



OAKLAND POLICE COMMISSION

REGULAR MEETING MINUTES

February 23, 2023
6:30 P.M.

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

Chair Tyfahra Milele called the meeting to order at approximately 6:32 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

II. Open Forum Part 1

Public comments were made by 3 persons (Contreras; Grinage; Adams).

III. Update from Oakland Police Department (OPD)

An update was provided by Dr. Leigh Grossman and Chief Darren Allison, including data on stops, collisions, pursuits, complaints and arrest statistics, as requested by the Chair. Questions were taken from Commissioners Jackson, Ordaz, Howell, and Jackson-Castain. These questions were answered by Chief Allison, Dr. Grossman, and Sergeant Doria Neff.

Public comments were made by 5 persons (Grinage; Jaffe; Olugbala; Jenkins; Wiley). After public comment, Chief Allison responded to some of the questions raised.

IV. Update from Community Police Review Agency (CPRA)

CPRA Interim Director Charlotte Jones provided an update on CPRA complaint statistics and made a presentation on the intake process. Director Jones answered questions from Commissioners Howell, Peterson, Jackson-Castain, Ordaz, Harbin-Forte, and Jackson. Commission Counsel Garcia weighed in on a question raised by Commissioner Ordaz concerning CPRA's role in investigations.

Public comments were made by 9 persons (Grinage; Olugbala; Jaffe; Wiley; Vale; Cleveland; Leonard; Jenkins; Conteras).

V. Presentation and Possible Approval of Changes to Militarized Equipment Policies

- **TB V-F.02 (Chemical Agents)** — Approved 9/16/22
- **TB-III-H (Specialty Impact Munitions)** — Approved 9/16/22

Commissioner Hsieh provided an update on behalf of the Militarized Equipment Policies Ad Hoc. Information was also provided by OPD Lieutenant Steve Toribio regarding the above policies, including modifications made to the language of the policies for the purpose of the consideration of vulnerable populations and persons present during potential instances where force and/or specialty munitions are deployed. Public comment was made by 2 persons (Beck; Olugbala) and answered by Commissioner Hsieh and Lt. Toribio.

After public comment, Commissioner Hsieh made a motion, seconded by Vice Chair Jordan, to send the above policies to City Council with the recommendation to approve them for the Department. The motion carried by the following vote:

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

Nays: 0

Absent: 0

VI. Budget Proposals for the Oakland Police Commission, Community Police Review Agency, and Office of the Inspector General

Prior to hearing about the budget proposals for the Office of the Inspector General and Community Police Review Agency, Chair Milele made a statement regarding the need for additional Police Commission staff and the Charter requirements involved in this process.

IG Michelle Phillips presented on the OIG's budget priorities and the Human Resources process involved in hiring more permanent staff, including three auditors, a policy analyst, and a deputy director position.

CPRA Director Jones provided an update on CPRA staffing needs, including administrative support and a project manager for a mediation program.

Chair Milele also provided an update on OPC staff needs, including a Senior Policy Analyst, Program Analyst II, and a Public Information Officer I.

A robust discussion on the subject of budget and staffing needs was had by the Commission, OIG Director Phillips, and CPRA Interim Director Jones. Commissioner Harbin-Forte made a motion, seconded by Chair Milele, to extend the meeting to midnight. The motion carried by the following vote:

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

Nays: 0

Absent: 0

Prior to public comment, Chief of Staff Yun commented on the intersection of budgets with the OIG and CPRA, prioritization of staffing needs based on Commission goals, and the rationale

behind strategizing the currently proposed positions for OPC.

Public comments were made by 5 persons (Wiley; Vale; Olugbala; Jaffe; Contreras).

VII. Committee Reports

Staff Searches (Commissioners Milele (Chair), Jordan, Howell)

This committee is tasked with completing staff searches on behalf of the Police Commission. Chair Milele provided an update on the Staff Search Ad Hoc, including progress on the Chief of Staff search and second-round interviews for the CPRA Executive Director search. Questions were raised by Commissioners Jackson and Peterson.

Oakland Black Officers Association “OBOA” Allegations Investigation (Commissioners Harbin-Forte (Chair), Jackson, Ordaz)

The mission of the OBOA Allegations Investigation Ad Hoc Committee is to select an outside firm through the City’s Request for Proposal process to investigate allegations by the Oakland Black Officers Association that the Oakland Police Department engages in racially discriminatory hiring and promotions.

Commissioner Harbin-Forte provided an update on the work of this committee, including the current status of the City’s possible extension of the contract with StoneTurn, the firm selected to conduct the investigation.

Negotiated Settlement Agreement “NSA” (Commissioners Harbin-Forte (Chair), Hsieh, Milele)

The purpose of this committee is (1) to represent the Commission in all deliberations and discussions with other City stakeholders pertaining to OPD’s Sustainability Period and efforts to resolve court oversight; (2) review the status of OPD compliance with NSA Tasks 5 (investigations) and 45 (racial disparity in discipline), and make recommendation for policy changes to achieve compliance, including review and assessment of the policy recommendations made in the January 18, 2023 Clarence, Dyer & Cohen report; and (3) recommend policies and actions required to ensure that the constitutional policing mandated by the NSA continue beyond the Sustainability Period.

Commissioner Harbin-Forte provided comments on Judge Orrick’s orders from last month’s NSA status conference and provided detailed information on her vision for this ad hoc committee’s upcoming work. She reported that the committee would hold an organizing meeting to set a meeting schedule and stated that the committee would post all public meetings on the ad hoc committee’s web page.

Public comments were made by 3 persons (Olugbala; Jaffe; Contreras), followed by a brief discussion between several Commissioners.

VIII. Consent Calendar

Commissioner Harbin-Forte made a motion, seconded by Commissioner Hsieh, to approve Police Commission meeting minutes from 11/5/22; 1/26/23; 2/9/23; and 2/15/23. The motion carried by the following vote:

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

Nays: 0

Absent: 0

IX. Upcoming/Future Agenda Items

Commissioner Hsieh suggested for a future agenda that an interconnected three-tier informational report consisting of data from MACRO, OPD, and CARES. Commissioner Hsieh requests this report provide data on:

- how many intakes CARES has received from OPD and MACRO
- a report from MACRO on their OPD referrals and the outcomes of those referrals for tracking purposes
- and finally, from OPD to see; the numbers of arrests that are eligible for CARES, the dispatches to MACRO and the types of cases involved, and the juvenile cases that are appropriate for juvenile pre-filing diversion and the outcomes of those cases

Commissioner Ordaz requested a plan for the hiring of the new Chief of Police.

Commissioner Jackson requests the agendizing of the continued budget discussion.

Commissioner Harbin-Forte requests the agendizing of the proposed CPRA policies and procedures manual for the tentative date of March 23rd, and requests something akin to a general order where reporting agencies or presenters at Commission meetings can use to be abreast of the information and items generally needed for report outs and updates.

Alternate Commissioner Jackson-Castain requests a follow-up presentation from Dr. Grossman on stop data.

Commissioner Peterson requests to hear about CPRA's outreach for appropriate training to ensure they are ready for post-sustainability.

Public comments were made by 2 persons (Olugbala; Jaffe).

X. Open Forum Part 2

Public comments were made by 1 person (Olugbala).

XI. Adjournment

Chair Milele adjourned the meeting at approximately 11:35 p.m.