



# OAKLAND POLICE COMMISSION REGULAR MEETING MINUTES

January 26, 2023  
5:30 P.M.

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

Chair Tyfahra Milele called the meeting to order at approximately 5:39 p.m. and took roll.

### Roll Call:

**Present:** Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

**Absent:** None

Following roll call, Chair Milele read a public statement about the challenges facing the Commission as it moves forward in its work.

## II. Consider and Approve Request to OPD and City of Oakland for Investigation Files and Records (Charter § 604(f)(2))

In furtherance of its prior requests on January 17, 2022 and October 11, 2022, the Police Commission formally requested internal affairs and City personnel files and records related to two case numbers and formally articulate a nexus to its Charter Authorities in Section 604(b) of the City Charter.

Public Comments were made by 11 persons (Cleveland; Grinage; Vale; Contreras; Olugbala; Parker; Jenkins; Patty; Christal; Hugh; Bey).

Commissioner Harbin-Forte made a motion, seconded by Commissioner Jackson, to request investigation files and records from OPD and the City of Oakland. The motion carried with the following vote:

**Ayes:** 6 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh

**Nays:** 0

**Absent:** 1 - Jordan

## III. Closed Session

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
(Government Code Section 54957(b))**

**CONFERENCE WITH LEGAL COUNSEL –**

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

**Delphine Allen et al., v. City of Oakland, et al.**

**N.D.Cal No, 00-cv-4599-WHO**

Following public comment from 7 persons (Wofford; Bey; Beck; Grinage; Olugbala; Hugh; Jenkins), the Commission adjourned to closed session.

After the closed session, Chair Milele reported: that the Commission has received some of the confidential records with the prior vote under Item #2 and will take the necessary time to review the information just received. The Chair clarified that the vote on Item #2 also covers additional records. There was no reportable action from closed session, and the Chair noted that the Commission will be scheduling a special closed session meeting on Thursday, February 2<sup>nd</sup>.

**IV. Redetermination of Quorum**

Chair Milele called the meeting back to order and took roll to redetermine quorum.

**Roll Call:**

**Present:** Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

**Absent: None**

**V. Open Forum Part 1**

Public comments were made by 3 persons (Olugbala; Janks; Jaffe).

**VI. Discussion of Commission Authority on Priorities for N.S.A. Tasks 5 & 45**

Chair Milele and the Commission discussed how this agenda item is critical to the Commission as it relates to court oversight of OPD. In addition to centering the role of the Commission, the court has made clear its desire to hear from OPD and staff on April 11, 2023. The Chair reported that she will be creating an ad hoc committee to address the work a future standing committee on post-NSA sustainability would eventually take on, pursuant to the Commission's authority under the City Charter.

Public comments were made by 9 persons (Olugbala; Bey; Grinage; Hugh; Findley; Leonard; Vale; Jenkins; Tigges).

**VII. Update from Oakland Police Department (OPD)**

Acting Chief Darren Allison reported on current crime statistics, staffing numbers, and NSA compliance. Dr. Leigh Grossman provided a briefing on monthly and yearly risk analysis.

Following discussion and questions from Commissioners, public comments were made by 9 persons (Grinage; Olugbala; Bey; Janks; Christal; Hugh; Leonard; Jaffe; Janks).

Commissioner Jackson made a motion, seconded by Commissioner Harbin-Forte, to extend the meeting one hour. The motion carried with the following votes:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

Chair Milele responded to public comment by T. Christal and provided her contact information.

#### **VIII. Update from Community Police Review Agency (CPRA)**

Interim Executive Director Jones provided an update on CPRA's closed cases list and reported that, since taking on her new role, she has been focused on two main issues: the timely submission of objective and comprehensive investigative cases, as well as establishing procedures to be codified in the Standard Operating Procedures manual. Director Jones shared her hands-on approach to training investigators and answered follow-up questions about staffing, training, and the CPRA's jurisdiction under the City Charter.

Public comments were made by 9 persons (Tigges; Grinage; Olugbala; Bey; Harris; Leonard; Christal; Lindsay-Poland; Jenkins).

#### **IX. Presentation of Proposed Amendments by City Council related to Militarized Equipment Policies**

Counsel Nguyen briefed the Commission on recent work of the Militarized Equipment Policy Ad Hoc Committee and why this agenda item was necessary. Counsel advised that a motion be made to allow supplemental materials for Items #9 and #10.

Commissioner Jackson made a motion, seconded by Commissioner Harbin-Forte, to allow supplemental materials for Agenda Items #9 and #10. After no public comments were made, the motion carried with the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

A second motion was recommended by Counsel Nguyen to amend Item #10 for consideration of only the first three policies: DGO I-26 (Ground Robots); DGO K-6 (Department Rifles); and DGO K-7 (Military Equipment Funding, Acquisition and Use Policy).

Commissioner Jackson made a motion, seconded by Commissioner Hsieh, that the Commission amend Item #10 for consideration of only the first three policies: DGO I-26 ; DGO K-6; and DGO K-7. After no public comments were made, the motion carried with the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

Commissioner Harbin-Forte made a motion, seconded by Commissioner Hsieh, to extend the meeting to 1:00 a.m. The motion carried by the following vote:

**Ayes:** 6 - Milele, Peterson, Harbin-Forte, Howell, Hsieh, Jordan

**Nays:** 1 - Jackson

**Absent:** 0

**X. Presentation and Possible Approval of Updated Militarized Equipment Policies**

**DGO I-26 (Ground Robots) — Approved 9/22/22**

**DGO K-6 (Department Rifles) — Approved 9/16/22**

**DGO K-7 (Military Equipment Funding, Acquisition and Use Policy) — Approved 9/8/22**

Commissioner Hsieh, Chair of the Militarized Equipment Ad Hoc Committee, presented on the committee's work thus far and walked the commissioners through the revisions to the three policies recommended by the Militarized Equipment Ad Hoc Committee, and explained what policies will be discussed at the next meeting.

Public comments were made by 3 persons (Lindsay-Poland; Christal; Bey).

Commissioner Hsieh made a motion, seconded by Commissioner Jackson, that the Commission send policies DGO I-26 (Ground Robots), DGO K-6 (Department Rifles), and DGO K-7 (Military Equipment Funding, Acquisition and Use Policy) to the City Council with the recommendation to approve. The motion carried with the following vote:

**Ayes:** 7 - Milele, Peterson, Harbin-Forte, Howell, Jackson, Hsieh, Jordan

**Nays:** 0

**Absent:** 0

**XI. Committee Reports**

**Budget Committee (Commissioners Milele, Jordan, Jackson-Castain)**

Chair Milele reported that the Budget Committee met for preliminary discussions and planning, with plans to continue soliciting feedback from Commissioners, staff, and members of the public. Chair Milele shared that the Mayor will be meeting to discuss budget proposals in early March.

**Rules of Procedure Committee (Commissioners Hsieh, Howell, Jackson-Castain)**

Commissioner Hsieh reported that the committee met to discuss a plan for soliciting feedback on the Rules of Procedure.

Public comment was made by 1 person (Bey).

**XII. Upcoming/Future Agenda Items**

Commissioner Peterson requested an update from CPRA on the training for investigators and a timeline, as well as an update on Task 5 and NSA sustainability on future agendas.

Alternate Commissioner Jackson-Castain requested a discussion on the content of future OPD reports.

Public comment was made by 5 persons (Bey; Christal; Leonard; Jaffe; Olugbala).

**XIII. Open Forum Part 2**

Public comments were made by 4 persons (Bey; Janks; Jaffe; Christal).

**XIV. Adjournment**

Chair Milele adjourned the meeting at 12:23 a.m.