, and please adopt it. Thank you,
- Commission staff: Many thanks, Ms. Bernstein. Up next, phone number ending in 5802. I believe this is Mr. Saleem Bey. Mr. Bey? Phone number ending in 5802. Yes.
- Saleem Bey: Can you hear me?
- Commission staff: I can. I can go ahead. Mr. Bey



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

Saleem Bey: Thank you. Saleem Bey, 100 Black Men of the Bay Area. I'm posing this question and asking again why Mr. Kennedy has not produced a document explaining why the Ross independent investigation does not qualify under California Transparency Law, signed into law under Senate Bill 16 and Senate Bill 1421? Why hasn't the commission demanded this? You are standing on the ironclad fact that you can't release this under 3304, which we'll get to that, but the fact is that SB 16 and SB 1421 applied directly to this, and I want to know why you're there lifting your duty and not demanding to find the transparency of this, and why Mr. Connor Kennedy hasn't produced a legal document justifying why this case doesn't qualify.

I would also like to know why the OPC has an agendized dealing with Department General Order DGOM 19, which prohibits OPD from racially profiling any protected class. The language is the exact same as California Penal Code 13519.4E, which makes it a state crime to profile under color of law. It has been proven over and over that OPD profiles racially, and yet the OPC is not holding OPD accountable to state law. This state law makes it state crime to profile, and why hasn't the OPC done anything about this in the last four years? Thank you.

Commission staff: Thank you, Mr. Bey Up next, Moto G Stylus. Unmuted. When you're ready. We have gremlins in the system. Moto G Stylus. Your hand was up, now it's down. You want to try again? All right. I'll come back to you. Phone number ending in 1779.

Mary Vail: Yes. This is Mary Vail, and I wanted to raise an issue I raised before that is not on the agenda, in particular OPD's problems with responding to all categories of public records, at requests, culminated in a lawsuit and a living settlement last year. What I would like you all to do, I know things have been really busy for you this last month, is to take steps next month to start scheduling periodic updates from the police chief about the department's progress in implementing, complying with the Living Settlement and the 2021 litigation. I think that this matter, given the history and the huge backlogs and problems the department had, it's important for you not to be bystanders and to get on top of this issue and have the chief give periodic updates as part of his chief's report at your meetings, and engage with him on any problems in the department proceeding with fulfilling the settlement. Thank you.

Commission staff: Thank you, Ms. Vail. Moto G Stylus. I will hold for a minute if you would like to try again. No pressure. All right. Unmuted. When you are ready.

Moto g stylus: I raised my hand by mistake.

Commission staff: Ah, thank you so much for clarifying. Chair, no more comment.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

Chair Milele: Okay. Thank you. Next, we are going to consider and decide whether to adopt a revised resolution calling for reform of government code section 3304. It looks like Commissioner Howell has joined us. I just want to confirm, can we hear you?

Comm. Howell: Can you hear me?

Chair Milele: Awesome.

Comm. Howell: Okay.

Chair Milele: Okay. Thank you. I believe Mr. Kennedy is going to present on this item.

Conor Kennedy: Thank you very much, Chair. This is an item that is a recurring item. It's been brought back to the commission. One of the important parts of 3304, known as POBAR. One of the important parts of 3304 is that it limits cities across California in their ability to administer any discipline against police officers for misconduct if one year passes from the time and that misconduct occurs and an investigation is not complete, or if the city does not finalize that discipline in that amount of time. Government code section 3304 does have eight, rather narrowly interpreted exceptions, and what this resolution does, it acts as a call out to the state legislator. It says it is high time for the state legislator to revisit government code section 3304 and update it because across California police oversight bodies are being supported at the ballot, they're being created in cities across California, and this is one of the potential stumbling blocks that police commissions are coming across with respect to ensuring that police discipline and the administration of police discipline aligns with community expectations.

By my memory, when the commission took this matter up last time, there was a concern about whether the commission's approach to calling for reform at the state level was comprehensive enough. There was community calls to not just change the part of government code section 3304 or POBAR that dealt with police misconduct, but also to deal with the part of POBAR that involves transparency, transparency around the work of investigations, transparency around the work of civilian complaints. Tonight, the commission has the ability to endorse this resolution right now, and as its next agenda item to take up an endorsement for assembly bill 2557, which addresses the concern that the commissioners expressed when they first took up this resolution about whether it comprehensively also addresses transparency concerns. We brought this resolution back. You can, as a commission, take it up, you can consider whether to amend it, change it, however you'd like, but this is basically a carbon copy of what you've already agenda'd and what we've already deliberated about with respect to calling for the state to reform the way that it constrains California



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

cities and their lawful authority to discipline police for alleged misconduct.
Thank you, Chair.

Chair Milele: Thank you. Commissioners, are there any questions about this before we entertain a motion?

Commissioner Jackson.

Comm. Jackson: Thank you very much. I think that I don't have a question about this. I am actually rather enthusiastically supporting an opportunity for us to adopt a resolution. We have seen over the last several years, how difficult are not having the ability to have this provision, and so I just want to express my support for it.

Chair Milele: Thank you. I also am hugely in support of this. We did have a chance to drill down to what is holding us back on some key cases, and this was an opportunity to try and move the needle. With that, if there no other questions I would like to entertain a motion to adopt. Commissioner Jackson.

Comm. Jackson: So moved. I move that we adopt this resolution calling for the reform of government code section 3304.

Vice Chair Peterson I second the motion. This is Vice Chair Peterson.

Chair Milele: Thank you. We have a motion and a second. Can we please go to public comment?

Commission staff: Absolutely. Thank you, Chair. Members of the public wishing to make public comment on this item, please raise your hand. I'll call on you in the order they appear. Also start our clock. All right. Mr. Saleem Bey, 5802.

Saleem Bey: Yes. Good evening. Saleem Bey, 100 Black Men of the Bay Area. Mr. Kennedy and his firm are derelict in failing to update and train the OPC on what actually qualifies for transparency. This commission is derelict and not demanding this knowledge in writing since there are no commissioners on the virtual [inaudible] that are legal experts on 3304. Again, where is that B1421 and that B 16 information? The fact that this commission was trained on 3304 by Mr. Alden this last February, who was just fired by this commission, and these commissioners went before the city council over and over again last year, regurgitating false 3304 information before the city council. Then this OPC voted not to investigate evidence of systemic racist OPD misconduct regarding Muslim cases based on a faulty knowledge of 3304. This doesn't sit right with the community.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

Why would you take Mr. Aldi's word regarding Ross investigation applying to 3304 protections when he was actually a person being investigated along with his corrupt CPRB, renamed CPRA staff in the investigation? You still have tainted investigators in the CPRA/B. I can factually say that when the CPRB investigator [inaudible] Tom closed my 070538 complaint, OPD didn't have any bay cases in its possession. All of the bay cases were stolen, and then OPD closed these, OPD and the CPRB closed these investigations without investigation and the OPC then voted not to investigate this. That is not acceptable. When will you deal with SB 1421 and SB 16 and stop laying up on 3304 by people who have been using that to close black misconduct complaints at 100% rate since Alden was hired. Thank you.

Commission staff: Many thanks for your comment, Mr. Bey [inaudible] that's it for public comment.

Chair Milele: Okay. We have A motion and a second. I will go ahead and take a vote at this time. Vice chair Peterson.

Vice Chair Peterson: Yes.

Chair Milele: Commissioner Harbin-Forte.

Comm. Harbin-Forte: Yes.

Chair Milele: Commissioner Howell.

Comm. Howell: Yes.

Chair Milele: Commissioner Jackson.

Comm. Jackson: Yes.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Yes.

Chair Milele: I am also a yes. All right. Our next item is that we will consider adopting resolution and approving accompanying letter endorsing Assembly Bill 2557. I believe Mr. Larry White is presenting.

Larry White: I'm here. Can you hear me?

Commission staff: Yes, we can, Mr. White. Go ahead.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

Larry White:

Okay. Thank you. Thank you very much commissioners for having us present tonight. We are the reason we developed this bill, which has become AB 2557, is to get back to a situation that actually we had before 2006 in your predecessor organization, CPRB, where disciplinary hearings were public and the complainants saw the whole process and were able to understand what was done with their complaints. That openness was shut down by the California Supreme Court in a decision in 2006 called the Copley Press Decision. In that decision, the Supreme Court said that all appeals and organizations, local government organizations that handled police appeals in any way were to be considered essentially the same as police departments, and their information, all the information therefore had to be confidential. What we have done is we are trying to reverse that Supreme Court decision.

Right now, as you know, the situation of somebody who complains about police misconduct is they go to the CPRA, they're given a number, probably interviewed, and then at a later point, they are told that their case, that the case has been sustained or not founded or exonerated. That's it. They get a one or two word decision. They have no idea what happened to the offending officer, why their case wasn't, what happened to their case, and the result is that people can't have trust in the process. How can they trust the process when they have no idea what has happened and what has been done. What we have done is draft a bill that would directly repeal the Supreme Court decision and allow for transparency for, and the way we have drafted this, it is for organizations that are established for the purpose of civilian oversight of peace officers. It does not apply to police departments or Sheriff's departments or people organizations that are actually employ police officers. It applies to civilian oversight.

Of course, we have in mind, primarily we start out our focus [inaudible] I'm speaking for the Coalition for Police Accountability. Our focus is Oakland and the Oakland Police Commission, and the CPRA, which are the most effective and really powerful civilian oversight organizations in California, but what you do not have is the ability to let people know how these investigations are working and what has come out of them. That's the background of what we're doing. I think, if this bill were to pass, I think it would complete the authority of civilian police oversight in Oakland and bring the community, bring a degree of community trust that you just can't be there as long as this secrecy is imposed by state law. That's about, I think that's my introduction, and if anybody has any questions for me, I'm happy to answer them.

Chair Milele:

Commissioner Howell.

Comm. Howell:

I have one question. Yeah. What was the holding, the case name of that Supreme Court holding?



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

- Larry White: It was Copley Press Inc versus Superior Court. 39, Cal 4, 12 1272.
- Comm. Howell: Okay, thank you.
- Larry White: Sure.
- Chair Milele: Do any other commissioners have questions? Commissioner Jackson.
- Comm. Jackson: Thank you very much. I am in total support of the work that the Coalition for Police Accountability has done in approaching assembly, assemblywoman Mia Bonta for assembly bill 2557. I am absolutely in support of adopting this resolution and providing and accompanying a supportive letter to be a part of the folder or documentation for this bill.
- Chair Milele: Commissioner Hsieh.
- Comm. Hsieh: Thank you. A question for Mr. White. I see that there are some carve outs for our confidentiality so when the record is disclosed, it talks about redacting certain personal information. Instead of going through all the different ways that it should be redacted, what is the vision of what comes out of a public records act request under this section?
- Larry White: Well, these are, the redactions are exceptions to the general rule. If I understand your question, the redactions are exceptions for... The general rule is public access to the records. These redactions are, and this list of redactions by the way, is taken directly from a bill that was introduced by former Senator Mark Leno trying to do the same thing that we're doing, and it did not pass. That was in 2016, but the redactions are for basically to protect privacy interests that do not conflict with the general principle of open access.
- Comm. Hsieh: [crosstalk]
- Larry White: I don't know if I can say.
- Comm. Hsieh: Yeah. Let me try asking it a different way. What names do you see being disclosed in this situation under this?
- Larry White: What names? Oh, well, for example, police officers names are disclosed, are disclosable. Their home address and phone numbers are not disclosable.
- Comm. Hsieh: Okay. What about witnesses?
- Larry White: Their names and ranks would be disclosable.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

- Comm. Hsieh: Okay. The subject or the person who makes the complaint, witnesses?
- Larry White: They could be redacted depending on, there's discretion to redact them.
- Comm. Hsieh: I can't think of any other names. Other government officials that might be involved?
- Larry White: Well, witness officers would be, the names of witness officers would be open to access. Other public officials, there's no specific mention of other public officials, but if they are witnesses, they would be treated as any other witness.
- Comm. Hsieh: Do the record also, that would be disclosed, also include the statements of any of those witnesses?
- Larry White: Yes. I think they would include the statements of the witnesses.
- Comm. Hsieh: Is there a provision that might allow for the redaction of those as witness statements, if there is a public safety issue?
- Larry White: Yeah. Yeah. There is a general. Yeah. Yeah. There's a general statement that, first of all, there are two general statements and there's the public entity who has the records has to weigh whether the disclosure would cause an unwarranted invasion of personal privacy that outweighs the public interest in the records. That's one thing. The other thing is if there's a particularized reason to believe that a disclosure of the record would pose a significant danger to the physical safety of the peace officer or others. There are two instances where there is discretion to redact information.
- Comm. Hsieh: Does this exception allow for, so there's sometimes when I can envision a public safety issue that might be relatively minor preventing the disclosure of an entire document. That I think I've come across the number of times in my own work. Does this, the way this is drafted, would it allow for very limited redaction so that the document could nonetheless be disclosed?
- Larry White: Yes, yes. I don't see the redactions have to do with particular items of information and would not apply to, would not make an entire document confidential, unless that particular information was all there was to the document.
- Comm. Hsieh: To the extent that you see this being enacted and it be civilian oversight agencies or commissions begin receiving public records act requests, any sense of what the workload's going to be?



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

- Larry White: Well, actually the part of the purpose of this is, and our vision of this, is that these records will not have to be requested by people under the Public Records Act. They will simply be provided. You would provide them, as a matter of course, you would provide them to the public and in you, and the extent that you direct the CPRA also to provide them. They wouldn't have to be, the public, our vision is that the public should not have to request and make a public records act request, but that you have the discretion to make all this information public from the get go.
- Comm. Hsieh: Then an agency has the choice of whether to respond to individual requests for public records act requests, or just create some repository where the information can be looked through or sifted through?
- Larry White: Well, in the CPRB, the predecessor to the CPRA before Copley, they would have, as part of their agenda packet, they have the information. The subject officer, the complaint, how the complaint was investigated, and resulting conclusion. That would just be in the packet, available to the public, just like your agenda is available to the public.
- Comm. Hsieh: I think you dodged my question there.
- Larry White: Oh, I'm sorry. What was your question?
- Comm. Hsieh: My question is based on this exception, does an agency have the option of choosing whether to just have a repository or release things as a matter of course, as opposed to responding to individual requests?
- Larry White: I see. Oh, I see. Oh, I see. Yes. Yes. Well, I said, I didn't intend to dodge your question because yes. I think given this, because given the way this is drafted, and there's a reason for it being drafted this way, the agency would have that discretion, but what we are urging and prefer, and certainly would be permissible is for the agency to make that information public as a matter just as a matter of general practice.
- Comm. Hsieh: Okay. Thank you for your answers. Commissioners, I'm still in support of this bill. This resolution. Don't take my questions as criticism in any way. I just wanted to flesh all of that out. Thank you.
- Chair Milele: Thank you, Commissioner. Do any other commissioners have questions? Then I can entertain a motion to adopt. Commissioner Jackson.
- Comm. Jackson: Yes. I'd like to make a motion that we adopt the resolution and approve an accompanying letter. endorsing Assembly Bill 2557.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

Vice Chair Peterson: I will second. Commissioner Peterson.

Chair Milele: Okay. We have a motion and a second. We can go to public comment.

Commission staff: Thank you. Members of the public wishing to make public comment on this item, please raise your hand. I'll call on you. First up, 1779. Phone number ending in 1779. When you're ready.

Mary Vail: Yes. This is Mary Vail, and I want to point out, of course, the Oakland City Council on behalf of the city just passed on a consent item unanimously to support this bill. I sent a detailed email testimony, but this bill has, first of all, we voted 80% to first enact commission and an oversight structure in 2016, and then to fortify it in 2020. Unfortunately, when government agencies, including your oversight agency, the general rule is transparency, but the Copley Decision is an exception to that and you have total confidentiality and secrecy. That undermines the ability of the public to assess the work you're doing. As many members of the public have pointed out, you don't have any, we have no reason, have no idea why CPRA dismisses most of the complaints. The other thing is because of the NSA, we have been getting summary information on the monitors reports about matters such as how the department is contending with racial profiling, the effectiveness, lack thereof, consistency of IAD investigations. That information is going to go away once the NSA ends. Lastly, the secrecy supports the police culture of-

Commission staff: Thank you for comment, Ms. Vail. Sorry I to cut you off. You were at two minutes, 5802, Mr. Bey

Saleem Bey: Good evening. Saleem Bey, 100 Black Man of the Bay Area. We're in support of any bill that provides for more public transparency. That said the OPC, the CPRA, and the OPC Council have not addressed what's possible with laws that are currently on the books. The OPC silence on demanding transparency is their election as far as we're concerned. I would like the OPC to request a ruling on what currently applies to Senate Bill 16 and Senate Bill 1421, before pushing more bills that are not being enforced with the laws that you have right now. It's enough for you just to say, "Oh, kumbaya, this is a great law and it's transparency," but you have transparency laws that you haven't even, you have no idea. You haven't been trained on it, you have no idea about it, you're not experts on it, and yet you have no curiosity. You're not showing any curiosity on what's applicable to SB 16.

Why is it that the city was sued by local journalists and forced to turn over thousands and thousands of police misconduct cases? Why doesn't our case apply to that? If it does, tell me, or tell us in legal writing specifically why ours is different from every other case, other than the fact that we're Muslim and



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

they're not. Right? I don't see any Muslims up on the dais, and I don't think that the fact that you guys vote the way that you vote shows a bias, an inherent bias, because if you replace Muslim with gay, Jewish, white, handicap or challenged, then you would be all over this. If it had to do with a person in ICE, you'd be all over this, but Muslims come here and tell you the same thing and you vote against investigating it. We're watching you; we see how it is, and we'll never quit until we get each and every one of the sick offenses off of that dais-

Commission staff: Thank you for your comment, Mr. Bey I am sorry to have to cut you off. You are at two minutes, Mr. Rashidah Grinage.

Rashidah Grinage: Thank you. I want to thank the commission for considering our request for endorsing AB 2557. I want to especially thank your previous Chair, Regina, for her advocacy on this and for Commissioner Shea's questions, which seek to illuminate more deeply what the provision involves. I think that the recent reference to SB 16 and SB 1421, and all of the lawsuits that have arisen because the city has not been able to promptly satisfy requests under the Public Records Act is one of the best reasons for adopting AB 2557 so that the onus is not on people requesting the information, but that the city has the prerogative to simply issue this information without it having to be requested in that manner. What we're doing with this bill is giving permission to civilian oversight agencies to adopt whatever best allows them to transmit and disclose the content of their work. Each commission throughout the state can determine the best way for them to provide that information. Thank you, and we hope that you will indeed endorse this bill. Thank you very much.

Commission staff: Thank you for your comment, Ms. Grinage. Ms. Olugbala.

Assata Olugbala: Can you hear me?

Commission staff: Yes. Go ahead.

Assata Olugbala: The problem I have is with this process and where you're going, it's being presented as if transparency for the public is the focus. For me, when the statement was made by the presenter that CPRA is powerful, it really says to me we are not on the same page. CPRA is not powerful. If they were, we would have the ability to hold more police officers accountable for excessive force and racial profiling. That hasn't happened at all.

I would like to see something that magnifies the capacity and ability to go into the results of what is presented from CPRA to validate that they are actually doing everything possible to determine if police misbehavior has taken place. This thing about transparency to the public could be what the people who are presenting this want, but I want CPRA to be a legitimate, viable, functioning



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

group that holds police officers accountable so at the end of the process, you have the ability to say they did this A, B, C, D, and I can see, as a result, how they came to a conclusion. But to just have the full for the group that's during the presentation, which I don't trust them one bit after what they did to [inaudible] Harris and Mr. Farmer, so I don't support-

Commission staff: Thanks for your comment, Ms. Olugbala. I am sorry to have to cut you off. You have hit two minutes. Chair Milele, back to you.

Chair Milele: Thank you. I believe we are able to take a vote at this time. Vice Chair Peterson.

Vice Chair Peterson: Yes.

Chair Milele: Commissioner Harbin-Forte.

Comm. Harbin-Forte: Yes.

Chair Milele: Commissioner Howell.

Comm. Howell: Yes.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Yes.

Chair Milele: Commissioner Jackson.

Comm. Jackson: Yes.

Chair Milele: I'm also a yes. All right. Now we will consider approval of revised policy for risk management. I believe Vice Chair Peterson.

Vice Chair Peterson: Yes. Thank you, Chair. I am reporting out on risk management ad hoc committee that consists of myself, Commissioner Brenda Harbin-Forte, and Commissioner Rudy Howell. We met last week, as everyone will recall, as part of our regular meeting we held public forum. We had two subject matter experts to assist us in the process, Dr. Grossman and Tinetta Thompson. We took comments from the public. We had our other partners with us from the Oakland Police Department. There were some substantive changes that were suggested that have been reviewed and incorporated as necessary. I will turn it over to Lieutenant Turner who can take us through the update. Lieutenant Turner.

Lt. Turner: Absolutely. Thank you. Thank you, Vice Chair. Good evening. Chair Milele, Vice Chair, members of the commission, and members of the public. Lieutenant Joe



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

Turner here with the Oakland Police Department Policy and Publication Unit, and I'll discuss just very briefly history for those who weren't able to attend last week's meeting, and some of the things that came out of that, the deliverables back to us to draft and speak with the subject matter experts, what came out of that. I'll go through that, and then we can discuss any questions about the edits or anything like that.

Just in a brief nutshell, for those who weren't able to attend last time, Tinnetta Thompson from the DP, I'm not sure the acronym, but San Francisco's version of the CPRA, was the subject matter expert and gave several good ideas for the policy and noted several things. I actually rewatched this, part of what I did this past week, rewatched the public forum and distilled down her comments into four general areas. The first being transparency. She talked about things like bringing forth more information about the constituent parts of the Risk Management Bureau into this policy and talking about those. She talked about expansion. She mentioned that in San Francisco, there are things like the EEO units, the Equal Employment Opportunity Unit and Human Resources that work under risk management and us considering how maybe we could bring those in. She talked to the third general area about tracking. She mentioned San Francisco Police has a robust tracking system under their risk management structure with reporting, and that she suggested that we highlight what OPD does in this area to similarly be able to provide that sort of information.

Then finally, the fourth area that she covered was about staff input, ensuring that staff, possibly through the unions, were able to get input on these risk structures and that they were aware that resources were available. She mentioned several times that these are non-disciplinary, at least at first. The risk management process is to look at things, to look at indicators as an early warning system in many cases. That's tied in both here in San Francisco in our processes, and so taking those suggestions, I reached out to SME Thompson over this past week and drafted some changes. If you refer to your agenda packet, I think it's actually best to refer to page 28 for those of you are following along. Page 28 of the agenda packet, attachment number seven, the second document, which actually has the red line versions.

I'll go through the changes one by one, and hearken back to those four areas that I discussed as to where they go. As you can see, in the first section, actually in the command intent, I added this section here about that says, "While the bureau of risk management is primarily focused on risk related to the operating responsibilities of its staff and their actions on duty, that the department also recognizes that other areas of risks, such as the impacts of off-duty conduct, discrimination and harassment in the workplace, or threats to member wellness can also impact the organization." Each of those has a footnote, as you see, directly to a policy that has already been passed.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

So if you note member social media is there as a reference for off duty conduct, it's an exemplar of one of the policies that governs off duty conduct DGOD20, the Equal Employment Opportunity Anti-discrimination and Non-harassment policy, is also mentioned as a footnote there, as a reference to our policies around discrimination, harassment in the workplace.

And then B17, Critical Incident Stress Management Program, is mentioned as a reference to the larger category of policies and things that we do around member wellness.

So that was one of the things to talk about. Some of those resources that SME Thompson mentioned, right? Making sure that employees were aware of those type of resources and also aware of things like equal employment opportunity. And then some of those other areas of risk that were not necessarily directly talked about in this policy. So the second, if you see, I noted some comments in here. So as-

Vice Chair Peterson: Excuse me, were you able to share a screen with this?

Lt. Turner: Absolutely. Let's see, chief of staff. Could you please enable screen share please?

Commission staff: Try now Lieutenant. Oh hang on.

Lt. Turner: Yes.

Commission staff: Try now Lieutenant.

Lt. Turner: There you go. Alright. Let's see. Let's try this, and I will try and blow it up a little bit. So those you are following along, I'm on the police commission's website, following on the agenda. And you can see them on agenda page 28 here.

So we just talked about this section right here added to the command intent. And so I'm going down the screen. And so we can see here at the... I also noted, so these are some of the notes that I was taking Mrs. Thompson was talking about the equal opportunity unit, and then I noted, right? So for instance, that much of what we talk about when we talk about personnel or things like that, don't actually, at OPD fall under the risk management bureau, they fall under the bureau of services, which is director subtle.

But I noted and made reference back to these policies. And I actually spoke with Mrs. Thompson during the week, and she appreciated the links back and she thought that was a good way to address that without necessarily being able to link those things directly. Because they're not in the same bureau.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

As we move forward. So one of the things I added here was around tracking and data. So if you see on page 29, we talk about the bureau of risk management being the overall reviewer of all risk data, by other vision risk management systems. So this is something that you'll see in some of the monitoring reports regarding a lot of this data that Dr. Grossman works with that the executive team, that constitutes the basis of that risk management program. Is all data that comes from this vision system.

It's like an aggregator. It takes data from different sources, puts it into sort of one place where people can pull the data out of, and then start working on it. Looking at it, analyzing it. And so just align, making sure and noting that the bureau of risk management is that overall reviewer of that data.

Talking about that sort of understanding of staff input and expansion that Mrs. Thompson talked about. So that was where I highlighted this area that was already in the policy. But again, a statement in B1 that says that the department's risk management strategy is, it depends on an overall understanding, that every member of the organization has the responsibility to identify these risks, respond to them, and mitigate them when possible, without fear of retaliation. And by sheriff, you remember that was something that you added during the ad hoc process, right? So understanding that everyone is a part of this, and getting that sort of buy in. And I think that was something that SME Thompson was talking about.

So when we talked about transparency, so that was another thing that she mentioned. Was maybe fleshing out the roles. I know this text is a little small for those of you who are on the screen, but she talked about maybe giving some more information about these different constituent parts of the bureau of risk management.

They're mentioned in passing in this policy. And she said, "Well, if for transparency's sake, both for your staff, and for the public, it would be better to have them spelled out." Now the thing about this policy is that the policy is pretty focused on these risk management meetings, in that process that Dr. Grossman talked about last time.

And I know that's one of the things that the monitoring team and the judge are really looking for, is making sure that process is caught up on policy, so that it stays. However, that again, doesn't mean we can't reference back to other things.

So it added some footnotes here. If you see four, five, six, and seven added footnotes directly to these other policies that talk about these other things. So especially personnel assessment center paths, the office of inspector general,



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

which is changing its' name to the office of internal accountability. The training program, and then the IAD policies and procedures. And all of those are linked to our public website, which has all of those. So when members of the public click on these links in the documents, that will be public, it will take them to those other areas.

So that was an area around transparency. And as I mentioned, I did speak with SME Thompson. She appreciated the links. And she said that was actually a really useful way of getting around, without adding a lot of text to an already 10 page policy.

As I continue through here. So another one of the things that she talked about was tracking. So this is kind of in between two pages, so you excuse me there. But tracking it, and what SFPD does is they produce a lot of reports.

So Dr. Grossman kind of told you and showed you some of the reports that she's producing. And I know that you all are looking at working with the chief and his presenters on fleshing out some of the things that you're hoping to see every month, when the chief comes to provide his update.

And so one of the things that we wanted to do was sort of find a home for where those sort of presentations and things like that data, that might be disseminated within the organization might come from. And so this is the risk impact unit.

They're already doing things like this now. So they create things like a newsletter, a quarterly newsletter for the department, telling the department things that come out of these things like force review boards. Very general things like training points, or information about how to properly document a certain incident, or where there have been confusion, sort of settling the matter so that everyone kind of knows.

So that sort of things already happening in the risk impact unit. And this line here basically says that the risk impact unit will ensure that data collected is disseminated to the executive command and through other interested parties through spreadsheets or reports. So that was to hit that tracking that SME Thompson noted.

And then, so let me look at the computer, draw a little bit. I believe that is the extent of the changes that I made. As I mentioned, I'll just scroll through and make sure there's none other. But yeah, that's the extent of them. As I mentioned, I did speak with Mrs. Thompson over the phone after, and she got a chance to review the draft policy. She appreciated it. She understood the



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

constraints of what we're looking at in terms of this policy. But did appreciate it. Especially the links to other policies and the places where those are.

So it is our process and our organizational structure is a little bit different than San Francisco, which is one of the reasons why this policy probably looks a little bit different than what they're doing. But overall, I think this captures what it is that she was speaking of and the changes, or the suggestions that were made by the subject matter expert at last week's forum.

And with that. Vice chair, I'm happy to answer any questions and I'll throw it back to you. I'll stop sharing my screen.

Vice Chair Peterson: Well, I want to thank you for the quick turnaround on making those changes. I think that they were pertinent. I do believe that chief agreed with how we should edit and incorporate those changes.

So I would just ask the commissioners, do they have any questions?

I see none. We then, is this the point at which I should ask for a motion? Or should I turn to public comment?

Chair Milele: You could make a motion.

Vice Chair Peterson: Well, I so move that. Oh no, please commissioner.

Comm. Harbin-Forte: All right. I'll move adoption of the policy, or approval of the policy rather.

Vice Chair Peterson: Is there a second?

Chair Milele: I can second.

Vice Chair Peterson: Thank you. Now we'll move to public comment.

Commission staff: Many thanks. Members of the public wishing to make public comment at this time, please raise your hand. I'll call on you in the order they've appeared. I do see a hand raise. Give me just one second. Lieutenant Turner, can I have the screen back? Oh, I got it. I got it. I got it. Thank you.

Sorry folks, bear with me. Okay. Thank you so much for your patience. Moto G stylus. I see your hand up. When you're ready.

Moto G Stylus: Thank you. Thank you. I think it would serve the public if there was somehow, either now or in a future meeting, either a verbal or a one page... That's not me.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

One page worksheet that lays out what has changed and how it's different, and what the concrete effect is.

I'm looking at this red line and to be quite honest, I don't see what has changed. And I think the public needs to be able to evaluate that without already being familiar with the policy that comes before the commission. The public needs to be able to evaluate what is changing, what things were like, and why it's important. It might be worthwhile issuing a report alongside these policy changes the way the city council does, so that the public can have a more acute awareness of what the commission is doing.

Because outside of people who are involved in the ad hocs and things like that, the public comes to one meeting, a couple meetings a month, and has to make sense out of an agenda that often doesn't have any explanatory reporting, and that isn't familiar with every single policy. So I would hope that before taking the vote, there is a discussion about what has changed and why it's important, so that the public has a way of gauging what the commission is doing and how.

Commission staff: Thank you. Is that it for your comment?

Moto G Stylus: Yes. Thank you. Thanks for asking. That's quite nice of you.

Vice Chair Peterson: Is it appropriate for me to respond?

Chair Milele: I-

Connor Kennedy: Vice chair. Can you hear me?

Vice Chair Peterson: Yes.

Connor Kennedy: You can briefly respond to public comments, but I emphasize, brief, both as parliamentarian and as your legal counsel. Super brief. Thank you.

Vice Chair Peterson: I would just refer the speaker to the website that listed the risk management policy and all its iterations from the beginning. The beginning, the changes, the clean version, the presentation for public forum at last meeting, and now the red line version. Thank you.

Commission staff: Thank you. We'll go back to public comment. I see Mr. Bey I see your hand up, 5802.

Saleem Bey: Good evening, Saleem Bey, 100 black men of the bay area. This is the same smoke and mirrors reports that OPD always puts out. This is the same report OPD puts out every year since 2003, NSA started here. It is 18 years later, and



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

OPD is still failing in racial profiling and discrimination inside OPD and outside OPD. Right?

And I've this same talk from OPD about how Professor Everhart or Stanford enlightened OPD about racial profiling and tracking and everything. Well, that was 2015 in the public safety meeting that that was going on. This is seven years later, and you're still talking about a policy and oh we polished this turd policy. And now we're going to put it forth, but you're not even going to enforce it. That's the issue. The people who are being affected by this is the black community overwhelmingly.

And yet, you talk about policies and pat yourself on the back, but you're not enforcing the policy. There are policies in place that need enforcing. You don't need to rectify, clarify or anything like that. Discrimination is illegal in the state of California. For you to have to keep mentioning words and parsing words, and acting like you're coming up with a new policy.

The black community's going to be affected by racist OPD tomorrow the next day, the day after, while you keep on talking about this. So I'm going to keep reminding you that these reports of BS, this is the same officer Turner that was involved in misconduct in the Oakland Hills. And nobody's followed up on that.

I keep telling you, we keep telling you this things about problem OPD officers and them trying to clean up them, and put them before you and you're not listening. So again, this policy doesn't mean anything unless this board enforce the policy. Thank you.

Commission staff: Thank you for your comment, Mr. Bey, Chair Milele, back to you.

Chair Milele: Okay. We have a motion and a second. I will take a vote. Vice chair Peterson?

Vice Chair Peterson: Yes.

Chair Milele: Commissioner Harbin-Forte.

Comm. Harbin-Forte: Yes.

Chair Milele: Commissioner Howell.

Comm. Howell: Yes.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Yes.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

Chair Milele: Commissioner Jackson. Commissioner Jackson? I will vote yes myself. And see if I can hear from Commissioner Jackson.

I assume the motion passes with or without the vote of commissioner Jackson. Connor, would we put an extension here or worry about that later?

Conor Kennedy: Is the issue that Commissioner Jackson is just not responsive for technological purposes?

Commission staff: No idea on my end.

Conor Kennedy: Oh, we just don't know? Yeah, you wouldn't put abstention. And instead you would note in the minutes that the commissioner was just absent. You still have quorum though, right?

Chair Milele: Yes.

Conor Kennedy: Yeah. So I think you note in the minutes that Commissioner Jackson exited the meeting and then came back afterwards. So that's how you count that.

Chair Milele: Okay. Thank you. All right, moving on. We can now consider approving engagement with the law firm of Garcia Hernandez-Sawhney, as independent counsel. Are you presenting on this as well, Mr. Kennedy?

Conor Kennedy: I believe so. Thank you chair. So commission, you ran an RFQ, your first RFQ for independent counsel. After you went to the ballot and through measure S1, you clarified your right to have your own independent counsel.

Previously, our firm was working through a contractual arrange whereby we still served as independent council, but technically we were under contract with the office of the city attorney. And there were many safeguards and there still are in the charter that made sure that we were independent.

In this case, this is more of a formality with respect to contracting, but you have yet to confirm your selection from that RFQ by fully and finally putting pen to paper with an engagement agreement. Our engagement agreement conforms with the template that the office of the city attorney has approved as to form for all vendors, for the police commission.

And we filled it out, and we put it up for your approval. This will end the process of seeking independent counsel. And it's kind of the culmination of a selection that you already made in December. But it is important to take that final step, get our engagement agreement up and formalize the attorney-client



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

relationship that we have with the police commission. I'm here to take questions. Thank you.

Chair Milele: Do any commissioners have questions?

If not, I'm happy to take a motion to approve.

Comm. Harbin-Forte: So moved. This is Harbin-Forte.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: I'll second.

Chair Milele: Okay. Let's take public comment.

Commission staff: Gladly. Members of the public wishing to make public comment, raise your hand. I'll call on you in the order that they've appeared. [inaudible] the clock. Okay. First up, Moto G stylus. When you're ready.

Moto G Stylus: I just want to comment about how disappointed I am. The commission had a chance to briefly tell the public what was different in the policy that they keep saying is so amazing. And rather than that, what was a rather defensive response. Pay attention, no one is calling into these meetings anymore.

It's just a coalition for police accountability and a couple of other people. No one is interested in this anymore. And part of that is the way that the commission engages with the public. And this was a very good example of that. Given an opportunity to tell the public what you are all doing, especially someone who may have just come into the meeting and wants to get engaged. You literally refused. That's all I have to say.

Commission staff: Thanks for your comment. Mr. Saleem Bey, 5802.

Saleem Bey: Good evening, Saleem Bey. We've noticed the OPC that this law firm has been complicit and in court and in coordination with the city attorney multiple times. The OPC council is not independent. And based upon section 22 of the contract, that's attached to this, which states as follows, 22. Termination on notice, the city may terminate this agreement immediately with or without cause upon given 30 calendars days written notice to counsel.

Now, if the city attorney's office can cancel this contract with or without a cause, that means that this attorney's contract is beholdng to the city attorney's office. We've already said that they're in bed with the city attorney.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

Now the contract says that the city attorney is the ultimate person that will decide whether or not this law firm keeps its contract.

We're not confident in any way, shape, or form, based on past track records. And based on Mr. Connor's lacks of enthusiasm in pursuing transparency, that this law firm is an independent entity.

If they can be fired by the city attorney, then they are affected by them. They are more bias towards keeping them pleased and making sure that they continue to have this contract. This needs to be addressed, either remove this section 22 and approve it, or keep it and just know that your attorney is not independent. They actually work for the city attorney's office. Thank you.

Conor Kennedy: Chair. I'd like to briefly address the last comment that was made.

Chair Milele: Okay.

Conor Kennedy: The Oakland police commission is a constituent entity of the City of Oakland. If the office of the city attorney took the step that the public commenter described, it would violate the charter. If the commission wants to terminate the contracting party is the City of Oakland. Thank you.

Commission staff: I'll add to that. We have no more public comment.

Chair, are you ready to vote?

Chair Milele: Yes. Let me just get my list. Okay. Vice chair Peterson.

Vice Chair Peterson: Yes.

Chair Milele: Commissioner Harbin-Forte.

Comm. Harbin-Forte: Yes.

Chair Milele: Commissioner Howell.

Comm. Howell: Yes.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Yes.

Chair Milele: Commissioner Jackson. I am a yes.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 31, 2022

Commission staff: Can I take us into open forum?

Chair Milele: Yes please. Thank you.

Commission staff: Many thanks. Members of the public wishing to make public comment, open forum part two, ideally on matters is not on the agenda. Please raise your hand. I'll call on you in the order that they've appeared.

Ms. Olugbala, you're up first.

Assata Olugbala: First I want to report out that I was in the meeting of the Oakland body, that deals with measure Z. The funding that goes out for, some of it goes out for ceasefire, for officers who are crime prevention officers, and community policing officers.

And that body has a new member, Mr. Omar Farmer. Who is making some major contributions to the body based on his prolific information about policing in the Oakland police department, Mr. Farmer was a candidate for the police commission.

The coalition for police accountability made reference to some things about him. Very negative comments about him, that influenced him not being appointed. I'm very disappointed because the mayor is currently made a recommendation for the police commission. And I did some background checking on the individual, and she has no ability to have a connection with policing. She's a nonprofit executive director who does work around community, but nothing around policing. So she would come in here and have to learn day by day.

And I'm just upset with this coalition for police accountability of not allowing two very powerful people, Janelle Harris and Mr. James Former, to have the opportunity to make some, in my opinion, some very good contributions to the commission.

Commission staff: Thank you for your comment, Ms. Olugbala. Mr. Saleem Bey.

Saleem Bey: Good evening, Saleem Bey.

Why am I here? Why am I here every meeting, holding the OPC accountable for doing their job. Specifically, because my brother Wageed Bay was murdered February 27th, 2004. He was 51 years old, had no warrant, was a black CEO in Oakland was responsible for over 200 black jobs. When, and we have evidence showing that OPD was aiding his killers. We've seen OPD close my brother John's attempted murder cases 63 days, leaving illegal weapons on the street.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 31, 2022

These weapons ended up murdering three people, including Chauncey Bailey, who was investigating OPD's lack of investigation of John and YG's cases.

The fact that my brother's case is still unsolved, still uninvestigated, still in the control of OPD, will never be satisfying to us. And I shouldn't be satisfying to you. If you put yourself in our place and you take any loved one or any person that you love, and had this same happen to them without any justice, you should be up here holding yourselves accountable, and pissed off the fact that it's 2022 and he was murdered in 2004. And there's still no action on his case. And this OPC voted not to investigate these cases? Oh yeah, I'll be here every single time until we get rid of each and every person that's not doing their job up there, because you're not serving. And as long as my brother's case is unsolved and OPD still has control over it. I'll still be here holding you accountable. Thank you.

Commission staff: Thank you for your comment, Mr. Bey. Chair Milele, that ends open forum. Back to you.

Chair Milele: Okay. So we're about to adjourn, but to our Muslim communities, Ramadan, Kareem. I am aware that the holy month of Ramadan starts this weekend. We wish you grace and peace. We are adjourned.