



**CITY OF OAKLAND
POLICE COMMISSION SELECTION PANEL
(SPECIAL MEETING)**

Meeting Agenda

Monday, May 31, 2022

6:00 PM

Via Teleconference

Selection Panel Members: Chairperson James Chanin (District 2), Vice Chairperson Brendalynn Goodall (Mayor), Gay Plair Cobb (At Large), Don Link (District 1), Langston Buddenhagen (District 3), Lorelei Bosserman (District 4), Monique Rivera (District 5), Rickisha Herron (District 6), and Bill Thomasson (District 7).

Pursuant to the Governor's Executive Order N-29-20, members of the Police Commission Selection Panel, as well as City staff, will participate via phone/video conference, and no physical teleconference locations are required.

PUBLIC PARTICIPATION

The Oakland Police Commission Selection Panel 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 meeting by video conference, please click on this link: <https://us02web.zoom.us/j/88284741875> 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 +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799. For each number, please be patient and when requested, dial the following Webinar ID: 882 8474 1875

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 Selection Panel and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to Felicia Verdin at fverdin@oaklandca.gov. Please note that

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POLICE COMMISSION SELECTION PANEL
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Meeting Agenda (Continued)

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eComment submissions close one (1) hour before posted meeting time. All submitted public comment will be provided to the Selection Panel 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 a 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 Felicia Verdin, at fverdin@oaklandca.gov.

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POLICE COMMISSION SELECTION PANEL
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Meeting Agenda (Continued)

Monday, May 31, 2022

6:00 PM

Via Teleconference

1. Roll Call and Determination of Quorum

2. Open Forum

Speakers will be called on by the facilitator as speakers “raise their hand” through video conference or by telephone. All speakers will be allotted a maximum of three minutes unless the Chairperson allocates additional time.

3. Resolution to Continue Teleconferencing Meetings (Attachment 1)

The CPAB will consider re-adoption of a resolution determining that conducting in-person meetings of the CPAB and its committees would present imminent risks to attendees’ health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e) as amended by California Assembly Bill No. AB-361

ACTION ITEMS

4. Determining Selection of Chairperson

Selection Panel will determine a Chairperson for the Selection Panel’s 2022 nomination process period.

Agenda Item Report:

- Chairperson and Vice Chairperson Responsibilities – Attachment 1

5. Determining Selection of Vice Chairperson

Selection Panel will determine a Vice Chairperson for the Selection Panel’s 2022 nomination process period.

Agenda Item Report:

- Chairperson and Vice Chairperson Responsibilities – Attachment 1

6. Approval of Selection Panel Meeting Minutes:

- Meeting minutes from April 11, 2022 - Attachment 2

**CITY OF OAKLAND
POLICE COMMISSION SELECTION PANEL
(SPECIAL MEETING)**

Meeting Agenda (Continued)

Monday, May 31, 2022

6:00 PM

Via Teleconference

- 7. Annual Training and Orientation to City Charter Section 604 – Police Commission**
In accordance with City Council Ordinance No. 13498 C.M.S., Section 2.45.030, the Selection Panel shall receive training and orientation regarding City Charter Section 604 Police Commission on an annual basis, to occur at the regular meeting each May.

- Presentation Slides – Oakland Police Commission, Oakland City Charter Section 604

- 8. 2022 Police Commissioner Nomination Process**

The Selection Panel will discuss and take possible action on its process for appointing Police Commissioners during this current selection process, including setting its future meeting schedule.

- Staff Report: 2022 Nomination Process

- 9. Report from the Procedure Improvement Ad hoc Committee**

The Ad hoc Committee will discuss their findings to improve the procedures of the Selection Panel. The Selection Panel will discuss and take possible action on improving the selection process.

- Selection Procedure Draft Report

- 10. Adjournment**

The meeting will adjourn upon the completion of the Selection Panel's business.

Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email fverdin@oaklandca.gov or call (510) 238-4756 or (510) 238-2007 for TDD/TTY five days in advance.

¿Necesita un intérprete en español, cantonés o mandarín, u otra ayuda para participar? Por favor envíe un correo electrónico a fverdin@oaklandca.gov o llame al (510) 238-4756 o al (510) 238-2007 para TDD/TTY por lo menos cinco días antes de la reunión. Gracias.

你需要手語,西班牙語,粵語或國語翻譯服務嗎?請在會議前五個工作天電郵 rluna@oaklandca.gov 或 致電 (510) 238-4756 或 (510) 238-2007 TDD/TTY.

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

Police Commission Selection Panel

RESOLUTION NO. 22-002

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE POLICE COMMISSION SELECTION PANEL BOARD AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>;

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>;

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>;

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19 symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>;

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>;

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>;

WHEREAS, the City's public-meeting facilities are indoor facilities that are not designed to ensure circulation of fresh/outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart;

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; now therefore be it:

RESOLVED: that the Police Commission Selection Panel finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Police Commission Selection Panel determines that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Police Commission Selection Panel firmly believes that the community's health and safety seriously and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Police Commission Selection Panel will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Police Commission Selection Panel Board finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever is occurs first.

PASSED BY THE FOLLOWING VOTE:

AYES-

NOES-

ABSENT-

ABSTENTION-

ADOPTED ON THIS ___ DAY OF _____, 2022.



SELECTION PANEL REPORT

TO: Selection Panel for the Oakland Police Commission **FROM:** Felicia Verdin
Assistant to the City Administrator

SUBJECT: Chairperson and Vice Chairperson Responsibilities **DATE:** April 11, 2022

Action Requested:

For the Selection Panel to:

1. Nominate and select a Chairperson.
2. Nominate and select a Vice Chairperson.

Background:

Annually, the Selection Panel selects a Chairperson and Vice Chairperson to preside over meetings for the upcoming year. The Panel will be asked to make nominations and vote on who will represent the Selection Panel in these two positions. The term for the Chairperson and Vice Chairperson will be for a one-year period. Responsibilities for the Chairperson and Vice Chairperson roles include, but are not limited to:

Chairperson

- Preside at all meetings of the Selection Panel, which includes managing and leading discussion.
- The Chairperson is accountable to the Selection Panel as a whole in setting policy and shall also perform such duties as may be assigned by the Selection Panel.
- Finalize the Agenda for Selection Panel meetings with the assistance of City staff and Vice Chairperson.
- May call special meetings of the Selection Panel.
- Represent the Selection Panel in meetings or communications with City Councilmembers, Police Commission, and members of the public.

Vice Chairperson

- In the absence of Chairperson, or at the Chairperson's request, preside at meetings of the Selection Panel, which includes managing and leading discussion.
- Work with the Chairperson and City staff in finalizing the Agenda for Selection Panel meetings.
- At the request of the Chairperson, may represent the Selection Panel in meetings or communications with City Councilmembers, Police Commission, and members of the public.

For questions regarding this report, contact Felicia Verdin at (510) 238-3128 or fverdin@oaklandca.gov.



**CITY OF OAKLAND
POLICE COMMISSION SELECTION PANEL
(SPECIAL MEETING)**

Meeting Minutes

Monday, April 11, 2022
Via Teleconference

Selection Panel Members: Gay Plair Cobb (At Large), Don Link (District 1), James Chanin (District 2), Langston Buddenhagen (District 3), Lorelei Bosserman (District 4), Mary Vail (District 5), Rickisha Herron (District 6), Bill Thomasson (District 7), and Brendalynn Goodall (Mayor).

1. Roll Call and Determination of Quorum

Quorum was determined and the meeting started at 6:16 pm.

Members present: Lorelei Bosserman, Langston Buddenhagen, James Chanin, Gay Plair Cobb, Brendalynn Goodall, Rickisha Herron, Don Link and Mary Vail.

Absent: Bill Thomasson

Staff present: Felicia Verdin

City Attorney Staff present: Allison Dibley

2. Open Forum

Public comments were provided by the following speakers:

Rashidah Grinage
Assata Olugbala
Cathy Leonard

3. Resolution to Continue Teleconferencing

A motion was made by Gay Cobb, seconded by Brendalynn Goodall to approve the Resolution to Continue Teleconferencing.

The motion passed with nine ayes, (Bosserman, Buddenhagen, Chanin, Cobb, Goodall, Herron, Link, Thomasson, Vail)
Bill Thomasson, absent

Public Comment:
none

4. Determining Selection of Chairperson

Selection Panel will determine a Chairperson for the Selection Panel's 2022 nomination process period.

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Meeting Minutes (Continued)

Monday, April 11, 2022
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Mary Vail, moved to that we defer this matter to the next meeting and not elect a chairperson and Vice Chairperson during this meeting. the decision to select a chair over to the next meeting. It was seconded by Rickisha Herron.

No Discussion.

The motion passed with nine ayes, (Bosserman, Buddenhagen, Chanin, Cobb, Goodall, Herron, Link, Thomasson, Vail)
Bill Thommasson, absent

Absent: Thomasson

Agenda Item Report:

- Chairperson and Vice Chairperson Responsibilities – Attachment 1

Public Comment was provided by the following speaker:
Assata Olugbala

5. Determining Selection of Vice Chairperson

Selection Panel will determine a Vice Chairperson for the Selection Panel's 2022 nomination process period.

Mary Vail, moved to that we defer this matter to the next meeting and not elect a chairperson and Vice Chairperson during this meeting. the decision to select a chair over to the next meeting. It was seconded by Brendalynn Goodall.

No Discussion.

The motion passed with eight ayes, (Bosserman, Buddenhagen, Chanin, Cobb, Goodall, Herron, Link, Vail)

Absent: Thomasson

Public Comment: none

6. Approval of Selection Panel Meeting Minutes

Brendalynn Goodall, moved to that we defer this matter to the next meeting and not elect a chairperson and Vice Chairperson during this meeting. the decision to select a chair over to the next meeting. It was seconded by Don Link.

No Discussion.

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The motion passed with nine ayes, (Bosserman, Buddenhagen, Chanin, Cobb, Goodall, Herron, Link, Vail)

Absent: Thomasson

There was no public comment on this item.

7. 2022 Police Commissioner Application and Selection Process

The Selection Panel will discuss and take possible action on its process for appointing Police Commissioners and Alternate Police Commissioners during this current selection process, including filling vacancies and setting its future meeting schedule.

Chairperson Chanin explain that the Commission had several options: 1) elevate someone from the reserve pool, 2) open the process up for applications, 3) elevate someone from the reserve pool in the future.

If the Commission elevates Mr. Hsieh to Commissioner. The Police Commissioner elevates an alternate. Mary Vail indicated that Gage resigned on April 6; however, at the time of this meeting there was technically not an Alternate Vacancy. We don't know which position is going to be open and they'll be making the

It was requested that Castain, Harris or Dorado. An alternate is sorely needed on the Commission. It's our obligation is to not wait, however a discussion will not be made tonight.

Motion was made by Panelist Gay Cobb and seconded by Don Link requesting that staff contact the top 3 candidates on the reserve pool: Mr. Dorado, Ms. Harris, and Ms Castain. Staff will determine the availability and interest of the top 3 candidates from the reserve pool to serve as an Alternate on the Police Commission.

The motion passed unanimously.

There was no public comment on this item.

The Selection Panel had a discussion on the vacancies and clarified that the terms ending in October 2022 included two candidates, an Alternate and full commissioner. Vice Chair Goodall clarified that staff would be requested to send out an announcement and determine a plan of action and timeline. In addition to an update from the procedure improvement committee.

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The Panel requested that staff bring back the reserve pool for a short interview and discussion. Panelist Herron requested to know if member of the reserve pool have been engaged in the work of the Commissioner since last years interview process.

Motion made by Goodall for staff to contact the three individuals on the reserve pool list to determine if they are interested in participating and moving onto an Alternate and/or full commissioner or most current vacancy. We will invite them back to a meeting in 20 minute intervals. Chanin made friendly amendment that other Commissioners may ask additional questions. A questions will asked during the interviews, have they continued to remain engaged in and follow the Commissions work.

The motion passed with eight ayes, (Bosserman, Buddenhagen, Chanin, Cobb, Goodall, Herron, Link, Vail)

Absent: Thomasson

Public Comment was provided by the following speaker:
Assata Olugbala
Mariano Contreras

8. Adjournment

The meeting was adjourned at 8:02 pm.

Annual Selection Panel Orientation – Measure LL

Oakland City Charter Section 604

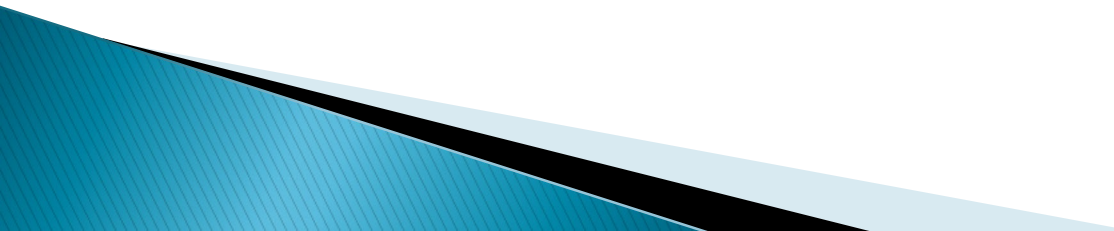
Presented by Allison M. Dibley
Office of Oakland City Attorney Barbara J. Parker

Required Training

- ▶ Enabling Ordinance, section 2.45.030(F):

“The Selection Panel shall receive training and orientation regarding City Charter section 604 on an annual basis.”

Measure LL

- ▶ Measure LL passed by the voters in November 2016 by over 80%.
 - ▶ Added Section 604 to the City Charter.
 - ▶ City Charter section 604(a)(1): Establishes the Oakland Police Commission.
 - ▶ Amended in November 2020 (Measure S1).
- 

Oakland Police Commission

- ▶ Section 604(c)(1): 7 “regular members” and 2 “alternate members.”
- ▶ Commissioners are volunteers.
- ▶ Three Commissioners and one alternate appointed by the Mayor.
- ▶ Four Commissioners and one alternate appointed by the Selection Panel.
- ▶ Three-year terms; may serve up to 2 consecutive terms.
- ▶ Section 604(c)(10): City Council may remove for cause.

Measure S1 Amendment

- ▶ Section 604(c)(10): After a hearing, City Council may suspend for cause by an affirmative vote of at least 6 Councilmembers, and rescind suspension by an affirmative vote of at least 5 Councilmembers.

Measure S1 Amendment

- ▶ Section 604(c)(1):
 - “Alternate Commissioners shall be eligible to serve on any Commission standing or ad hoc committee, including any Discipline Committee.”

OPC's Charge

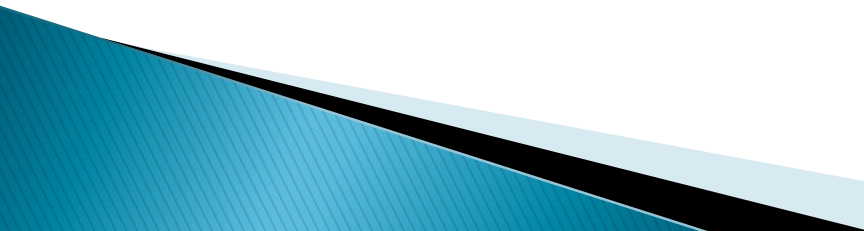
- ▶ Section 604(a)(1):
 - OPC “shall oversee the Oakland Police Department (hereinafter, Department) in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing.”

OPC Powers and Duties

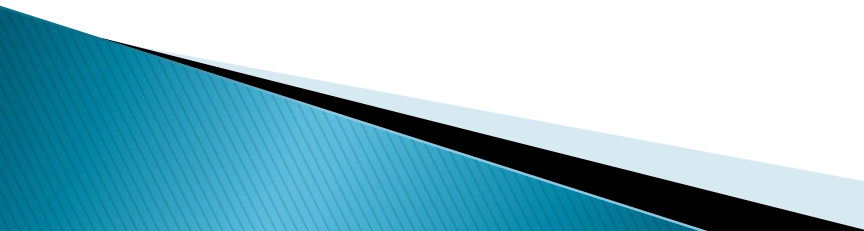
- ▶ Section 604(a)(1):

“The Commission shall have the functions and duties enumerated in this Section, as well as those assigned to the Commission by ordinance.”

Section 604(b): Powers & Duties

- ▶ Subsection (1): ~~Organize, reorganize and~~ Oversee the Agency and the OIG. (Measure S1)
 - ▶ Subsection (1): Contract with professional service providers. (Measure S1)
 - ▶ Subsection (2): Conduct public hearings, at least once a year, on Department policies, practices and General Orders.
- 

Section 604(b): Powers & Duties

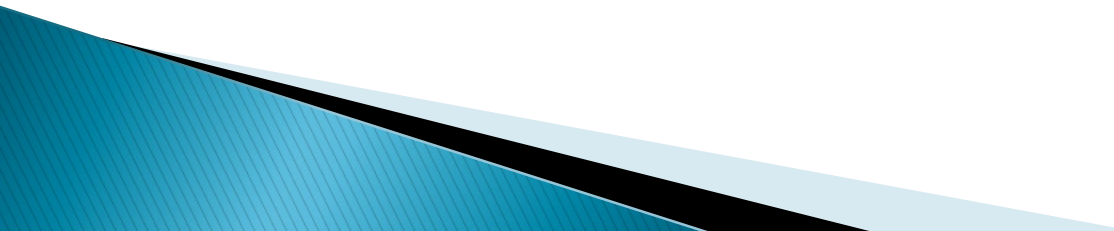
- ▶ Subsection (3): Issue subpoenas for documents and/or testimony on any matter before the Commission.
 - ▶ Exception (Measure S1): “the Commission shall not have the authority to issue subpoenas for the purpose of investigating any City employee, including an Agency employee, who is not a police officer.”
- 

Section 604(b): Powers & Duties

- ▶ Subsection (4): Propose Changes to Department policies, procedures, customs or General Orders which govern:
 - Use of Force;
 - Use of Force Review Boards;
 - Profiling Based on Protected Characteristics;
 - First Amendment assemblies; or
 - Elements expressly listed in federal court orders or settlements which pertain to the Department.

Section 604(b): Powers & Duties

▶ Subsection (4):

- All proposed changes & modifications must be submitted to City Council for approval or rejection.
 - City Council has 120 days to approve or reject.
 - If City Council does nothing, changes or modifications become final.
- 

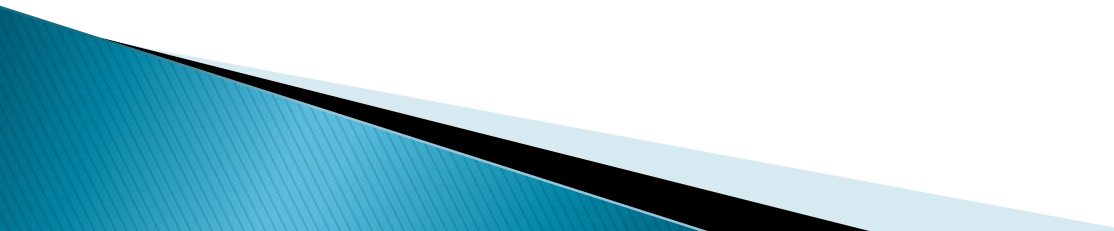
Section 604(b): Powers & Duties

- ▶ Subsection (5): Approve or Reject the Department's proposed changes to all policies, procedures, customs or General Orders which govern:
 - Use of Force;
 - Use of Force Review Boards;
 - Profiling Based on Protected Characteristics;
 - First Amendment assemblies; or
 - Elements expressly listed in federal court orders or settlements which pertain to the Department.

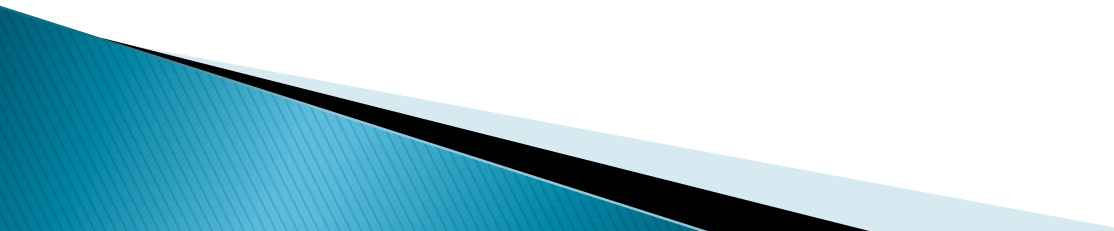
Section 604(b): Powers & Duties

- ▶ Subsection (5):
 - Department must submit proposed changes to the OPC.
 - The OPC has 120 days to approve or reject the proposed changes.
 - If OPC does nothing, Department's changes become final.
 - If OPC rejects Department's changes, notice must be submitted to City Council.
 - If City Council does nothing within 120 days of submission, OPC's decision becomes final.

Section 604(b): Powers & Duties

- ▶ Subsection (6): OPC may review and comment on all other Department policies, procedures, customs, and General Orders.
 - ▶ All comments must be submitted to the Chief.
 - ▶ If requested by OPC, the Chief must provide a written response.
- 

Section 604(b): Powers & Duties

- ▶ Subsection (7): Department's Budget
 - Review the Mayor's proposed budget to determine whether budgetary allocations are aligned with the Department's policies, procedures, customs, and General Orders.
 - Must conduct at least one public hearing on the Department's budget per budget cycle.
 - Must forward recommendations for change to the City Council.
- 

Section 604(b): Powers & Duties

- ▶ Subsection (9): Report at least once a year to the Mayor, to the City Council and to the public regarding information contained in the Chief's annual report, in addition to other matters relevant to OPC's functions and duties.
- ▶ Subsection (11): Send the Chair, Agency Director or Inspector General (Measure S1) to serve as a non-voting member of any Level 1 Oakland Police Force Review Board.

Section 604(b): Powers & Duties

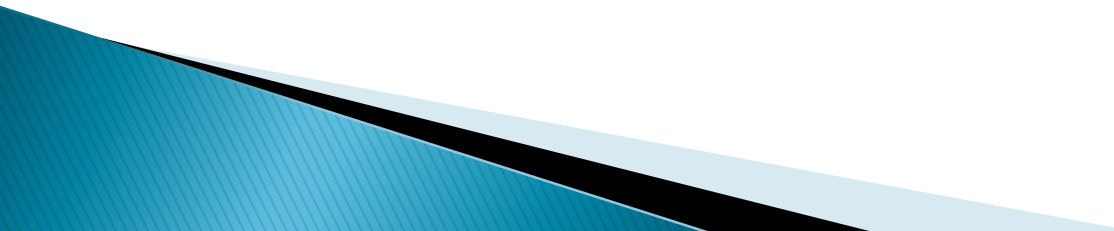
▶ OPC & the Chief

- OMC Section 2.29.020: The Chief is responsible for the management and operation of the Department, “subject to the direction of the City Administrator.”
- Subsection (8): Require the Chief to:
 - Attend Commission meetings (Measure S1);
 - Submit an annual report on matters OPC requires, including expenditures on community priorities (Measure S1);
 - Respond to Commission’s requests and provide an estimate of time required to respond (Measure S1).

Section 604(b): Powers & Duties

- ▶ Subsection (10): Together with the Mayor, remove the Chief “by a vote of not less than 5 affirmative votes.”
- ▶ Acting alone, OPC must make a finding of “just cause” and “must follow a process for notification, substantiation and documentation which shall be defined by ordinance (Measure S1).”
- ▶ No person appointed to position of Interim Chief may hold simultaneous City employment or act as City officer or official. (Measure S1)

Section 604(b): Measure S1 Amendment to Powers & Duties

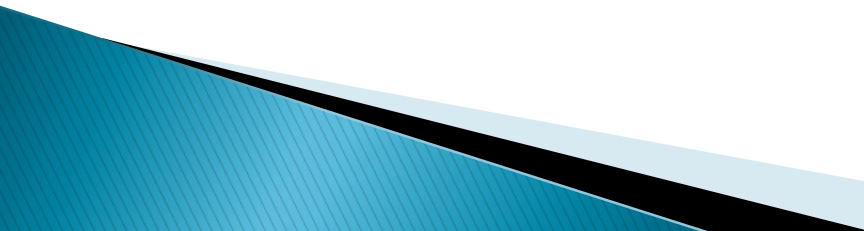
- ▶ Subsection (12): Hire legal counsel.
 - ▶ Commission “shall consider the candidate’s familiarity with laws applicable to public entities, public meetings, employee privacy, labor relations and law enforcement.”
- 

Section 604(d): Meetings

- ▶ Subsection (1):
 - Must meet at least twice a month.
 - At least twice each year, OPC must meet in locations other than City Hall.
- ▶ Subsection (2): OPC must establish rules and procedures for the conduct of its business.

Section 604(d): Meetings

▶ Subsection (3):

- Quorum is five members.
 - If quorum not established by “regular members,” Chair may designate one or more alternates to establish quorum and cast votes.
 - Motions may be approved by a majority of Commission members present.
- 

Measure S1 Amendment: Office of Inspector General

- ▶ Created by Section 604(a)(2).
- ▶ Section 604(f)(5). OIG shall audit:
 - Department's compliance with NSA & make recommendations;
 - Lawsuits and investigations “by, against or involving” Agency & Department to ensure thorough investigations and identify systemic issues.

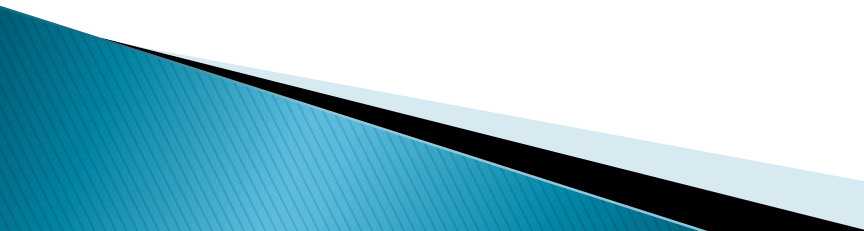
Measure S1 Amendment: OIG Access to Information

- ▶ Section 604(f)(5). OIG shall have access to:
 - Department data, investigative records, personnel records and staffing information as permitted by law.
 - Agency data, investigative records, personnel records, and staffing information.
 - OIG access to non-sworn employee personnel information limited to training records.

Measure S1 Amendment: Civilian Inspector General

- ▶ Section 604(e)(6):
 - OPC hires the Inspector General.
 - OPC conducts periodic performance reviews.
 - Inspector General has authority to hire and fire OIG staff.
 - OPC may remove Inspector General upon an affirmative vote of at least 5 members, and only after making a finding of cause as defined by City ordinance.

Measure S1 Amendment: Civilian Inspector General

- ▶ Subsection 604(e)(3): Inspector General may identify special qualifications and experience that candidates for OIG staff positions must have.
 - ▶ Section 604(e)(6): Inspector General has the authority to organize and reorganize the OIG.
 - ▶ Section 604(e)(7): OIG staff are civil service employees.
- 

Community Police Review Agency

- ▶ Section 604(a)(2) establishes CPRA
- ▶ Section 604(e)(2):
 - Within 60 days of City Council's confirmation of first set of Commissioners, CPRB disbanded and business transferred to the Agency.
 - All CPRB staff transferred to the Agency.

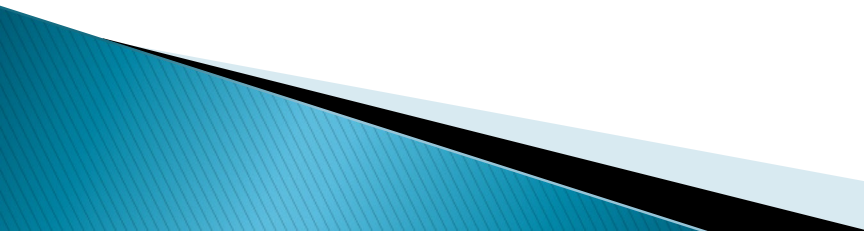
CPRA: Executive Director

- ▶ Section 604(e)(2):
 - Executive Director of CPRB became Interim Executive Director of Agency.
- ▶ Section 604(e)(6):
 - OPC hires Agency Director.
 - Commission conducts periodic performance reviews.
 - Agency Director has authority to hire and fire Agency staff, and organize and reorganize the Agency.
 - OPC may remove Executive Director upon an affirmative vote of at least 5 members, ~~or by an affirmative vote of at least 4 members with the City Administrator's approval.~~ (Measure S1)

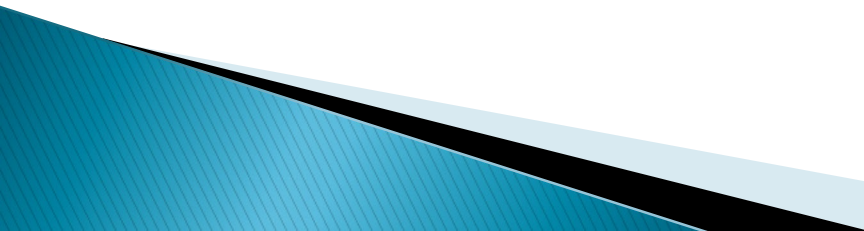
CPRA: Staffing

- ▶ Section 604(e)(1): Two full-time legal advisors (“Agency Attorneys”) (Measure S1).
- ▶ Section 604(e)(3):
 - OPC may identify special qualifications and experience that candidates for Agency staff positions must have.
- ▶ Section 604(e)(7):
 - Agency (& OPC) staff shall be civil service employees.

Measure S1 Amendment: Staffing

- ▶ Section 604(e)(5):
 - City Administrator to assign a staff member to act as liaison to the OPC, and to provide administrative support.
 - OPC budget shall include 1 full-time civil service employee who reports to Agency Director, provides administrative support to the Commission, and attends Commission meetings.
- 

CPRA: Additional Staffing

- ▶ Section 604(e)(4):
 - One line investigator for every 100 officers, to be determined at the beginning of each budget cycle.
 - At least one investigator shall be a licensed attorney.
- 

CPRA: Investigations

- ▶ Section 604(f)(1):

CPRA shall “receive, review and prioritize all public complaints concerning the alleged misconduct or failure to act of all Department sworn employees.”

CPRA: Investigations

- ▶ CPRA is required to investigate public complaints involving:
 - Uses of Force;
 - In-Custody Deaths;
 - Profiling based on protected characteristics;
 - Untruthfulness (Measure S1); and
 - First Amendment assemblies.
- ▶ OPC may direct CPRA to investigate any other possible misconduct or failure to act of a Department sworn employee, whether or not the subject of a public complaint.

CPRA Investigations: Access to Information (Measure S1)

- ▶ Section 604(f)(2). Commission, Agency and OIG have same access to information relating to sworn employees as IAD, including access to:
 - Department files and records;
 - IAD files and records;
 - Files and records from other City departments; and
 - Electronic databases as permitted by law.
- ▶ Police Officer Personnel Records: Commission must articulate “reasonable nexus” to its powers and duties.

CPRA: Investigations

- ▶ Section 604(f)(3):
 - CPRA shall make “every reasonable effort” to complete its investigation within 180 days of when complaint filed.
- ▶ Measure S1 Amendment: CPRA must complete its investigation within 250 days of when complaint filed unless Agency Director makes finding of “exceptional circumstances.”

CPRA: Investigations

- ▶ Agency Director issues written findings and proposed discipline to Chair of OPC and the Chief.
- ▶ Measure S1: Agency Director must issue written findings and proposed discipline within 48 hours of completion of investigation in cases involving:
 - Level 1 Use of Force
 - Sexual Misconduct; or
 - Untruthfulness.
- ▶ Section 604(g)(1): If Chief agrees with CPRA, sends notice to subject officer.
 - Chief may send notice before IAD has begun or completed its investigation.

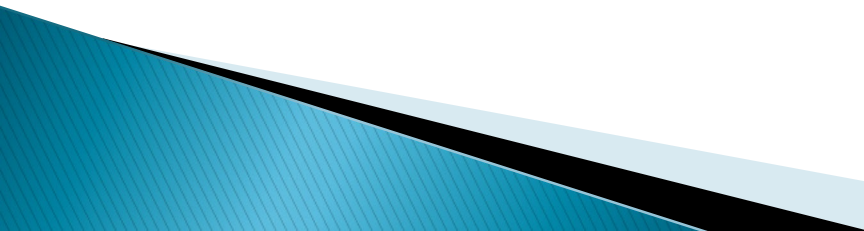
CPRA: Investigations

- ▶ Section 604(g)(3): If Chief submits findings and proposed discipline to CPRA before CPRA's investigation is initiated or completed:
 - CPRA may close its investigation, or
 - CPRA may choose not to conduct an investigation.
- ▶ If investigation involves Level 1 use of force, sexual misconduct or untruthfulness, ~~required by section 604(f)(1),~~ OPC must approve CPRA's decision by a majority vote (Measure S1).
- ▶ Discipline proceeds as proposed by Chief.

OPC: Discipline Committees

- ▶ Section 604(g)(2):
 - Formed if Chief and CPRA disagree about findings and/or proposed discipline.
 - Comprised of 3 Commissioners.
 - Chief submits findings and proposed discipline to Discipline Committee. City Administrator has no authority to reject or modify.
 - Agency submits findings and proposed discipline to Discipline Committee. City Administrator has no authority to reject or modify.
 - Discipline Committee may require Agency to further investigate complaint (Measure S1).

OPC: Discipline Committees

- ▶ Discipline Committee resolves dispute between Chief and Agency based on the record presented to it.
 - ▶ Discipline Committee submits its decision to Chief who notifies the subject officer.
 - ▶ City Administrator has no authority to reject or modify the Discipline Committee's findings and proposed discipline.
- 

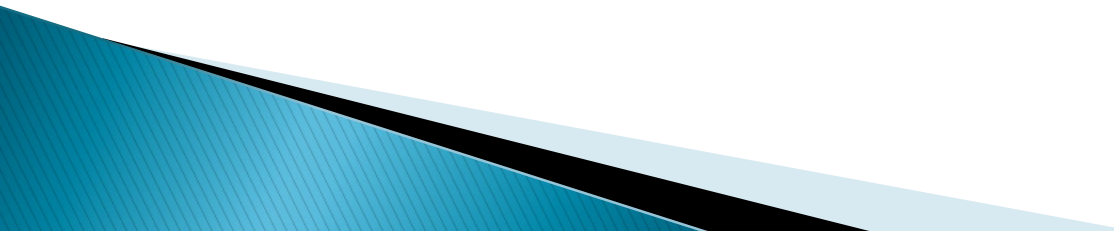
Measure S1 Amendment: Discipline Committees

- ▶ Section 604(g)(5): OPC may convene Discipline Committee for cases involving Level 1 Use of Force, Sexual Misconduct or Untruthfulness when:
 - Either Agency or Department has not completed investigation within 250 days; or
 - When evidence upon which findings are based does not include available body-worn camera footage; or
 - Body-worn camera footage was required by policy but not recorded or available.

Due Process Proceedings

- ▶ Section 604(g)(4):
 - Officers still entitled to *Skelly* hearing on proposed Findings and Discipline (whether decided by the Chief, the CPRA, or the Discipline Committee).
 - Officers still entitled to grievance and arbitration procedures after findings and imposition of discipline have become final (if such rights are prescribed in a collective bargaining agreement).
 - Agency Director consults with City Attorney to decide whether Agency Attorney or OCA represents the City (Measure S1).

Measure S1 Amendment: Performance Audits

- ▶ Section 604(a)(4): City Auditor was required to conduct a performance and financial audit “no later than 2 years after City Council confirmed the first set of Commissioners.”
 - ▶ Performance audits must be performed once every 3 years thereafter.
 - ▶ Independent contractor may be used for audit; selected by Inspector General in consultation with City Auditor.
- 

Measure S1 Amendment: City Administrator Authority

- ▶ Section 604(a)(5):
 - No managerial authority over Commissioners, Agency Director or the Inspector General.
 - “The City Administration . . . shall not initiate an investigation for the purpose of removing a Commissioner.”
 - “City employees maintain the right to file, and appropriate City officials and/or staff maintain authority to investigate, complaints alleging violations of applicable” employment-related laws, policies and collective bargaining agreements (MOUs).

Questions?





SELECTION PANEL REPORT

TO: Selection Panel for the
Oakland Police Commission

FROM: Felicia Verdin
Assistant to the City Administrator

SUBJECT: 2022 Nomination Process

DATE: May 26, 2022

Action Requested:

For the Selection Panel to:

1. Review, discuss and/or modify the 2022 Nomination Schedule.
2. Review, discuss and/or modify the 2022 Selection and Interview Process.
3. Determine its next meeting or series of meetings.

Executive Summary:

In April 2022, the Selection Panel initiated its months long process in nominating a new candidate to serve on the Oakland Police Commission. As such, the Panel continues to review its 2022 nomination process, evaluation tools, and schedule to determine what changes, if any, should be made for this year.

The term for the nominee will initiate on October 17, 2022. Staff proposes the Selection Panel make its decision no later than mid-August 2022, which will allow staff time to complete the required background check and submit the scheduling request and staff report to be heard at the City Council meeting of September 20, 2022.

During its April 26, 2022, the Selection Panel nominated Angela Jackson-Castain to serve as an Alternate on the Police Commission. Ms. Jackson-Castain appointment is on the consent calendar of the June 7, 2022 City Council meeting.

Background:

In 2022, the Selection Panel will be nominating a slate of one (1) appointee to the Police Commission and (1) Alternated Police Commissioner for City Council approval. The term for Commissioner Jesse Shieh, currently serving on the Police Commission will expire October 2022. If Angela Jackson-Castain is appointed by the City Council, her term will also expire in October 2022.

Police Commissioner Terms

Table 1: Terms for Current Police Commissioners

Commissioner	Appointing Authority	Term End Date
Tyfahra Milele, <i>Chair</i>	Mayor	Oct. 2023
Marsha Peterson, <i>Vice-Chair</i>	Selection Panel	Oct. 2023
Jess Hsieh	Selection Panel	Oct. 2022
Brenda Harbin-Forte	Mayor	Oct. 2022
Rudolph Howell	Selection Panel	Oct 2024
Regina Jackson	Selection Panel	Oct. 2021
David Jordan	Mayor	Oct. 2023
<i>Vacant, Alternate</i>	Selection Panel	Oct. 2022
<i>Vacant, Alternate</i>	Mayor	Oct. 2023

Nomination Schedule

The Selection Panel will need to decide its 2021 nomination schedule. Staff is providing the 2020 nomination schedule as reference and for review (**Table 2**).

Table 2: 2022 Nomination Schedule

Activity	Date
Application released	May 2022
Joint press release with Mayor announcing 2021 nomination period	May 20, 2022
Incumbents notified	May 27, 2022
Application deadline	June 30, 2022
Candidate interviews (first round)	July 2022
Finalist interviews (second round)	August 2022
Determination of slate	August 2022
Background check process complete	early-September 2022
Council confirmation	September 20, 2022

As previously mentioned, if the goal is to get a nominee scheduled for confirmation at the City Council meeting of September 20, 2022, the Selection Panel will need to determine the nominee no later than mid-August 2022. All other dates can be adjusted accordingly based on input from the Selection Panel.

2022 Police Commission Application

The current Police Commission application available on the City's website at <https://cao-94612.s3.amazonaws.com/documents/Police-Commission-2022-Application.pdf>

The Police Commissioner Application is available online in English, Spanish, Chinese and Vietnamese on the Police Commission webpage (www.oaklandca.gov/boards-commissions/police-commission).

Additionally, staff is able to provide the following outreach:

- Press release to all media contacts
- Email communication to announce and request distribution of information to:
 - Mayor's Office
 - City Council Offices
 - City service provider networks
 - Selection Panel Members
 - Oakland Police Commissioners
 - Community Police Review Agency
 - Oakland Neighbors Inspiring Trust
 - Latino Task Force
 - Oakland Community Organizations

In 2020, Vice Chairperson Brendalynn Goodall worked with KLBX radio to run a 15-second Public Service Announcement (PSA) leading up to the application deadline. The PSA was advertised free of charge and aired 30 times between May 29 to June 12, 2020.

Also in 2020, Member Lorelei Bosserman organized outreach efforts by the Selection Panel and maintained a database of organizations that were contacted directly by Selection Panel Members.

Applicant Statistics

Table 3 shows application statistics by nomination year. There were no nominations required in 2018.

Table 3: Applications Statistics by Year

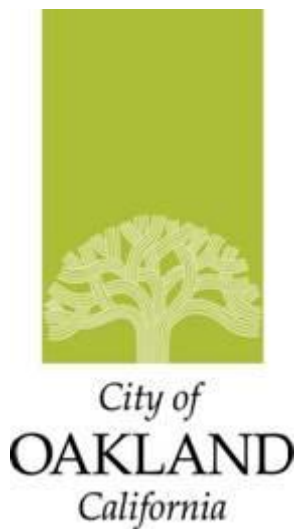
Nomination Year	Applications Received	Applicants Invited to Interview	Nominations made by Selection Panel
2017	146	28	4 Commissioners; 1 Alternate
2019	16	10	1 Commissioner; 1 Alternate
2020	68	17	2 Commissioners

Individual applications for the Reserve Pool were shared previously in this Agenda packet.

For questions regarding this report, contact Felicia Verdin at (510) 238-3128 or fverdin@oaklandca.gov.

Attachment:

- 1) 2022 Press Release



News from: **City of Oakland**

IMMEDIATE RELEASE

May 20, 2022

Oakland Residents Encouraged to Apply for Police Commission

Applications Due June 30, 2022

Oakland, CA – Mayor Libby Schaaf and the Selection Panel for the Police Commission today announced the opening of the application process to serve on the Oakland Police Commission.

“Oakland’s volunteer Police Commission is currently the most powerful and independent Police Commission in the country,” **Oakland Mayor Libby Schaaf** said. “When the actions of a member of the Oakland Police Department are called into question, the public must have total confidence that allegations of misconduct are taken seriously, investigations are thorough, transparent, and fair, and offenders are held accountable when appropriate. The City remains committed to ongoing and nationally recognized strides the Oakland Police Department has been making.”

Establishing and maintaining public trust and confidence in the Oakland Police Department (OPD) is essential for the department to provide the highest level of service to the community.

Selection Panel Chairperson **Jim Chanin**: “We are seeking dedicated community members that will hold the Oakland Police Department to the highest standards and speak up for the community at-large. If you can be fair to all parties, and are passionate about police accountability issues and justice, we want to hear from you.”

The Selection Panel will seek to make appointments that reflect Oaklanders’ diversity of experiences, especially individuals from communities experiencing the most frequent contact with the police. Strong commitment to police accountability and public service will be prioritized. Duties include overseeing the Community Police Review Agency, which conducts investigations into allegations of officer misconduct; overseeing the Office of the Inspector General, which will conduct independent audits of OPD; proposing changes to, approving, or rejecting current or proposed OPD policies; and removing the Chief of Police for cause, as well as other duties.

Commissioners must meet two criteria:

- a. be a resident of the City of Oakland; and
- b. be over 18 years of age by the date of the first Commission meeting.

The Selection Panel strongly encourages formerly incarcerated individuals to apply.

Individuals meeting the following criteria are not eligible to serve on the Police Commission: current sworn police officers; current City employees; former OPD

Media Contact:

Felicia Verdin
City of Oakland
City Administrator’s Office
(510) 593-5616
fverdin@oaklandca.gov

sworn employees; current or former employees, officials, or representatives of an employee association representing sworn police officers; attorneys with pending claim or lawsuit against OPD; and attorneys who have filed a claim or lawsuit against OPD that was resolved during the past year.

Applications are available at www.oaklandca.gov/policecommission and will be accepted until June 30, 2022, when the Selection Panel will begin to interview candidates. Appointments will be made no later than October 16, 2022. Interested applicants are encouraged to apply as soon as possible.

#

To Selection Panel members Cobb, Buddenhagen, Bosserman, Vail, Herron, Thomasson and Goodall (not Jim Chanin nor Don Link),

Consider this an open letter regarding your decisions to deny my application for re-appointment to the Oakland Police Commission. It is an abject failure of the Selection Panel not to have given sufficient weight to my qualifications. It is a failure not to have taken into serious consideration four years of impactful work on the Commission. It is a failure not to have considered the value of decades of deep community involvement on many levels.

It is a failure not to have recognized the importance of institutional knowledge gained and personal relationships built based on demonstrated commitment to the work of the Commission. It is a glaring failure not to have considered Latino representation on the Commission to be a high priority. It is a frustrating failure to have not fulfilled your responsibilities to advance the work of the Commission by building on years of applicant's experience within and without the Commission.

Perhaps it should not be surprising given that of the seventeen members in the history of the Selection Panel, only one has been Latino/a. For Latinos to have been denied representation so blatantly is a personal insult to me but more importantly it is an insult to our community, and one that will not be forgotten.

I believe it is safe to say that most, if not all, of my fellow Commissioners, both past and present, supported my re-appointment. That support, among those far more knowledgeable than any of you of the value of my contributions over the last four years, was obviously not given the importance that it deserved.

None of what I have written here should be taken as a reflection on any applicant, including those selected to be Commissioners. Oakland is blessed to have so many women and men of character willing to step up and do this important work. However, to block every opportunity for experienced, dedicated Latino Commissioners to continue their service is absolutely unconscionable.

It is clear that appointments to the Selection Panel must be done with more focus on community members with integrity that truly and fully understand the importance of bringing broad life experience, deep representative community roots and solid contributions into this important work. Anything less is totally unacceptable and results in these travesties. It cannot be allowed to continue.

José Antonio Dorado

Email sent to staff on April 22, 2022

Ms. Verdin,

As staff to the Oakland Police Commission Selection Panel, please remove my name from the reserve pool candidate list. I do not believe that my candidacy would receive any more serious and thoughtful consideration than it did previously, that is to say very little. I refuse to allow the Selection Panel yet another opportunity to demonstrate their anti-Latino and anti-incumbent bias and shameful failure to live up to their responsibilities.

I have attached my open letter of last year in response to the Selection Panel's decision to deny my application and have included the Police Commission, the City Council and the Mayor. This response makes my position clear regarding the Selection Panel's failures in their decision, a position that remains unchanged. The most glaring failure was and is to my Latino community which is now over a third of Oakland's population, and growing. As I said in my response, for the Selection Panel to have decided to eliminate any Latino representation from the Police Commission is absolutely unconscionable and will not be forgotten.

I emphatically call for the current vacancy to remain open and that a robust recruitment campaign be initiated, especially in the Latino community and in Spanish. Further, this recruitment campaign must be extended to filling the Regular and Alternate Commissioner positions that will become available in October 2022. There can be no question that Latino representation on the Commission should be proportional to our community. Equity demands it.

I also call for the removal of members Cobb, Buddenhagen, Bosserman, Vail, Herron Thomasson and Goodall from the Selection Panel for their abject failures to fulfill their responsibilities. I call upon the City Council to replace all of the above with community members of vision, dedication and integrity, qualities lacking in these current members and utterly essential for this important work.

Please include this letter and attachment in the Selection Panel's Agenda packet of Tuesday, April 26, 2022. I would very much appreciate it. Finally, please direct any questions to my attention at this email address or to my cell phone at (510) 326-4810.

Thank you,
José Antonio Dorado

Proposed Selection Procedure

1. PURPOSE

- 1.1 This document describes the procedure used by the Selection Panel (SP) for recruiting and selecting people to serve on the Oakland Police Commission (PC).

2. OVERVIEW

- 2.1 Selections are made every year, to replace or reappoint commissioners whose terms expire. The selection process typically takes place between February and July and consists of recruiting applicants (outreach), reviewing applications, interviewing applicants, checking applicant references, and voting on who to appoint. The final selections should be made by August, so that there is enough time for staff to do background checks before the nominees are submitted to the City Council for approval. The nominees must be submitted to the City Council before the terms of the outgoing commissioners expire. If approved by the City Council, the new commissioners begin their terms on October 16.
- 2.2 If a commissioner resigns or is removed before their term expires, the SP must fill the vacancy. The SP may hold a special meeting and select someone from the Reserve Pool (if one exists) to fill the vacancy. Alternatively, the SP may choose to find a replacement during the regular annual selection process, or to hold a special recruitment and selection cycle.

3. PRINCIPLES

3.1 Mission

- 3.1.1 The goal of the SP is to select a diverse group of commissioners who can maintain an objective perspective, focus on facts, and exhibit a spirit of collaboration and community focus, for the betterment of policing in the City of Oakland.

3.2 Diversity

- 3.2.1 One important element of a strong commission is diversity—diversity of race, gender, class, background, neighborhood, age, job experience, and personal experience. The diversity of the commission ensures its likelihood to serve the diverse community in the City of Oakland. People with different backgrounds bring different skill sets, different perspectives, and different insights to the work.

3.3 Representation

- 3.3.1 Another important element of a strong commission is representation. The commission must include people from the communities that are most heavily impacted by police misconduct. People who have experienced or witnessed police

misconduct know more about what needs to change, what changes are most likely to work, and what the potential pitfalls of new approaches might be.

- 3.3.2 National statistics show that Black people, Native American people, and Latino people are significantly more likely to be killed by police officers than white people. Presumably they are also more likely to experience other types of police misconduct.
 - 3.3.3 Other groups that are often heavily impacted by police misconduct include LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who are living without housing, young people, and immigrants.
- 3.4 The Applicant's Experience
- 3.4.1 Applying to be on the PC and undergoing the public selection process is difficult and stressful. Every effort should be made to minimize the unpleasantness of the applicant's experience (without compromising the effectiveness of the process). The SP should express appreciation to the applicants—individually and collectively, verbally and in writing.

4. AD HOC COMMITTEES AND DESIGNEES

- 4.1 Ad hoc committees can be formed to perform any of the tasks in this procedure except the final applicant interviews and the final vote to select the commissioners (which must be done by the full SP).
- 4.2 Similarly, any task in this procedure (except the final applicant interviews and the final vote to select the commissioners) can be delegated to a single member of the SP (a designee).
- 4.3 Typically, committees and designees make recommendations which are voted on by the entire SP. If desired, the SP can authorize the committee or designee to perform the task as they see fit without getting approval from the SP on the details. (For example, the SP may authorize a designee to write a letter and send it without bringing the letter back to the SP for approval.)

5. RECRUITING APPLICANTS AND SELECTING COMMISSIONERS

- 5.1 The SP typically meets from February to August each year, meeting monthly or more often as required.
- 5.2 The most urgent tasks are setting the schedule for the year—particularly the application deadline—and doing outreach to recruit applicants. If possible, these tasks should be addressed at the first meeting of the year (typically in February).
- 5.3 Applications are accepted all year.
- 5.4 Staff includes all the applications received to date in the agenda packet for every meeting, so that SP members can begin reviewing the applications at any time.

5.5 Every agenda packet should include the following:

- This procedure
- The Applicant Evaluation Tool
- All applications received so far

5.6 Setting the Schedule

5.6.1 With staff guidance, decide on a schedule for the year. In 2021, the schedule was as follows:

Activity	Date
Incumbents notified	March 5, 2021
Updated application released	April 21, 2021
Joint press release with Mayor announcing 2021 nomination period	April 21, 2021
Community organizations contacted by staff	April 23, 2021
Previous applicants invited to reapply	April 26, 2021
Email to Mayor and City Council Offices requesting officials to share information	April 28, 2021
Application deadline	June 15, 2021
Deadline for Selection Panel to review applications	TBD
Candidate interviews (first round)	TBD
Finalist interviews (second round)	TBD
Determination of slate	Mid-August 2021
Background check process complete	Early-September 2021
Council confirmation	October 5, 2021

5.6.2 The final selections must be made in time for staff to complete background checks before the names of the nominees are submitted to the City Council.

5.6.3 The names of the nominees must be submitted to the City Council before the terms of the outgoing commissioners expire.

5.6.4 The City Council must approve the nominees before October 16, when the new commissioners begin their terms.

5.7 Outreach (Recruiting Applicants)

5.7.1 The goal of outreach is to let people in a variety of communities know that they can apply to be on the PC and give them information about the PC and how to apply.

5.7.2 It is especially important to reach people who are members of communities that are heavily impacted by police misconduct, such as Black people, Native American people, Latino people, LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who have lived without housing, young people, and immigrants.

5.7.3 Contact Person

5.7.3.1 The SP designates someone (preferably an SP member) to be the contact person for members of the public who have questions about applying to be on the PC. This person's name and/or contact information appear on outreach literature.

5.7.4 Press Release

5.7.4.1 The SP asks staff to write a press release and obtain a copy of the City's current list of people and organizations that usually receive press releases from the City.

5.7.4.2 Staff writes a press release and gets the mayor's approval. (See Appendix A for a sample press release.)

5.7.4.3 Staff includes the press release and the City's usual list of recipients in the agenda packet for the next meeting.

5.7.4.4 The SP approves the press release as is or requests changes.

5.7.4.5 The SP asks staff to distribute the press release to the City's list of people and organizations that usually receive press releases from the City.

5.7.4.6 If desired, the SP asks staff to distribute the press release to additional recipients.

5.7.4.7 Staff distributes the press release to the City's usual recipients and any additional recipients designated by the SP.

5.7.4.8 The SP asks staff to keep a running list of who will be notified.

5.7.4.9 The SP asks staff to keep a running list of who has been notified.

5.7.4.10 If desired, a press conference can be held by the SP, the chair of the SP, and/or the mayor.

5.7.5 The SP asks staff to do outreach to radio stations, local social media accounts, KTOP-TV, the local press, including the minority press, and more.

5.7.6 See Appendix L for sample radio announcements.

5.7.7 Social Media Posts, Newsletter Announcements, and Website Announcements

5.7.7.1 The SP reviews the suggested text in Appendix B and Appendix C, makes any desired changes, and then approves the text for use this year. If desired, the SP can designate a committee or designee to rewrite this text.

5.7.7.2 The SP asks staff to post the suggested text on the city's social media platforms, newsletters, etc. and requests that the text be posted weekly until the application due date.

- 5.7.7.3 The SP asks staff to post the suggested text on the PC and SP websites and remove it after the application due date.
- 5.7.8 Letter to the Mayor and City Council Members
- 5.7.8.1 The SP reviews the sample email message in Appendix D, makes any desired changes, and then approves the text for use in the current year.
- 5.7.8.2 The SP asks staff to send the email to the mayor and City Council members.
- 5.7.9 Personal Contacts
- 5.7.9.1 SP members post information on their own social media accounts and ask their friends and associates to do the same.
- 5.7.9.2 SP members reach out to individuals they think should apply to be on the PC.
- 5.7.9.3 SP members reach out to Neighborhood Councils.
- 5.7.9.4 SP members reach out to individuals and organizations that could spread the word to Oakland residents, especially Oakland residents from communities that are heavily impacted by police violence and other police misconduct (such as Black people, Native American people, Latino people, LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who have lived without housing, young people, and immigrants).
- 5.7.9.5 SP members reach out to organizations whose members have skills or expertise doing the types of work that Police Commissioners do, such as reviewing and rewriting policies, overseeing organizations, community engagement, labor relations, or personnel administration.
- 5.7.10 The recommended procedure for contacting organizations and individuals includes the following steps:
- 5.7.10.1 If possible, find a contact name as well as a phone number and email address.
- 5.7.10.2 Send an email (see Appendix E for a sample email) describing the PC, the application process, and the deadline, and asking the following:
- Are you interested in applying?
 - Can you think of someone you know who would be perfect for this?
 - Can you help us spread the word?
 - Would you please post something on your social media accounts and ask your friends to do the same? (Include sample text in the email message.)

- Does your organization have a newsletter or website or email list or social media accounts that you could put an announcement/email/post in? (Include sample text in the message.)
 - Does your organization have a meeting where someone could make an announcement?
 - 5.7.10.3 Follow up with a phone call.
 - 5.7.11 Contacting Commissioners Whose Terms Are Expiring
 - 5.7.11.1 Staff determines which commissioners have terms that are expiring in October of the current year.
 - 5.7.11.2 Staff notifies them that their terms are expiring.
 - 5.7.11.3 Staff includes commissioners who were appointed by the mayor as well as those appointed by the SP.
 - 5.7.11.4 If the commissioners are eligible to be re-appointed (if they have served only one term), staff invites them to apply and includes the application form for sitting commissioners. Staff asks the incumbents to inform the SP by a certain date whether or not they intend to reapply.
 - 5.7.11.5 Staff notifies Alternate Commissioners that they are eligible to apply to be Regular Commissioners. Staff includes the application form for sitting commissioners. Staff asks the Alternate Commissioners to inform the SP by a certain date whether or not they intend to reapply.
 - 5.7.12 Assistance from the Public
 - 5.7.12.1 The SP chair or designee makes an announcement at every SP meeting encouraging members of the public to help spread the word.
 - 5.7.12.2 Staff adds this announcement to the agenda for every SP meeting.
 - 5.7.12.3 Staff makes sample text available to the public electronically. (See Appendix B and Appendix C for sample text.)
 - 5.7.12.4 The SP designates someone to make announcements at PC meetings. (See Appendix F for sample wording.)
- 5.8 Reviewing This Procedure Every Year
 - 5.8.1 The SP should review this procedure as early as possible each year, preferably in February or March, so applicants have adequate time to notify references and prepare for interviews.
 - 5.8.2 If a process improvement ad hoc committee was appointed the previous year, they present their recommended changes and the SP votes on them.
 - 5.8.3 If there was no process improvement ad hoc committee or designee, or if the committee or designee makes no recommendations, the SP decides whether to review and revise the procedure as a full panel or use the current procedure.

- 5.8.4 This can also be done after the current selection cycle is complete, sometime after July, for use in the following year.
- 5.8.5 Improvements from year to year are encouraged. Changing the procedure at the last minute is discouraged.
- 5.8.6 Any or all of the following documents can be revised:
- this document
 - the interview questions for new applicants
 - the interview questions for incumbents
 - the Application Evaluation Tool
 - the application for new applicants
 - the application for incumbents
- 5.8.7 This document is revised as necessary.
- 5.8.8 Staff includes the new version in the agenda packets for future meetings.
- 5.8.9 Staff posts the current version of this document on the SP website.
- 5.9 Training
- 5.9.1 Training in ethics, equity, and City Code section 604 is mandatory and will be arranged by staff.
- 5.9.2 In addition, it may be desirable to consult the **City of Oakland's Human Resources Department** or hire a human resources professional to provide training in recruiting applicants, writing interview questions, interviewing candidates, and evaluating candidates. If possible, this should happen before the interview questions are finalized.
- 5.10 Acknowledging Applications
- 5.10.1 Throughout the year, staff sends a letter to everyone who applies to be on the PC. (See Appendix G for a sample.)
- 5.10.2 Before adjourning for the year, the SP writes and approves the letter for the following year.
- 5.11 Updating Interview Questions
- 5.11.1 If desired, the SP can review and revise the interview questions in the Applicant Evaluation Tool.
- 5.11.2 Staff includes the current Applicant Evaluation Tool in every agenda packet.

5.12 Reviewing Applications and Selecting Applicants to Interview

5.12.1 The SP schedules a meeting for approximately [one week] after the application due date.

Felicia, is one week enough time to prepare the agenda packet (as described below) and distribute it in advance of the meeting?

5.12.2 Staff makes sure the agenda packet for that meeting includes the following:

- All the applications received by the due date.
- A table showing the names and demographic information of all the applicants. (See previous years for examples.)
- The Application Evaluation Tool.

5.12.3 At that meeting, the SP makes a tentative decision about how many applicants to interview and agrees on a method for choosing those applicants. For example, if there are 100 applicants, the SP may decide that every SP member can vote for 20 applicants, then staff will tally the votes, and the SP as a whole will consider interviewing the 30 applicants who got the most votes.

5.12.4 Also at that meeting, the SP determines a deadline for SP members to finish reviewing all the applications and send their votes to staff.

5.12.5 The SP schedules a meeting for approximately [one week] after the deadline.

Felicia, is one week enough time for you to tally the votes and prepare the agenda packet and distribute it in advance of the meeting?

5.12.6 Every SP member reads every application.

5.12.7 SP members consider several things, including the following:

- the applicant's level of dedication to the work
- the applicant's knowledge of the PC
- the applicant's relevant lived experiences interacting with the police or witnessing police interactions with other members of the community
- the applicant's skills and expertise doing the types of work that Police Commissioners do, such as policy review and drafting experience, overseeing an organization, community engagement, labor relations, or personnel administration *Let's appoint an ad hoc committee to ask current and former commissioners what they think we should look for.*
- the applicant's ability to present clear and objective views, based on facts
- the applicant's ability to work constructively with others
- the applicant's established connections with the community

- the current makeup of the PC
- which applicants can provide diversity and representation

Important: Issues of diversity and representation should be considered even in these early steps. We can't choose diversity and representation at the end of the process if we eliminate it at the beginning of the process.

Important: Try to avoid eliminating candidates for reasons related to class or profession or level of education. For example, people in some lines of work might be more likely to have resumes.

5.12.8 Each SP member sends their votes to staff by the due date.

5.12.9 Staff tallies the votes and includes the results in the agenda packet for the next meeting, including how many votes each applicant got and which SP members voted for which applicants, and listing the applicants in order of how many votes they got.

Important: Staff must make it clear in the agenda packet that these votes do not indicate the SP's final decisions about who to interview.

5.12.10 At the meeting, the SP discusses the votes and the candidates.

5.12.10.1 First, identify a preliminary group to consider. Depending on the votes, the SP may decide to consider a different number of applicants than originally planned. (For example, if the SP has decided to interview the top 30 vote-getters but there is a three-way tie for number 29, the SP may choose to interview the top 28 vote-getters or the top 31 vote-getters.)

5.12.10.2 If a member of the SP thinks there is an applicant who should be interviewed even though they didn't make it into this preliminary group, the panel member can explain why. Some possible reasons might be: (1) the applicant has an important quality that may have been overlooked by other panel members; (2) the applicant could bring more diversity to the commission; or (3) the applicant could increase the representation of impacted communities on the commission. For example, if the PC currently consists of attorneys and CEOs, the SP might be interested in appointing a working-class person if a qualified working-class person applies. If there is a working-class applicant with a really great application who makes it into the top 40 vote-getters but not the top 30, the SP may choose to interview that applicant in addition to the top 30.

5.12.10.3 The SP discusses the pros and cons of interviewing any applicant who didn't make the cutoff but is being advocated for by an SP member.

5.12.10.4 The SP votes on whether to interview any applicants who did not make the cutoff.

Important: Issues of diversity and representation should be considered even in these early steps. We can't choose diversity and representation at the end of the process if we eliminate it at the beginning of the process.

Important: Try to avoid eliminating candidates for reasons related to class or profession or level of education. For example, people in some lines of work might be more likely to have resumes.

5.13 Interviewing Candidates

5.13.1 The SP decides whether to ask candidates to make 5-minute statements before holding full interviews.

5.13.2 Staff contacts the candidates and schedules 5-minute statements or 30-minute interviews.

5.13.3 When contacting a candidate to schedule an interview or 5-minute statement, inform the candidate of the following (in writing):

- The SP appreciates their willingness to apply for this very difficult and demanding work.
- The number of people who will be interviewing them.
- The interview will be broadcast live and recorded and stored for public access.
- The SP may discuss their strengths and weaknesses in public.

5.13.4 Send a statement about evaluation criteria to the candidates, along with a copy of the Applicant Evaluation Tool. See Appendix H for a sample.

5.13.5 When sending letters to applicants who are not being interviewed, make sure the letters include information about next steps they can take to get involved and/or who they can contact for questions.

5.13.6 At every meeting that includes an interview or a 5-minute statement from a candidate:

- Explain the selection process to the public.
- Inform the public that the interview questions and priorities are listed in the Applicant Evaluation Tool (which is in the agenda packet) although follow-up questions are also allowed.
- Inform the public that evaluation criteria are listed in this document (which is in the agenda packet) and have been sent to all the applicants who are being interviewed.

- If incumbents are being interviewed, remind the public that the incumbent's interview is only part of what the SP considers. The SP also considers the incumbent's demonstrated performance as a commissioner. Refer the public to the video recordings and agenda packets from the last 3 years of PC meetings.
- Express appreciation to the candidates for applying and undergoing public interviews.

5.13.7 For full interviews:

- Typically, the members of the SP take turns asking candidates questions from the Applicant Evaluation Tool. Follow-up questions are also allowed.
- Consider including 3-5 minutes at the beginning or end of each interview for the candidate to make a presentation (especially if they did not make 5-minute presentations earlier).

5.13.8 After the initial interviews or 5-minute statements, the SP decides who to invite to the next round of interviews.

Important: Try to avoid eliminating candidates for reasons related to class or profession or level of education. For example, people in some lines of work might be more experienced and comfortable with the kind of interviews the SP is conducting.

5.13.9 Discussing candidates is allowed but not required. When doing so, be mindful of the candidates' feelings and their public reputations. SP meetings are recorded, and the recordings will be available online for years to come, easily accessible by family members and potential employers. Never insult candidates publicly, and avoid criticizing them publicly unless it is absolutely necessary in order to explain specific concerns to the other SP members. Do not speculate on unknown facts, such as an applicant's country of origin or what a formerly incarcerated person's alleged crime was.

5.13.10 At least 6 finalists should be interviewed, so there are enough vetted finalists to form a Reserve Pool even if some finalists withdraw from the process. If two commissioners need to be selected, at least 7 finalists should be interviewed.

5.13.11 Every finalist should be interviewed at least twice, for at least 30 minutes each time, before a final decision is made.

5.13.12 After each round of interviews, SP members are given another chance to discuss the candidates and share information, observations, and opinions. Be mindful of the finalists' feelings and public reputations.

5.13.13 Letters to candidates who were not selected should express appreciation for applying for a volunteer position and undergoing public interviews. They should also include information about how they can get involved and/or who they can contact for questions.

- 5.13.14 Letters to candidates who were selected for the Reserve Pool should also express appreciation for applying and undergoing public interviews, and they should also include information about how they can get involved and/or who they can contact for questions.
- 5.13.15 Additional interviews or other measures can be added to the process if desired by a majority of the SP.
- 5.14 Checking References
 - 5.14.1 Before the final interviews, SP members call each finalist's three references and ask a set of agreed-upon questions. (See Appendix J for a sample list of questions.)
 - 5.14.2 SP members report on what the candidates' references said at an SP meeting. Be mindful of the candidates' feelings and public reputations.
- 5.15 Selecting Commissioners
 - 5.15.1 The final selections should be made by mid-August, so there is enough time for staff to do background checks before the names of the nominees are submitted to the City Council for approval. The nominees must be submitted to the City Council before the terms of the outgoing commissioners expire.
 - 5.15.2 If desired, the SP discusses the finalists. Be mindful of the finalists' feelings and public reputations.
 - 5.15.3 If desired, the SP takes a vote to see which finalists get the most votes.
 - 5.15.4 Someone makes a motion to select one of the finalists, and the SP members vote yes or no on selecting that individual. An individual must get 2/3 of the vote to be selected. (If the SP consists of 9 members, the selected finalist must get at least 6 votes.)
- 5.16 Creating a Reserve Pool
 - 5.16.1 The SP can create a Reserve Pool, if desired.
 - 5.16.2 The purpose of a Reserve Pool is to make it easier to fill an unexpected vacancy in the coming year. If a commissioner who was selected by the SP resigns or is removed before their term has expired, the SP must fill the vacancy. If a Reserve Pool exists, the SP can select a member of the Reserve Pool to fill the vacancy.
 - 5.16.3 A Reserve Pool is typically created at the end of a selection cycle.
 - 5.16.4 The criteria for inclusion in the Reserve Pool are decided each year by the SP. The members of the Reserve Pool may be some of the finalists who were not appointed that year.
 - 5.16.5 The Reserve Pool must consist of at least 3 people.
 - 5.16.6 People who are selected for the Reserve Pool must be asked if they want to be in the Reserve Pool and if they are willing to inform the SP if they become unavailable to serve on the commission.

- 5.16.7 Important: Members of the Reserve Pool must be informed that (a) being in the Reserve Pool does not guarantee that they will be appointed in the event of a vacancy on the PC, (b) being in the Reserve Pool does not guarantee that they will be appointed in the following year, (c) membership in the Reserve Pool expires on October 16 of the following year, and (d) if they want to be considered during the next year's selection cycle, they must submit a new application. (For example: If a Reserve Pool is created in July 2022, it will not expire until October 16, 2023, but anyone who wants to be considered in the regular selection cycle in 2023 must submit a new application by the application deadline in spring or summer of 2023.)
- 5.16.8 It is the responsibility of the chair of the SP to communicate the above points to the members of the Reserve Pool or to delegate the task to a designee (preferably a member of the SP). It is the responsibility of staff to confirm that this information has been communicated to the members of the Reserve Pool. See Appendix K for a sample letter.
- 5.17 Background Checks and Submission to City Council
- 5.17.1 Staff performs background checks for the selected individual(s) and submits their name(s) to the City Council before the terms of the outgoing commissioners expire.
6. POST-SELECTION TASKS
- 6.1 After the selections are made, certain tasks should be done before the SP adjourns for the year.
- 6.2 Letter to Future Applicants
- 6.2.1 Write and approve a letter to send to people who apply in the next year. (See Appendix G for a sample letter.) Request that staff send the letter to anyone who applies.
- 6.3 Next Year's Schedule
- 6.3.1 Choose an application deadline for the following year, which can be used in outreach material for the next 11 months.
- 6.3.2 Ask staff to update the application information on the PC and SP websites, including the application deadline.
- 6.3.3 Choose a date for the next SP meeting (typically in February or March).
- 6.4 Revising the Application
- 6.4.1 The SP may choose to revise the application for the following year. This should be done as soon as possible, so that people who apply during the year can use the new version. This work can be delegated to an ad hoc committee or an individual SP member.
- 6.5 Revising the Procedure
- 6.5.1 Create a process improvement ad hoc committee to review the process in October, November, or January and create a list of recommended changes for presentation

to the full SP at the beginning of the following year's selection cycle (in February or March). Alternatively, the full SP could meet in October, November, or January to review and revise the process.

6.6 Updating the SP Website

6.6.1 The SP reviews the SP website and decides on any changes.

6.6.2 Staff implements the changes.

6.6.3 Staff removes the information about this year's applications from the PC and SP websites, replacing it with information for next year's application process (including the deadline for the next year).

7. FILLING VACANCIES

7.1 If a commissioner who was selected by the SP resigns or is removed before their term has expired, the SP must fill the vacancy.

7.2 The SP may choose to select someone from the Reserve Pool (if one exists). Members of the Reserve Pool can be interviewed again, or the SP can vote on who to select without interviewing them again.

7.3 Alternatively, the SP may choose to hold a special recruitment and selection cycle, although that is very time consuming. The SP could also choose to fill the vacancy during that year's regular selection cycle, particularly if the vacancy occurs in the spring or summer and the regular selection cycle is already underway.

7.4 If the SP chooses to interview members of the Reserve Pool again, the chair of the SP (or a designee) explains the process to the public, explaining that the selection is based on information obtained previously, from candidates' applications, interviews, and references.

8. DOCUMENT APPROVAL

8.1 This document was approved by a majority of the SP on [date]. It will become effective on January 1, 2023.

9. REVISIONS AND EXCEPTIONS

9.1 This document can be changed at any time. Changes must be approved by a majority of the SP.

9.2 Improvements from year to year are encouraged. Changing the procedure at the last minute is discouraged.

9.3 Exceptions to this procedure must be documented and approved by a majority of the SP.

10. APPENDICES

10.1 The sample text in the appendices can be used or modified if desired. Using this wording is not required.

APPENDIX A

SAMPLE PRESS RELEASE

May 20, 2022

Oakland Residents Encouraged to Apply for Police Commission

Applications Due June 30, 2022

Oakland, CA – Mayor Libby Schaaf and the Selection Panel for the Police Commission today announced the opening of the application process to serve on the Oakland Police Commission.

“Oakland’s volunteer Police Commission is currently the most powerful and independent Police Commission in the country,” **Oakland Mayor Libby Schaaf** said. “When the actions of a member of the Oakland Police Department are called into question, the public must have total confidence that allegations of misconduct are taken seriously, investigations are thorough, transparent, and fair, and offenders are held accountable when appropriate. The City remains committed to ongoing and nationally recognized strides the Oakland Police Department has been making.”

Establishing and maintaining public trust and confidence in the Oakland Police Department (OPD) is essential for the department to provide the highest level of service to the community.

Selection Panel Chairperson **Jim Chanin**: “We are seeking dedicated community members that will hold the Oakland Police Department to the highest standards and speak up for the community at-large. If you can be fair to all parties, and are passionate about police accountability issues and justice, we want to hear from you.”

The Selection Panel will seek to make appointments that reflect Oaklanders’ diversity of experiences, especially individuals from communities experiencing the most frequent contact with the police. Strong commitment to police accountability and public service will be prioritized. Duties include overseeing the Community Police Review Agency, which conducts investigations into allegations of officer misconduct; overseeing the Office of the Inspector General, which will conduct independent audits of OPD; proposing changes to, approving, or rejecting current or proposed OPD policies; and removing the Chief of Police for cause, as well as other duties.

Commissioners must meet two criteria:

- a. be a resident of the City of Oakland; and
- b. be over 18 years of age by the date of the first Commission meeting.

The Selection Panel strongly encourages formerly incarcerated individuals to apply.

Individuals meeting the following criteria are not eligible to serve on the Police Commission: current sworn police officers; current City employees; former OPD sworn employees; current or former employees, officials, or representatives of an employee association representing sworn police officers; attorneys with pending claim or lawsuit against OPD; and attorneys who have filed a claim or lawsuit against OPD that was resolved during the past year.

Applications are available at www.oaklandca.gov/policecommission and will be accepted until June 30, 2022, when the Selection Panel will begin to interview candidates. Appointments will be made no later than October 16, 2022. Interested applicants are encouraged to apply as soon as possible.

###

APPENDIX B
SAMPLE SOCIAL MEDIA POST

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

APPENDIX C

SAMPLE ANNOUNCEMENTS FOR NEWSLETTERS OR WEBSITES

SHORT ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities. Applications are due by [date].

www.oaklandca.gov/policecommission

LONG ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities.

The panel that selects most of the commissioners is looking for diversity and encouraging people from heavily policed communities to apply. Commissioners must be over 18 and live in Oakland. They cannot be police officers or City employees. A high school diploma is not required, and formerly incarcerated people are encouraged to apply.

This year applications are due by [date].

To apply, go to www.oaklandca.gov/policecommission, where you can also find more information about the Police Commission. You can watch videos of past meetings, find out about upcoming meetings, and learn about City Code section 604, which describes the powers and responsibilities of the Police Commission.

If you have any questions please call [name] at [phone number] between [10:00 am and 8:00 pm, any day of the week].

APPENDIX D**SAMPLE EMAIL FOR MAYOR AND CITY COUNCIL MEMBERS**

Note: If using this sample email, be sure to attach a document with the sample wording for announcements (see Appendix C). Or delete the sentence that says, "There are longer posts in the attached document, for newsletters or web pages." Also be sure to add the actual information (mayor's name or council member's name at the top, contact's phone number at the bottom, etc.).

Subject: Time to apply for the Police Commission

Dear Councilmember ----- / Mayor -----:

It's time for people to apply to be on the Police Commission! The deadline for applications is [date]. Will you help us spread the word?

If you have a newsletter, web page, or social media account, please consider posting something. Here is some sample language:

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

There are longer posts in the attached document, for newsletters or web pages.

If you have any questions, please call Selection Panel Member [name] at [phone number] (between 10:00 am and 8:00 pm) or email her at [email address].

Thank you!

APPENDIX E**SAMPLE OUTREACH EMAIL TO ORGANIZATIONS**

Note: This sample email contains references to documents that can be attached to the email. Either attach the documents or delete the sentence that refers to them. An example of the first referenced document can be found in Appendix C, and an example of the second referenced document can be found in Appendix M.

Dear [name of organization or contact],

It's time for people to apply to be on the Oakland Police Commission! Are you interested in being on the commission? Can you think of someone you know who would be a good commissioner? Will you help us spread the word?

If you have a newsletter, website, or social media account, please consider posting something. Here is some sample wording:

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

Sample wording for longer announcements is attached, and so is a sample letter that you could send to your members if you wish.

The Police Commission rewrote OPD's policy on use of force. It has the authority to discipline officers and fire the chief of police for cause. When the mayor hires a new chief of police, the mayor must choose from a list provided by the commission.

Commissioners must be over 18 and must live in Oakland. They cannot be police officers or City employees. Being a commissioner takes significant time, but it is a chance to really change policing in Oakland. A high school diploma is not required, and formerly incarcerated people are encouraged to apply.

If you would like someone to give a 5-minute presentation at a meeting, or if you have any questions, please call [name] at [number] between [10:00 am and 8:00 pm, any day of the week].

Thanks in advance for anything you can do to get the word out!

APPENDIX F**SAMPLE WORDING FOR ANNOUNCEMENTS AT OTHER MEETINGS**

Note: This wording can be used when making announcements at Police Commission meetings or meetings of other organizations.

Hello, my name is ----- and I want to remind everyone that you can apply to be on the Police Commission. Get a pen, because I'm about to give you a website address. Applications are accepted all year, and every summer the Selection Panel chooses a replacement for a commissioner whose term is expiring. The deadline to be considered this year is [date].

If you are interested, or you know someone who might be interested, go to www.oaklandca.gov/policecommission. Or Google "Oakland Police Commission".

You must be an Oakland resident and at least 18 years old to apply, and you cannot be a police officer or a City employee. You do not need a high school diploma, and formerly incarcerated residents are encouraged to apply. That website again is www.oaklandca.gov/policecommission, and this year's deadline is [date].

APPENDIX G

SAMPLE LETTER TO APPLICANTS

Dear applicant,

Thank you for applying to be on the Oakland Police Commission. This important work depends on people who are willing to volunteer their time and expertise.

Please take some time to learn about the Police Commission so you will be prepared if you are selected for an interview.

Recommended activities:

- Attend at least 3 meetings of the Oakland Police Commission.
 - Meetings are usually held at [5:30 or 6:30 pm] on [the second and fourth Thursdays of the month]. To find out when the next meeting is, go to the Police Commission website (www.oaklandca.gov/policecommission).
 - During the COVID pandemic, meetings are being held virtually by Zoom. To find the link for the next meeting, go to the Police Commission website (www.oaklandca.gov/policecommission) and find the agenda for the next meeting. A link for the meeting should be in the first two pages of the agenda.
 - If you cannot attend 3 meetings before your interview date, watch the video recordings of at least 3 past meetings. The videos are available on the Police Commission website (www.oaklandca.gov/policecommission).
- Read the agenda packets for at least 3 meetings.
 - They can be found on the Police Commission website (www.oaklandca.gov/policecommission).
- Read Measure S1 (City Code section 604).
 - Section 604 describes the Police Commission's powers and responsibilities.
 - A link to the text of section 604 can be found at the bottom of the Police Commission website (www.oaklandca.gov/policecommission).
- Look around on the Police Commission website (www.oaklandca.gov/policecommission).

Thank you again for applying. If you have any questions, please contact [the designated SP member] at [contact information].

APPENDIX H

SAMPLE STATEMENT TO INTERVIEWEES

This sample statement can be used or modified to satisfy the instructions in Steps 5.12.3 and 5.12.4.

Dear applicant,

The Selection Panel for the Police Commission would like to interview you, and [name] will be contacting you to schedule a time.

You will be interviewed by a panel of 9 people. The interview will be part of a public Zoom meeting, and it will be recorded and posted on the Police Commission website. The Selection Panel may discuss your strengths and weaknesses at the meeting. Members of the public may express their opinions about the candidates.

We deeply appreciate your participation in this demanding process.

During the interview you may be asked some of the questions in the Applicant Evaluation Tool, [which is attached]. The Selection Panel considers several things when evaluating applicants, including the following:

- level of dedication to police accountability work
- knowledge of the Police Commission
- lived experiences interacting with the police or witnessing police interactions with other members of the community
- skills and expertise doing the types of work that Police Commissioners do
- ability to present clear and objective views, based on facts
- ability to work constructively with others
- established connections with the community
- who can add to the diversity of the Police Commission
- who represents a community that is heavily impacted by police violence and other police misconduct (such as Black people, Native American people, LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who have lived without housing, young people, and immigrants)

Sincere thanks for your commitment to making the Police Commission the best it can be. If you have any questions, please contact [SP member] at [contact information].

APPENDIX J

QUESTIONS TO ASK REFERENCES

If desired, these questions can be asked when interviewing a candidate's references. It might be best to start with general questions, to see what they say before we say something that indicates what we are looking for.

1. How do you know this person?
2. How long have you known this person?
3. How would you describe this person?
4. What are this person's major strengths and weaknesses?
5. Is this person detail-oriented or a big picture person?
6. What is this person's interaction style?
7. Have you seen this person work with people they disagree with? How do they handle the situation?
8. Have you seen this person help someone else achieve their goals?
9. What would make this person a good Police Commissioner? (First tell them a little about what is involved in being on the Police Commission.)
10. Is there anything you would like to add?

APPENDIX K**SAMPLE LETTER TO MEMBERS OF THE RESERVE POOL**

Dear finalist,

The Selection Panel would like to invite you to be in the Reserve Pool for the Police Commission. If a Police Commissioner resigns or is removed in the next year, the Selection Panel may choose to select the commissioner's replacement from the Reserve Pool.

Please note:

- Being in the Reserve Pool does not guarantee that you will be appointed to fill the next vacancy on the Police Commission.
- If you want to be considered again next year, you must submit a new application.
- Membership in the Reserve Pool expires on October 16 of [2023].

If you are interested in being in the Reserve Pool, and are willing to inform the Selection Panel if you become unavailable to serve on the Police Commission, please inform [staff member] by [date].

Thank you.

APPENDIX L

SAMPLE RADIO ANNOUNCEMENTS

SHORT ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities. Applications are due by [date].

Google “Oakland police commission” or go to www.oaklandca.gov/policecommission

LONG ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities.

The panel that selects most of the commissioners is looking for diversity and is encouraging people from impacted communities to apply. You must be over 18 and live in Oakland, and you cannot be a police officer or a City employee. Formerly incarcerated individuals are encouraged to apply. A high school diploma is not required.

Applications are due by [date]. To apply, Google “Oakland police commission” or go to www.oaklandca.gov/policecommission. At the Police Commission website you can also find more information about the Police Commission and Oakland City Code section 604, which describes the powers and responsibilities of the Police Commission. You can watch videos of past meetings and find out about upcoming meetings. If you have any questions, please call [name] at [phone number], any day of the week.

APPENDIX M

SAMPLE LETTER FOR OTHER ORGANIZATIONS TO SEND TO THEIR MEMBERS

Note: This document is intended to be an attachment to an email we would send to an organization. It is a sample of what the organization could send to their members.

Dear members,

You can change Oakland policing.

The Oakland Police Commission is looking for new members. Are you interested? Do you know someone who would be interested? Please help us spread the word. Applications are due [date and year].

The Police Commission was created by Oakland voters in 2016, and it is taking major steps to reform the Oakland Police Department.

The work is hard, and it is unpaid at this time. It takes significant time in meetings, meeting prep, and committee work. It requires working with people you disagree with. You could face opposition from many quarters. But you can help bring fair and just policing to Oakland communities.

The panel that selects the majority of the commissioners is looking for diversity and encouraging people from impacted communities to apply. You must be over 18 and live in Oakland. You cannot be a police officer or a City employee. You do not need a high school diploma, and formerly incarcerated people are encouraged to apply.

To apply, go to www.oaklandnet.gov/policecommission, where you can also find more information about the Police Commission. You can watch videos of past meetings, find out about upcoming meetings, and learn about City Code section 604, which describes the powers and responsibilities of the Police Commission. If you have any questions, please call [name] at [phone number] between [10:00 am and 8:00 pm, any day of the week].

Please spread the word on social media. You can use the wording below if you like:

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

Thank you for supporting police accountability in Oakland!

REDLINED Selection Procedure

1. PURPOSE

- 1.1 This document describes the procedure used by the Selection Panel (SP) for recruiting and selecting people to serve on the Oakland Police Commission (PC).

2. OVERVIEW

- 2.1 Selections are made every year, to replace or reappoint commissioners whose terms expire. The selection process typically takes place between February and July and consists of recruiting applicants (outreach), reviewing applications, interviewing applicants, checking applicant references, and voting on who to appoint. The final selections should be made by August, so that there is enough time for staff to do background checks before the nominees are submitted to the City Council for approval. The nominees must be submitted to the City Council before the terms of the outgoing commissioners expire. If approved by the City Council, the new commissioners begin their terms on October 16.
- 2.2 If a commissioner resigns or is removed before their term expires, the SP must fill the vacancy. The SP may hold a special meeting and select someone from the Reserve Pool (if one exists) to fill the vacancy. Alternatively, the SP may choose to find a replacement during the regular annual selection process, or to hold a special recruitment and selection cycle.

3. PRINCIPLES

3.1 Mission

- 3.1.1 The goal of the SP is to select a diverse group of commissioners who can maintain an objective perspective, focus on facts, and exhibit a spirit of collaboration and community focus, for the betterment of policing in the City of Oakland.

3.2 Diversity

- 3.2.1 One important element of a strong commission is diversity—diversity of race, gender, class, background, neighborhood, age, job experience, and personal experience. The diversity of the commission ensures its likelihood to serve the diverse community in the City of Oakland. People with different backgrounds bring different skill sets, different perspectives, and different insights to the work.

3.3 Representation

- 3.3.1 Another important element of a strong commission is representation. The commission must include people from the communities that are most heavily impacted by police misconduct. People who have experienced or witnessed police

misconduct know more about what needs to change, what changes are most likely to work, and what the potential pitfalls of new approaches might be.

- 3.3.2 National statistics show that Black people, Native American people, and Latino people are significantly more likely to be killed by police officers than white people. Presumably they are also more likely to experience other types of police misconduct.
 - 3.3.3 Other groups that are often heavily impacted by police misconduct include LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who are living without housing, young people, and immigrants.
- 3.4 The Applicant's Experience
- 3.4.1 Applying to be on the PC and undergoing the public selection process is difficult and stressful. Every effort should be made to minimize the unpleasantness of the applicant's experience (without compromising the effectiveness of the process). The SP should express appreciation to the applicants—individually and collectively, verbally and in writing.

4. AD HOC COMMITTEES AND DESIGNEES

- 4.1 Ad hoc committees can be formed to perform any of the tasks in this procedure except the final applicant interviews and the final vote to select the commissioners (which must be done by the full SP).
- 4.2 Similarly, any task in this procedure (except the final applicant interviews and the final vote to select the commissioners) can be delegated to a single member of the SP (a designee).
- 4.3 Typically, committees and designees make recommendations which are voted on by the entire SP. If desired, the SP can authorize the committee or designee to perform the task as they see fit without getting approval from the SP on the details. (For example, the SP may authorize a designee to write a letter and send it without bringing the letter back to the SP for approval.)

5. RECRUITING APPLICANTS AND SELECTING COMMISSIONERS

- 5.1 The SP typically meets from February to August each year, meeting monthly or more often as required.
- 5.2 The most urgent tasks are setting the schedule for the year—particularly the application deadline—and doing outreach to recruit applicants. If possible, these tasks should be addressed at the first meeting of the year (typically in February).
- 5.3 Applications are accepted all year.
- 5.4 Staff includes all the applications received to date in the agenda packet for every meeting, so that SP members can begin reviewing the applications at any time.

5.5 Every agenda packet should include the following:

- This procedure
- The Applicant Evaluation Tool
- All applications received so far

5.6 Setting the Schedule

5.6.1 With staff guidance, decide on a schedule for the year. In 2021, the schedule was as follows:

Activity	Date
Incumbents notified	March 5, 2021
Updated application released	April 21, 2021
Joint press release with Mayor announcing 2021 nomination period	April 21, 2021
Community organizations contacted by staff	April 23, 2021
Previous applicants invited to reapply	April 26, 2021
Email to Mayor and City Council Offices requesting officials to share information	April 28, 2021
Application deadline	June 15, 2021
Deadline for Selection Panel to review applications	TBD
Candidate interviews (first round)	TBD
Finalist interviews (second round)	TBD
Determination of slate	Mid-August 2021
Background check process complete	Early-September 2021
Council confirmation	October 5, 2021

5.6.2 The final selections must be made in time for staff to complete background checks before the names of the nominees are submitted to the City Council.

5.6.3 The names of the nominees must be submitted to the City Council before the terms of the outgoing commissioners expire.

5.6.4 The City Council must approve the nominees before October 16, when the new commissioners begin their terms.

5.7 Outreach (Recruiting Applicants)

5.7.1 The goal of outreach is to let people in a variety of communities know that they can apply to be on the PC and give them information about the PC and how to apply.

5.7.2 It is especially important to reach people who are members of communities that are heavily impacted by police misconduct, such as Black people, Native American people, Latino people, LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who have lived without housing, young people, and immigrants.

5.7.3 Contact Person

5.7.3.1 The SP designates someone (preferably an SP member) to be the contact person for members of the public who have questions about applying to be on the PC. This person's name and/or contact information appear on outreach literature.

5.7.4 Press Release

5.7.4.1 The SP asks staff to write a press release and obtain a copy of the City's current list of people and organizations that usually receive press releases from the City.

5.7.4.2 Staff writes a press release and gets the mayor's approval. (See Appendix A for a sample press release.)

5.7.4.3 Staff includes the press release and the City's usual list of recipients in the agenda packet for the next meeting.

5.7.4.4 The SP approves the press release as is or requests changes.

5.7.4.5 The SP asks staff to distribute the press release to the City's list of people and organizations that usually receive press releases from the City.

5.7.4.6 If desired, the SP asks staff to distribute the press release to additional recipients.

5.7.4.7 Staff distributes the press release to the City's usual recipients and any additional recipients designated by the SP.

5.7.4.8 The SP asks staff to keep a running list of who will be notified.

5.7.4.9 The SP asks staff to keep a running list of who has been notified.

5.7.4.10 If desired, a press conference can be held by the SP, the chair of the SP, and/or the mayor.

5.7.5 The SP asks staff to do outreach to radio stations, local social media accounts, KTOP-TV, the local press, including the minority press, and more.

5.7.6 See Appendix L for sample radio announcements.

5.7.7 Social Media Posts, Newsletter Announcements, and Website Announcements

5.7.7.1 The SP reviews the suggested text in Appendix B and Appendix C, makes any desired changes, and then approves the text for use this year. If desired, the SP can designate a committee or designee to rewrite this text.

5.7.7.2 The SP asks staff to post the suggested text on the city's social media platforms, newsletters, etc. and requests that the text be posted weekly until the application due date.

- 5.7.7.3 The SP asks staff to post the suggested text on the PC and SP websites and remove it after the application due date.
- 5.7.8 Letter to the Mayor and City Council Members
- 5.7.8.1 The SP reviews the sample email message in Appendix D, makes any desired changes, and then approves the text for use in the current year.
- 5.7.8.2 The SP asks staff to send the email to the mayor and City Council members.
- 5.7.9 Personal Contacts
- 5.7.9.1 SP members post information on their own social media accounts and ask their friends and associates to do the same.
- 5.7.9.2 SP members reach out to individuals they think should apply to be on the PC.
- 5.7.9.3 SP members reach out to Neighborhood Councils.
- 5.7.9.4 SP members reach out to individuals and organizations that could spread the word to Oakland residents, especially Oakland residents from communities that are heavily impacted by police violence and other police misconduct (such as Black people, Native American people, Latino people, LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who have lived without housing, young people, and immigrants).
- 5.7.9.5 SP members reach out to organizations whose members have skills or expertise doing the types of work that Police Commissioners do, such as reviewing and rewriting policies, overseeing organizations, community engagement, labor relations, or personnel administration.
- 5.7.10 The recommended procedure for contacting organizations and individuals includes the following steps:
- 5.7.10.1 If possible, find a contact name as well as a phone number and email address.
- 5.7.10.2 Send an email (see Appendix E for a sample email) describing the PC, the application process, and the deadline, and asking the following:
- Are you interested in applying?
 - Can you think of someone you know who would be perfect for this?
 - Can you help us spread the word?
 - Would you please post something on your social media accounts and ask your friends to do the same? (Include sample text in the email message.)

- Does your organization have a newsletter or website or email list or social media accounts that you could put an announcement/email/post in? (Include sample text in the message.)
 - Does your organization have a meeting where someone could make an announcement?
 - 5.7.10.3 Follow up with a phone call.
 - 5.7.11 Contacting Commissioners Whose Terms Are Expiring
 - 5.7.11.1 Staff determines which commissioners have terms that are expiring in October of the current year.
 - 5.7.11.2 Staff notifies them that their terms are expiring.
 - 5.7.11.3 Staff includes commissioners who were appointed by the mayor as well as those appointed by the SP.
 - 5.7.11.4 If the commissioners are eligible to be re-appointed (if they have served only one term), staff invites them to apply and includes the application form for sitting commissioners. Staff asks the incumbents to inform the SP by a certain date whether or not they intend to reapply.
 - 5.7.11.5 Staff notifies Alternate Commissioners that they are eligible to apply to be Regular Commissioners. Staff includes the application form for sitting commissioners. Staff asks the Alternate Commissioners to inform the SP by a certain date whether or not they intend to reapply.
 - 5.7.12 Assistance from the Public
 - 5.7.12.1 The SP chair or designee makes an announcement at every SP meeting encouraging members of the public to help spread the word.
 - 5.7.12.2 Staff adds this announcement to the agenda for every SP meeting.
 - 5.7.12.3 Staff makes sample text available to the public electronically. (See Appendix B and Appendix C for sample text.)
 - 5.7.12.4 The SP designates someone to make announcements at PC meetings. (See Appendix F for sample wording.)
- 5.8 Reviewing This Procedure Every Year
 - 5.8.1 The SP should review this procedure as early as possible each year, preferably in February or March, so applicants have adequate time to notify references and prepare for interviews.
 - 5.8.2 If a process improvement ad hoc committee was appointed the previous year, they present their recommended changes and the SP votes on them.
 - 5.8.3 If there was no process improvement ad hoc committee or designee, or if the committee or designee makes no recommendations, the SP decides whether to review and revise the procedure as a full panel or use the current procedure.

- 5.8.4 This can also be done after the current selection cycle is complete, sometime after July, for use in the following year.
- 5.8.5 Improvements from year to year are encouraged. Changing the procedure at the last minute is discouraged.
- 5.8.6 Any or all of the following documents can be revised:
- this document
 - the interview questions for new applicants
 - the interview questions for incumbents
 - the Application Evaluation Tool
 - the application for new applicants
 - the application for incumbents
- 5.8.7 This document is revised as necessary.
- 5.8.8 Staff includes the new version in the agenda packets for future meetings.
- 5.8.9 Staff posts the current version of this document on the SP website.
- 5.9 Training
- 5.9.1 Training in ethics, equity, and City Code section 604 is mandatory and will be arranged by staff.
- 5.9.2 In addition, it may be desirable to consult the **City of Oakland's Human Resources Department** or hire a human resources professional to provide training in recruiting applicants, writing interview questions, interviewing candidates, and evaluating candidates. If possible, this should happen before the interview questions are finalized.
- 5.10 Acknowledging Applications
- 5.10.1 Throughout the year, staff sends a letter to everyone who applies to be on the PC. (See Appendix G for a sample.)
- 5.10.2 Before adjourning for the year, the SP writes and approves the letter for the following year.
- 5.11 Updating Interview Questions
- 5.11.1 If desired, the SP can review and revise the interview questions in the Applicant Evaluation Tool.
- 5.11.2 Staff includes the current Applicant Evaluation Tool in every agenda packet.

5.12 Reviewing Applications and Selecting Applicants to Interview

5.12.1 The SP schedules a meeting for approximately [one week] after the application due date.

Felicia, is one week enough time to prepare the agenda packet (as described below) and distribute it in advance of the meeting?

5.12.2 Staff makes sure the agenda packet for that meeting includes the following:

- All the applications received by the due date.
- A table showing the names and demographic information of all the applicants. (See previous years for examples.)
- The Application Evaluation Tool.

5.12.3 At that meeting, the SP makes a tentative decision about how many applicants to interview and agrees on a method for choosing those applicants. For example, if there are 100 applicants, the SP may decide that every SP member can vote for 20 applicants, then staff will tally the votes, and the SP as a whole will consider interviewing the 30 applicants who got the most votes.

5.12.4 Also at that meeting, the SP determines a deadline for SP members to finish reviewing all the applications and send their votes to staff.

5.12.5 The SP schedules a meeting for approximately [one week] after the deadline.

Felicia, is one week enough time for you to tally the votes and prepare the agenda packet and distribute it in advance of the meeting?

5.12.6 Every SP member reads every application.

5.12.7 SP members consider several things, including the following:

- the applicant's level of dedication to the work
- the applicant's knowledge of the PC
- the applicant's relevant lived experiences interacting with the police or witnessing police interactions with other members of the community
- the applicant's skills and expertise doing the types of work that Police Commissioners do, such as policy review and drafting experience, overseeing an organization, community engagement, labor relations, or personnel administration *Let's appoint an ad hoc committee to ask current and former commissioners what they think we should look for.*
- the applicant's ability to present clear and objective views, based on facts
- the applicant's ability to work constructively with others
- the applicant's established connections with the community

- the current makeup of the PC
- which applicants can provide diversity and representation

Important: Issues of diversity and representation should be considered even in these early steps. We can't choose diversity and representation at the end of the process if we eliminate it at the beginning of the process.

Important: Try to avoid eliminating candidates for reasons related to class or profession or level of education. For example, people in some lines of work might be more likely to have resumes.

5.12.8 Each SP member sends their votes to staff by the due date.

5.12.9 Staff tallies the votes and includes the results in the agenda packet for the next meeting, including how many votes each applicant got and which SP members voted for which applicants, and listing the applicants in order of how many votes they got.

Important: Staff must make it clear in the agenda packet that these votes do not indicate the SP's final decisions about who to interview.

5.12.10 At the meeting, the SP discusses the votes and the candidates.

5.12.10.1 First, identify a preliminary group to consider. Depending on the votes, the SP may decide to consider a different number of applicants than originally planned. (For example, if the SP has decided to interview the top 30 vote-getters but there is a three-way tie for number 29, the SP may choose to interview the top 28 vote-getters or the top 31 vote-getters.)

5.12.10.2 If a member of the SP thinks there is an applicant who should be interviewed even though they didn't make it into this preliminary group, the panel member can explain why. Some possible reasons might be: (1) the applicant has an important quality that may have been overlooked by other panel members; (2) the applicant could bring more diversity to the commission; or (3) the applicant could increase the representation of impacted communities on the commission. For example, if the PC currently consists of attorneys and CEOs, the SP might be interested in appointing a working-class person if a qualified working-class person applies. If there is a working-class applicant with a really great application who makes it into the top 40 vote-getters but not the top 30, the SP may choose to interview that applicant in addition to the top 30.

5.12.10.3 The SP discusses the pros and cons of interviewing any applicant who didn't make the cutoff but is being advocated for by an SP member.

5.12.10.4 The SP votes on whether to interview any applicants who did not make the cutoff.

Important: Issues of diversity and representation should be considered even in these early steps. We can't choose diversity and representation at the end of the process if we eliminate it at the beginning of the process.

Important: Try to avoid eliminating candidates for reasons related to class or profession or level of education. For example, people in some lines of work might be more likely to have resumes.

5.13 Interviewing Candidates

5.13.1 The SP decides whether to ask candidates to make 5-minute statements before holding full interviews.

5.13.2 Staff contacts the candidates and schedules 5-minute statements or 30-minute interviews.

5.13.3 When contacting a candidate to schedule an interview or 5-minute statement, inform the candidate of the following (in writing):

- The SP appreciates their willingness to apply for this very difficult and demanding work.
- The number of people who will be interviewing them.
- The interview will be broadcast live and recorded and stored for public access.
- The SP may discuss their strengths and weaknesses in public.

5.13.4 Send a statement about evaluation criteria to the candidates, along with a copy of the Applicant Evaluation Tool. See Appendix H for a sample.

5.13.5 When sending letters to applicants who are not being interviewed, make sure the letters include information about next steps they can take to get involved and/or who they can contact for questions.

5.13.6 At every meeting that includes an interview or a 5-minute statement from a candidate:

- Explain the selection process to the public.
- Inform the public that the interview questions and priorities are listed in the Applicant Evaluation Tool (which is in the agenda packet) although follow-up questions are also allowed.
- Inform the public that evaluation criteria are listed in this document (which is in the agenda packet) and have been sent to all the applicants who are being interviewed.

- If incumbents are being interviewed, remind the public that the incumbent's interview is only part of what the SP considers. The SP also considers the incumbent's demonstrated performance as a commissioner. Refer the public to the video recordings and agenda packets from the last 3 years of PC meetings.
- Express appreciation to the candidates for applying and undergoing public interviews.

5.13.7 For full interviews:

- Typically, the members of the SP take turns asking candidates questions from the Applicant Evaluation Tool. Follow-up questions are also allowed.
- Consider including 3-5 minutes at the beginning or end of each interview for the candidate to make a presentation (especially if they did not make 5-minute presentations earlier).

5.13.8 After the initial interviews or 5-minute statements, the SP decides who to invite to the next round of interviews.

Important: Try to avoid eliminating candidates for reasons related to class or profession or level of education. For example, people in some lines of work might be more experienced and comfortable with the kind of interviews the SP is conducting.

5.13.9 Discussing candidates is allowed but not required. When doing so, be mindful of the candidates' feelings and their public reputations. SP meetings are recorded, and the recordings will be available online for years to come, easily accessible by family members and potential employers. Never insult candidates publicly, and avoid criticizing them publicly unless it is absolutely necessary in order to explain specific concerns to the other SP members. Do not speculate on unknown facts, such as an applicant's country of origin or what a formerly incarcerated person's alleged crime was.

5.13.10 At least 6 finalists should be interviewed, so there are enough vetted finalists to form a Reserve Pool even if some finalists withdraw from the process. If two commissioners need to be selected, at least 7 finalists should be interviewed.

5.13.11 Every finalist should be interviewed at least twice, for at least 30 minutes each time, before a final decision is made.

5.13.12 After each round of interviews, SP members are given another chance to discuss the candidates and share information, observations, and opinions. Be mindful of the finalists' feelings and public reputations.

5.13.13 Letters to candidates who were not selected should express appreciation for applying for a volunteer position and undergoing public interviews. They should also include information about how they can get involved and/or who they can contact for questions.

- 5.13.14 Letters to candidates who were selected for the Reserve Pool should also express appreciation for applying and undergoing public interviews, and they should also include information about how they can get involved and/or who they can contact for questions.
- 5.13.15 Additional interviews or other measures can be added to the process if desired by a majority of the SP.
- 5.14 Checking References
 - 5.14.1 Before the final interviews, SP members call each finalist's three references and ask a set of agreed-upon questions. (See Appendix J for a sample list of questions.)
 - 5.14.2 SP members report on what the candidates' references said at an SP meeting. Be mindful of the candidates' feelings and public reputations.
- 5.15 Selecting Commissioners
 - 5.15.1 The final selections should be made by mid-August, so there is enough time for staff to do background checks before the names of the nominees are submitted to the City Council for approval. The nominees must be submitted to the City Council before the terms of the outgoing commissioners expire.
 - 5.15.2 If desired, the SP discusses the finalists. Be mindful of the finalists' feelings and public reputations.
 - 5.15.3 If desired, the SP takes a vote to see which finalists get the most votes.
 - 5.15.4 Someone makes a motion to select one of the finalists, and the SP members vote yes or no on selecting that individual. An individual must get 2/3 of the vote to be selected. (If the SP consists of 9 members, the selected finalist must get at least 6 votes.)
- 5.16 Creating a Reserve Pool
 - 5.16.1 The SP can create a Reserve Pool, if desired.
 - 5.16.2 The purpose of a Reserve Pool is to make it easier to fill an unexpected vacancy in the coming year. If a commissioner who was selected by the SP resigns or is removed before their term has expired, the SP must fill the vacancy. If a Reserve Pool exists, the SP can select a member of the Reserve Pool to fill the vacancy.
 - 5.16.3 A Reserve Pool is typically created at the end of a selection cycle.
 - 5.16.4 The criteria for inclusion in the Reserve Pool are decided each year by the SP. The members of the Reserve Pool may be some of the finalists who were not appointed that year.
 - 5.16.5 The Reserve Pool must consist of at least 3 people.
 - 5.16.6 People who are selected for the Reserve Pool must be asked if they want to be in the Reserve Pool and if they are willing to inform the SP if they become unavailable to serve on the commission.

- 5.16.7 Important: Members of the Reserve Pool must be informed that (a) being in the Reserve Pool does not guarantee that they will be appointed in the event of a vacancy on the PC, (b) being in the Reserve Pool does not guarantee that they will be appointed in the following year, (c) membership in the Reserve Pool expires on October 16 of the following year, and (d) if they want to be considered during the next year's selection cycle, they must submit a new application. (For example: If a Reserve Pool is created in July 2022, it will not expire until October 16, 2023, but anyone who wants to be considered in the regular selection cycle in 2023 must submit a new application by the application deadline in spring or summer of 2023.)
- 5.16.8 It is the responsibility of the chair of the SP to communicate the above points to the members of the Reserve Pool or to delegate the task to a designee (preferably a member of the SP). It is the responsibility of staff to confirm that this information has been communicated to the members of the Reserve Pool. See Appendix K for a sample letter.
- 5.17 Background Checks and Submission to City Council
- 5.17.1 Staff performs background checks for the selected individual(s) and submits their name(s) to the City Council before the terms of the outgoing commissioners expire.
6. POST-SELECTION TASKS
- 6.1 After the selections are made, certain tasks should be done before the SP adjourns for the year.
- 6.2 Letter to Future Applicants
- 6.2.1 Write and approve a letter to send to people who apply in the next year. (See Appendix G for a sample letter.) Request that staff send the letter to anyone who applies.
- 6.3 Next Year's Schedule
- 6.3.1 Choose an application deadline for the following year, which can be used in outreach material for the next 11 months.
- 6.3.2 Ask staff to update the application information on the PC and SP websites, including the application deadline.
- 6.3.3 Choose a date for the next SP meeting (typically in February or March).
- 6.4 Revising the Application
- 6.4.1 The SP may choose to revise the application for the following year. This should be done as soon as possible, so that people who apply during the year can use the new version. This work can be delegated to an ad hoc committee or an individual SP member.
- 6.5 Revising the Procedure
- 6.5.1 Create a process improvement ad hoc committee to review the process in October, November, or January and create a list of recommended changes for presentation

to the full SP at the beginning of the following year's selection cycle (in February or March). Alternatively, the full SP could meet in October, November, or January to review and revise the process.

6.6 Updating the SP Website

6.6.1 The SP reviews the SP website and decides on any changes.

6.6.2 Staff implements the changes.

6.6.3 Staff removes the information about this year's applications from the PC and SP websites, replacing it with information for next year's application process (including the deadline for the next year).

7. FILLING VACANCIES

7.1 If a commissioner who was selected by the SP resigns or is removed before their term has expired, the SP must fill the vacancy.

7.2 The SP may choose to select someone from the Reserve Pool (if one exists). Members of the Reserve Pool can be interviewed again, or the SP can vote on who to select without interviewing them again.

7.3 Alternatively, the SP may choose to hold a special recruitment and selection cycle, although that is very time consuming. The SP could also choose to fill the vacancy during that year's regular selection cycle, particularly if the vacancy occurs in the spring or summer and the regular selection cycle is already underway.

7.4 If the SP chooses to interview members of the Reserve Pool again, the chair of the SP (or a designee) explains the process to the public, explaining that the selection is based on information obtained previously, from candidates' applications, interviews, and references.

8. DOCUMENT APPROVAL

8.1 This document was approved by a majority of the SP on [date]. It will become effective on January 1, 2023.

9. REVISIONS AND EXCEPTIONS

9.1 This document can be changed at any time. Changes must be approved by a majority of the SP.

9.2 Improvements from year to year are encouraged. Changing the procedure at the last minute is discouraged.

9.3 Exceptions to this procedure must be documented and approved by a majority of the SP.

10. APPENDICES

10.1 The sample text in the appendices can be used or modified if desired. Using this wording is not required.

APPENDIX A

SAMPLE PRESS RELEASE

May 20, 2022

Oakland Residents Encouraged to Apply for Police Commission

Applications Due June 30, 2022

Oakland, CA – Mayor Libby Schaaf and the Selection Panel for the Police Commission today announced the opening of the application process to serve on the Oakland Police Commission.

“Oakland’s volunteer Police Commission is currently the most powerful and independent Police Commission in the country,” **Oakland Mayor Libby Schaaf** said. “When the actions of a member of the Oakland Police Department are called into question, the public must have total confidence that allegations of misconduct are taken seriously, investigations are thorough, transparent, and fair, and offenders are held accountable when appropriate. The City remains committed to ongoing and nationally recognized strides the Oakland Police Department has been making.”

Establishing and maintaining public trust and confidence in the Oakland Police Department (OPD) is essential for the department to provide the highest level of service to the community.

Selection Panel Chairperson **Jim Chanin**: “We are seeking dedicated community members that will hold the Oakland Police Department to the highest standards and speak up for the community at-large. If you can be fair to all parties, and are passionate about police accountability issues and justice, we want to hear from you.”

The Selection Panel will seek to make appointments that reflect Oaklanders’ diversity of experiences, especially individuals from communities experiencing the most frequent contact with the police. Strong commitment to police accountability and public service will be prioritized. Duties include overseeing the Community Police Review Agency, which conducts investigations into allegations of officer misconduct; overseeing the Office of the Inspector General, which will conduct independent audits of OPD; proposing changes to, approving, or rejecting current or proposed OPD policies; and removing the Chief of Police for cause, as well as other duties.

Commissioners must meet two criteria:

- a. be a resident of the City of Oakland; and
- b. be over 18 years of age by the date of the first Commission meeting.

The Selection Panel strongly encourages formerly incarcerated individuals to apply.

Individuals meeting the following criteria are not eligible to serve on the Police Commission: current sworn police officers; current City employees; former OPD sworn employees; current or former employees, officials, or representatives of an employee association representing sworn police officers; attorneys with pending claim or lawsuit against OPD; and attorneys who have filed a claim or lawsuit against OPD that was resolved during the past year.

Applications are available at www.oaklandca.gov/policecommission and will be accepted until June 30, 2022, when the Selection Panel will begin to interview candidates. Appointments will be made no later than October 16, 2022. Interested applicants are encouraged to apply as soon as possible.

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APPENDIX B
SAMPLE SOCIAL MEDIA POST

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

APPENDIX C

SAMPLE ANNOUNCEMENTS FOR NEWSLETTERS OR WEBSITES

SHORT ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities. Applications are due by [date].

www.oaklandca.gov/policecommission

LONG ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities.

The panel that selects most of the commissioners is looking for diversity and encouraging people from heavily policed communities to apply. Commissioners must be over 18 and live in Oakland. They cannot be police officers or City employees. A high school diploma is not required, and formerly incarcerated people are encouraged to apply.

This year applications are due by [date].

To apply, go to www.oaklandca.gov/policecommission, where you can also find more information about the Police Commission. You can watch videos of past meetings, find out about upcoming meetings, and learn about City Code section 604, which describes the powers and responsibilities of the Police Commission.

If you have any questions please call [name] at [phone number] between [10:00 am and 8:00 pm, any day of the week].

APPENDIX D**SAMPLE EMAIL FOR MAYOR AND CITY COUNCIL MEMBERS**

Note: If using this sample email, be sure to attach a document with the sample wording for announcements (see Appendix C). Or delete the sentence that says, "There are longer posts in the attached document, for newsletters or web pages." Also be sure to add the actual information (mayor's name or council member's name at the top, contact's phone number at the bottom, etc.).

Subject: Time to apply for the Police Commission

Dear Councilmember ----- / Mayor -----:

It's time for people to apply to be on the Police Commission! The deadline for applications is [date]. Will you help us spread the word?

If you have a newsletter, web page, or social media account, please consider posting something. Here is some sample language:

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

There are longer posts in the attached document, for newsletters or web pages.

If you have any questions, please call Selection Panel Member [name] at [phone number] (between 10:00 am and 8:00 pm) or email her at [email address].

Thank you!

APPENDIX E

SAMPLE OUTREACH EMAIL TO ORGANIZATIONS

Note: This sample email contains references to documents that can be attached to the email. Either attach the documents or delete the sentence that refers to them. An example of the first referenced document can be found in Appendix C, and an example of the second referenced document can be found in Appendix M.

Dear [name of organization or contact],

It's time for people to apply to be on the Oakland Police Commission! Are you interested in being on the commission? Can you think of someone you know who would be a good commissioner? Will you help us spread the word?

If you have a newsletter, website, or social media account, please consider posting something. Here is some sample wording:

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

Sample wording for longer announcements is attached, and so is a sample letter that you could send to your members if you wish.

The Police Commission rewrote OPD's policy on use of force. It has the authority to discipline officers and fire the chief of police for cause. When the mayor hires a new chief of police, the mayor must choose from a list provided by the commission.

Commissioners must be over 18 and must live in Oakland. They cannot be police officers or City employees. Being a commissioner takes significant time, but it is a chance to really change policing in Oakland. A high school diploma is not required, and formerly incarcerated people are encouraged to apply.

If you would like someone to give a 5-minute presentation at a meeting, or if you have any questions, please call [name] at [number] between [10:00 am and 8:00 pm, any day of the week].

Thanks in advance for anything you can do to get the word out!

APPENDIX F**SAMPLE WORDING FOR ANNOUNCEMENTS AT OTHER MEETINGS**

Note: This wording can be used when making announcements at Police Commission meetings or meetings of other organizations.

Hello, my name is ----- and I want to remind everyone that you can apply to be on the Police Commission. Get a pen, because I'm about to give you a website address. Applications are accepted all year, and every summer the Selection Panel chooses a replacement for a commissioner whose term is expiring. The deadline to be considered this year is [date].

If you are interested, or you know someone who might be interested, go to www.oaklandca.gov/policecommission. Or Google "Oakland Police Commission".

You must be an Oakland resident and at least 18 years old to apply, and you cannot be a police officer or a City employee. You do not need a high school diploma, and formerly incarcerated residents are encouraged to apply. That website again is www.oaklandca.gov/policecommission, and this year's deadline is [date].

APPENDIX G

SAMPLE LETTER TO APPLICANTS

Dear applicant,

Thank you for applying to be on the Oakland Police Commission. This important work depends on people who are willing to volunteer their time and expertise.

Please take some time to learn about the Police Commission so you will be prepared if you are selected for an interview.

Recommended activities:

- Attend at least 3 meetings of the Oakland Police Commission.
 - Meetings are usually held at [5:30 or 6:30 pm] on [the second and fourth Thursdays of the month]. To find out when the next meeting is, go to the Police Commission website (www.oaklandca.gov/policecommission).
 - During the COVID pandemic, meetings are being held virtually by Zoom. To find the link for the next meeting, go to the Police Commission website (www.oaklandca.gov/policecommission) and find the agenda for the next meeting. A link for the meeting should be in the first two pages of the agenda.
 - If you cannot attend 3 meetings before your interview date, watch the video recordings of at least 3 past meetings. The videos are available on the Police Commission website (www.oaklandca.gov/policecommission).
- Read the agenda packets for at least 3 meetings.
 - They can be found on the Police Commission website (www.oaklandca.gov/policecommission).
- Read Measure S1 (City Code section 604).
 - Section 604 describes the Police Commission's powers and responsibilities.
 - A link to the text of section 604 can be found at the bottom of the Police Commission website (www.oaklandca.gov/policecommission).
- Look around on the Police Commission website (www.oaklandca.gov/policecommission).

Thank you again for applying. If you have any questions, please contact [the designated SP member] at [contact information].

APPENDIX H

SAMPLE STATEMENT TO INTERVIEWEES

This sample statement can be used or modified to satisfy the instructions in Steps 5.12.3 and 5.12.4.

Dear applicant,

The Selection Panel for the Police Commission would like to interview you, and [name] will be contacting you to schedule a time.

You will be interviewed by a panel of 9 people. The interview will be part of a public Zoom meeting, and it will be recorded and posted on the Police Commission website. The Selection Panel may discuss your strengths and weaknesses at the meeting. Members of the public may express their opinions about the candidates.

We deeply appreciate your participation in this demanding process.

During the interview you may be asked some of the questions in the Applicant Evaluation Tool, [which is attached]. The Selection Panel considers several things when evaluating applicants, including the following:

- level of dedication to police accountability work
- knowledge of the Police Commission
- lived experiences interacting with the police or witnessing police interactions with other members of the community
- skills and expertise doing the types of work that Police Commissioners do
- ability to present clear and objective views, based on facts
- ability to work constructively with others
- established connections with the community
- who can add to the diversity of the Police Commission
- who represents a community that is heavily impacted by police violence and other police misconduct (such as Black people, Native American people, LGBTQ people, poor people, formerly incarcerated people, residents of East Oakland, residents of West Oakland, people who have lived without housing, young people, and immigrants)

Sincere thanks for your commitment to making the Police Commission the best it can be. If you have any questions, please contact [SP member] at [contact information].

APPENDIX J

QUESTIONS TO ASK REFERENCES

If desired, these questions can be asked when interviewing a candidate's references. It might be best to start with general questions, to see what they say before we say something that indicates what we are looking for.

1. How do you know this person?
2. How long have you known this person?
3. How would you describe this person?
4. What are this person's major strengths and weaknesses?
5. Is this person detail-oriented or a big picture person?
6. What is this person's interaction style?
7. Have you seen this person work with people they disagree with? How do they handle the situation?
8. Have you seen this person help someone else achieve their goals?
9. What would make this person a good Police Commissioner? (First tell them a little about what is involved in being on the Police Commission.)
10. Is there anything you would like to add?

APPENDIX K**SAMPLE LETTER TO MEMBERS OF THE RESERVE POOL**

Dear finalist,

The Selection Panel would like to invite you to be in the Reserve Pool for the Police Commission. If a Police Commissioner resigns or is removed in the next year, the Selection Panel may choose to select the commissioner's replacement from the Reserve Pool.

Please note:

- Being in the Reserve Pool does not guarantee that you will be appointed to fill the next vacancy on the Police Commission.
- If you want to be considered again next year, you must submit a new application.
- Membership in the Reserve Pool expires on October 16 of [2023].

If you are interested in being in the Reserve Pool, and are willing to inform the Selection Panel if you become unavailable to serve on the Police Commission, please inform [staff member] by [date].

Thank you.

APPENDIX L

SAMPLE RADIO ANNOUNCEMENTS

SHORT ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities. Applications are due by [date].

Google “Oakland police commission” or go to www.oaklandca.gov/policecommission

LONG ANNOUNCEMENT

Do you want to help oversee the Oakland Police Department?

Apply to be on the Police Commission, which is changing OPD policies and overseeing police discipline. It takes significant time in meetings, meeting prep, and committee work, but you can help bring fair and just policing to Oakland communities.

The panel that selects most of the commissioners is looking for diversity and is encouraging people from impacted communities to apply. You must be over 18 and live in Oakland, and you cannot be a police officer or a City employee. Formerly incarcerated individuals are encouraged to apply. A high school diploma is not required.

Applications are due by [date]. To apply, Google “Oakland police commission” or go to www.oaklandca.gov/policecommission. At the Police Commission website you can also find more information about the Police Commission and Oakland City Code section 604, which describes the powers and responsibilities of the Police Commission. You can watch videos of past meetings and find out about upcoming meetings. If you have any questions, please call [name] at [phone number], any day of the week.

APPENDIX M

SAMPLE LETTER FOR OTHER ORGANIZATIONS TO SEND TO THEIR MEMBERS

Note: This document is intended to be an attachment to an email we would send to an organization. It is a sample of what the organization could send to their members.

Dear members,

You can change Oakland policing.

The Oakland Police Commission is looking for new members. Are you interested? Do you know someone who would be interested? Please help us spread the word. Applications are due [date and year].

The Police Commission was created by Oakland voters in 2016, and it is taking major steps to reform the Oakland Police Department.

The work is hard, and it is unpaid at this time. It takes significant time in meetings, meeting prep, and committee work. It requires working with people you disagree with. You could face opposition from many quarters. But you can help bring fair and just policing to Oakland communities.

The panel that selects the majority of the commissioners is looking for diversity and encouraging people from impacted communities to apply. You must be over 18 and live in Oakland. You cannot be a police officer or a City employee. You do not need a high school diploma, and formerly incarcerated people are encouraged to apply.

To apply, go to www.oaklandnet.gov/policecommission, where you can also find more information about the Police Commission. You can watch videos of past meetings, find out about upcoming meetings, and learn about City Code section 604, which describes the powers and responsibilities of the Police Commission. If you have any questions, please call [name] at [phone number] between [10:00 am and 8:00 pm, any day of the week].

Please spread the word on social media. You can use the wording below if you like:

Help oversee the Oakland Police Department!

Apply by [date] to be on the Police Commission, which is changing OPD policies and overseeing discipline. It takes significant time but can bring fair policing to Oakland.

www.oaklandca.gov/policecommission

Thank you for supporting police accountability in Oakland!