



**CITY OF OAKLAND
REIMAGINING PUBLIC SAFETY TASK FORCE
(REGULAR MEETING)**

Meeting Minutes (Draft)

Wednesday, February 3, 2021

6:00 PM

Via Teleconference

1. Roll Call and Determination of Quorum

Co-Chairs Council President Bas and Councilmember Taylor.

The meeting began at 6:03pm.

Task Force members present: Anne Marks, David Kakishiba, Antoine Towers, Brooklyn Williams, Mariano Contreras, Keisha Henderson, Reygan Cunningham, James Burch, Pat Kernighan, Gus Newport, John Jones III, Brenda Roberts, Carol Wyatt, Ginale Harris, Nikki Dinh, and Ivan Garcia.

Task Force members absent: Member Losaline Moa was absent at the time of roll call, Member Moa joined the meeting during Item 6.

2. Public Comment

There were two (2) speakers for Public Comment.

3. Approval of Meeting Minutes

The draft meeting minutes of January 20, 2021 were approved by: Anne Marks, David Kakishiba, Antoine Towers, Brooklyn Williams, Mariano Contreras, Keisha Henderson, Reygan Cunningham, James Burch, Pat Kernighan, Gus Newport, John Jones III, Brenda Roberts, Carol Wyatt, Ginale Harris, Nikki Dinh, and Ivan Garcia.

Absent: Member Losaline Moa was absent at the time of the approval of meeting minutes, Member Moa joined the meeting during Item 6.

4. Opening Statements

Co-Chairs Council President Bas and Councilmember Taylor, and Co-Facilitator David Muhammad provided opening remarks.

5. Community Outreach Updates

Co-Facilitator Anand Subramanian with PolicyLink provided a brief update of the community outreach efforts, and shared that a more comprehensive update will be provided at the next Task Force meeting on February 17th. Two additional community listening sessions have been scheduled for Thursday, February 18th at 6:00pm and Tuesday, March 9th at 6:00pm, the links to participate in these sessions are posted at www.oaklandca.gov/reimaginesafety. The last day to complete the community survey has been extended to Monday, February 15th. PolicyLink is preparing a report on the results of the survey and the findings will be shared by February 17th.

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6. Discussion of Guiding Principles of the Reimagining Public Safety Task Force

a) Presentation of the Polling Results

b) Discussion

c) Vote

Co-Facilitator David Muhammad presented the results of the Guiding Principles poll, completed by all seventeen (17) Task Force members, including the percentage of Task Force members who expressed support or strong support, or opposition or strong opposition, for each proposed Guiding Principle. In addition, Co-Facilitator Muhammad shared the following summary points:

- No version of Principle #1 received more than fifty percent (50%) support in the poll.
- Principle #2 received just over fifty percent (50%) support; Principle #2 received more support than Principle #2a.
- Two of the three versions of Principle #3 received more than fifty percent (50%) support in the poll; Principle #3 had the highest.
- Both versions of Principle #4 received more than fifty percent (50%) support in the poll; #4 had higher support than Principle #4a.
- Principles #5 through #25 all received more than fifty percent (50%) support in the poll.

Member Mariano Contreras asked what the threshold of approval in a vote of the Task Force; Co-Facilitator Muhammad responded that a majority vote of the Task Force is the threshold.

Member Anne Marks made a motion to approve Guiding Principles #6-24; Member Gus Newport seconded the motion.

Member Antoine Towers made a substitute motion that the Task Force vote on each of the Guiding Principles separately (one-by-one); Member Ginale Harris seconded the motion.

The substitute motion to discuss and vote on each Guiding Principle one-by-one failed by the following vote:

Maker of Substitute Motion: Antoine Towers

Second: Ginale Harris

Aye (6): Antoine Towers, Keisha Henderson, Reygan Cunningham, Pat Kernighan, Carol Wyatt, and Ginale Harris.

No (10): Anne Marks, David Kakishiba, Brooklyn Williams, Mariano Contreras, James Burch, Gus Newport, Brenda Roberts, Nikki Dinh, Ivan Garcia, and Losaline Moa

Absent (1): John Jones III

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The original motion to approve Guiding Principles #6-24 was approved by the following vote:

Maker of Motion: Anne Marks

Second: Gus Newport

Aye (13): Anne Marks, David Kakishiba, Antoine Towers, Brooklyn Williams, Mariano Contreras, Reygan Cunningham, James Burch, Pat Kernighan, Gus Newport, Brenda Roberts, Nikki Dinh, Ivan Garcia, and Losaline Moa.

No (3): Keisha Henderson, Carol Wyatt, and Ginale Harris.

Absent (1): John Jones III

Member Ginale Harris made a motion to adopt Guiding Principle #1; Member Carol Wyatt seconded the motion.

The motion to adopt Guiding Principle #1 failed by the following vote:

Maker of Motion: Ginale Harris

Second: Carol Wyatt

Aye (7): Antoine Towers, Keisha Henderson, Reygan Cunningham, Pat Kernighan, Brenda Roberts, Carol Wyatt, and Ginale Harris.

No (8): David Kakishiba, Brooklyn Williams, Mariano Contreras, James Burch, Gus Newport, Nikki Dinh, Ivan Garcia, and Losaline Moa.

Abstain (1): Anne Marks

Absent (1): John Jones III

The Task Force took no action on Guiding Principles #1a or #1b.

Member Pat Kernighan made a motion to adopt Guiding Principle #2; Member Antoine Towers seconded the motion.

The motion to adopt Guiding Principle #2 failed by the following vote:

Maker of Motion: Pat Kernighan

Second: Antoine Towers

Aye (8): Antoine Towers, Keisha Henderson, Reygan Cunningham, Pat Kernighan, Brenda Roberts, Carol Wyatt, Ginale Harris, and Nikki Dinh.

No (8): Anne Marks, David Kakishiba, Brooklyn Williams, Mariano Contreras, James Burch, Gus Newport, Ivan Garcia, and Losaline Moa.

Absent (1): John Jones III

The Task Force took no action on Guiding Principle #2a.

Member Pat Kernighan made a motion to adopt Guiding Principle #3; Member Brenda Roberts seconded the motion.

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The motion to adopt Guiding Principle #3 failed by the following vote:

Maker of Motion: Pat Kernighan

Second: Brenda Roberts

Aye (6): Antoine Towers, Keisha Henderson, Reygan Cunningham, Pat Kernighan, Brenda Roberts, and Ginale Harris.

No (8): Anne Marks, Brooklyn Williams, Mariano Contreras, James Burch, Gus Newport, Nikki Dinh, Ivan Garcia, and Losaline Moa.

Abstain (1): David Kakishiba

Absent (1): John Jones III and Carol Wyatt.

The Task Force took no action on Guiding Principles #3a or #3b.

Member Ginale Harris made a motion to adopt Guiding Principle #4; Member Keisha Henderson seconded the motion.

The motion to adopt Guiding Principle #4 was approved by the following vote:

Maker of Motion: Ginale Harris

Second: Keisha Henderson

Aye (15): Anne Marks, David Kakishiba, Antoine Towers, Brooklyn Williams, Mariano Contreras, Keisha Henderson, Reygan Cunningham, James Burch, Pat Kernighan, Gus Newport, Brenda Roberts, Ginale Harris, Nikki Dinh, Ivan Garcia, and Losaline Moa.

No (0): None.

Absent (2): John Jones III and Carol Wyatt.

The Task Force took no action on Guiding Principle #4a.

Member Ginale Harris made a motion to adopt Guiding Principle #5; Member Keisha Henderson seconded the motion. Member Anne Marks proposed a friendly amendment to strike the phrase “Task Force” from the first sentence of the Principle and replace with “City Council”; Members Ginale Harris and Keisha Henderson accepted the friendly amendment.

The motion to adopt Guiding Principle #5 as amended was approved by the following vote:

Maker of Motion: Ginale Harris

Second: Keisha Henderson

Aye (14): Anne Marks, David Kakishiba, Antoine Towers, Brooklyn Williams, Keisha Henderson, Reygan Cunningham, Pat Kernighan, Gus Newport, Brenda Roberts, Carol Wyatt, Ginale Harris, Nikki Dinh, Ivan Garcia, and Losaline Moa.

No (1): Mariano Contreras.

Abstain (1): James Burch.

Absent (1): John Jones III.

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Member James Burch made a motion to adopt Guiding Principle #25; Member Antoine Towers seconded the motion.

The motion to adopt Guiding Principle #25 was approved by the following vote:

Maker of Motion: James Burch

Second: Antoine Towers

Aye (12): Anne Marks, David Kakishiba, Brooklyn Williams, Mariano Contreras, Reygan Cunningham, James Burch, Pat Kernighan, Gus Newport, Brenda Roberts, Nikki Dinh, Ivan Garcia, and Losaline Moa.

No (4): Antoine Towers, Keisha Henderson, Carol Wyatt, Ginale Harris.

Absent (1): John Jones III.

7. Discussion of the Draft Recommendations

Representatives Christina Petersen and Paula Hawthorn from the Oakland Police Department (OPD) Organization and Culture Advisory Board presented some of the recommendations developed by the Advisory Board regarding accountability and discipline policies and the Manual of Rules, tracking of police misconduct, use of computerized Vision Database System software, replacing the current Compliance Director overseeing OPD's compliance with the Negotiated Settlement Agreement, and transferring OPD's Internal Affairs Division into the City's Community Police Review Agency. Representative Cheryl Fabio, also from the OPD Organization and Culture Advisory Board, presented other recommendations developed by the Advisory Board regarding Citywide organizational restructuring including creation of a "Department of Public Safety." Task Force member Reygan Cunningham, also Co-Chair of the OPD Organization and Culture Advisory Board, presented other recommendations developed by the Advisory Board regarding Police Department organizational restructuring, including transitioning away from the current Area Command structure to a Centralized Operations structure with an Operations Center that has access to all the resources necessary to respond to each type of call, as well as organizational changes to address trust building and community policing, including creation of an "Office of Race, Equity, Trust Building and Career Development".

Member James Burch asked if the OPD Organization and Culture Advisory Board has searched for or found examples of labor protections models in the state of California that could be used as a reference in developing new disciplinary procedures for OPD. Regarding the removal of officers based upon their disciplinary record, Member Burch suggested that this recommendation be shared with the Legal and Policy Barriers and Opportunities Advisory Board for additional research and analysis. Lastly, Member

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Burch mentioned Senate Bill 2, which seeks to establish a decertification process for police officers who commit serious acts of misconduct, California does not currently have a state decertification scheme and there are not systems currently in place to track misconduct by police officers.

Member Mariano Contreras asked Member Reygan Cunningham if the recommendations related to internal reorganization of OPD can also include policies around training or other mechanisms to address officers' personal ideology; Member Cunningham responded that there are many recommendations related to identifying and addressing biases amongst officers through implementing changes to the Department's hiring, training and other processes.

Member Carol Wyatt expressed that the Task Force and Advisory Boards need to keep in mind that many community members don't feel safe reporting crimes in their neighborhood, often due to fear of retaliation, and that the City's violence prevention work should focus on building community trust and communication, as many serious safety issues in some communities are not widely known or reported.

Member Brooklyn Williams agreed with Member Cunningham that a budget represents an organization's values statement, and that she hopes the Advisory Board's efforts to center equity in the recommendations will help to address confusing or problematic values statements implied in the City's budget, such as budgetary reductions to the Police Department's Ceasefire Program despite that program's success in reducing violence.

Co-Chair Councilmember Taylor asked if the Advisory Boards have assessed the recommendations to anticipate any potential challenges or resistance to implementation; Member Reygan Cunningham responded that there could be challenges due to the disparate ways that certain programs are experienced by residents based on factors such as geographical location, for example in some areas of the city the current Community Resource Officer (CRO) structure is working effectively, but is not working in other areas of the city with significant levels of violent crime. In addition, Member Cunningham stated that there may be resistance against recommendations that will require financial investment, as well as recommendations that will require hiring additional staff.

Member Anne Marks requested that the recommendations regarding hiring and training be shared and presented to the Task Force in the future. Regarding the recommendation to establish an Operations Center, Member Marks suggested that perhaps the 311 Call Center, and Police and Fire Department Dispatch could fall within the purview of that Operations Center or be consolidated within another department or office. Lastly, Member Marks asked if the recommendations have been assessed from the

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standpoint of what is permissible under the Oakland Police Officers Association's (OPOA) current Memorandum of Understanding (MOU). Advisory Board member Paula Hawthorn responded that the Advisory Board is aware that revising the Manual of Rules and other changes proposed to the Police Department are prohibited under the current MOU; the intent is to provide these recommendations so that they can be included as part of the next negotiation process.

Member Gus Newport stated that OPD's organizational management structure is very top-heavy in comparison to other jurisdictions around the country, and expressed support of revising the OPOA MOU to implement the recommendations.

Representative Liz Binning with the Budget Data and Analysis Advisory Board presented an overview of the work of the Advisory Board, including assessment of the OPD calls for service data, analysis of patrol officers' use of time, and partnering with the OPD Budget Working Group to illustrate through their budgeting tool how the restructuring of the response to calls for service will affect the OPD budget. Representatives Michael Holland and Anne Janks, also with the Budget Data and Analysis Advisory Board, presented additional recommendations regarding implementation of an alarm verified response system, OPD data transparency and OPD data management. Representative Heather Bromfield, also with the Budget Data and Analysis Advisory Board and a member of the Local, State and Federal Partners Working Group, presented the Working Group's findings regarding opportunities to obtain additional resources from local, state and federal agencies including Alameda County, to support areas such as mental healthcare and homelessness.

Co-Facilitator David Muhammad shared that the presentation from representative Maureen Benson with the Budget Data and Analysis Advisory Board was recorded as a video presentation and will be sent to the Task Force members.

Member Reygan Cunningham and Member James Burch expressed support of pursuing all funding opportunities through the County and advocating that Oakland receive its fair share of resources from the County and other agencies.

Member Gus Newport expressed concern regarding how decisions are made within the City hierarchy in Oakland, for example that the Public Works Department has taken the position that staff will not clean homeless encampments unless an armed police officer is present, and that this type of decision-making authority needs to be considered and included in this process as well.

Member Anne Marks stated that the video prepared by Maureen Benson will describe recommendations regarding budget, personnel and staffing in OPD. Additionally,

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Member Marks shared a budget matrix tool that illustrates how changes in OPD's budget would impact staffing levels, and a budget explorer tool that provides a breakdown of OPD's budget by categories such as organizational unit, category of spending, and type of personnel. Member Marks also shared a calls for service data tool which illustrates how much time OPD officers spend on different types of calls for service.

Member Brooklyn Williams expressed that the County-level and City-level are very interconnected and that many of the proposed recommendations of Oakland's reimagining effort will require support and buy-in from the County in order to be successful.

Member Carol Wyatt noted that many of the individuals involved in the January 6th protests at the US Capitol were law enforcement officers, and that the Task Force and Advisory Boards should consider what can be done at the local, state and federal levels to hold law enforcement officers accountable for their participation in activities like the January 6th protests.

8. Open Forum

There were six (6) public speakers for Open Forum.

9. Adjournment

The meeting adjourned at 10:48pm.