



December 15, 2025

To: President of the City Council
City Attorney
City Administrator
Selection Panel President
Police Commission
Cc: Mayor Barbara Lee
City Council members
Michelle Phillips

I am writing on behalf of the Coalition for Police Accountability to inform you that the submission of the slate of proposed police commissioners Ricardo Garcia-Acosta and Omar Farmer was fatally flawed because the Selection Panel did not do a background check in conjunction with the latest submission.

When the Council believed subsequently that it had to act on the slate as originally submitted, it chose to reject the slate in a vote on October 21, 2025. That vote was, however, a nullity because there had not been background checks on the nominees and therefore the slate was improperly before the Council.

City Charter Section 604(c)(3)c states, “If the City Council does not accept or reject the entire slate within sixty (60) days after the completion of the background checks **and** (emphasis added) submission by the Selection Panel, all designated replacements shall be deemed appointed.”

It is striking that although the Selection Panel, the City Administrator, the City Attorney, and the City Council were aware of the submission of this slate, no one in Oakland’s government noticed that there were no background checks and that the Charter required them. Instead, the City Council proceeded as though it had received a valid submission.

The apparent lack of familiarity with the Charter was vividly illustrated on September 25 when Council President Jenkins stated at the Rules Committee that he was “sending back” the slate to the Selection Panel. No such procedure is permitted by the Charter. See our attached letter of September 29.

A further important point is that the Selection Panel improperly submitted the slate only to the City Administrator, apparently expecting that he would submit the slate to the Council.

The Oakland City Charter states clearly that the Selection Panel shall “submit a slate of names of such designated persons **to the City Council** (emphasis added) for acceptance or rejection.” Section 604(c)(3)c. It does not say that the submission may or should go to the City Administrator.

We are aware that the City Attorney has taken the position that the 60 time period for the Council to accept or reject a slate only begins when the Council has reasonable notice of the submission. We agree. However, the 60 day period set forth in the Charter is meaningless if a submission by the Selection Panel of a slate is only made to the City Administrator, who has no time limit for *his* submission to the Council. The Charter may not be interpreted in a way that invalidates its clear language.

We understand that as a matter of administrative convenience the City Administrator should be aware of the submission and we see no legal obstacle to notifying him of the submission at the same time the slate is submitted to the City Council.

It cannot be denied that the matter of the Selection Panel's slate of July 22, 2025 was mishandled by all bodies of Oakland's government. It is time to clear up the confusion and put the process of selecting commissioners for Oakland's important Police Commission on a sounder footing. We suggest a good start would be making the City Charter required reading for all involved.

Sincerely,

Larry C. White, Esq.

Millie Cleveland, Chair, CPA Steering Committee