



OAKLAND POLICE COMMISSION

SPECIAL MEETING AGENDA

January 13, 2022

5:30 PM

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

Pursuant to California Government Code Section 54953(e), members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



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PUBLIC PARTICIPATION

The Oakland Police Commission 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 public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/84441802288> 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 +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 844 4180 2288

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 Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to radwan@oaklandca.gov. Please note that e-Comment **submissions close at 4:30 pm**. All submitted public comment will be provided to the Commissioners 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 an 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 radwan@oaklandca.gov.



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

Chair Regina Jackson

Roll Call: Chair Regina Jackson; Vice Chair Tyfahra Milele; Commissioner Henry Gage, III; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner David Jordan; Commissioner Marsha Peterson; Alternate Commissioner Jesse Hsieh

II. Adoption of Renewal Resolution Electing to Continue Conducting Meetings Using Teleconferencing in Accordance with California Government Code Section 54953(E), a Provision of AB-361. The Commission will re-adopt findings to permit it to continue meeting via teleconference under the newly amended provisions of the Brown Act. ***This is a recurring item (Attachment 2).***

- a. Discussion
- b. Public Comment
- c. Action, if any

III. Closed Session Item

The Police Commission will take Public Comment on the Closed Session items.

Public Employee Performance Evaluation (California Government Code Section 54957(b)):
Title: Inspector General

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA

IV. Open Forum Part 1 (2 minutes per speaker, 15 minutes total)

After ascertaining how many members of the public wish to speak, Chair Regina Jackson will invite the public to speak on any items not on the agenda but may be of interest to the public, and that are within the subject matter jurisdiction of the Commission. Comments on specific agenda items will not be heard during Open Forum but must be reserved until the agenda item is called. The Chair has the right to reduce speaking time to 1 minute if the number of speakers would cause this Open Forum to extend beyond 15 minutes. Any speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

V. Welcome the New Inspector General

The Commission welcomes Ms. Michelle Phillips, Oakland’s first independent Inspector General.

This is a new item.

- a. Discussion
- b. Public Comment
- c. Action, if any

VI. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department, including a presentation about the Chief’s meeting with the Alameda Public Defender regarding the process related to juvenile detentions. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair and specific topics requested in advance by Commissioners. ***This is a recurring item (Attachment 6).***

- a. Discussion
- b. Public Comment
- c. Action, if any

VII. Negotiated Settlement Agreement Case Management Conference Report Out

The Commission will hear about the latest management conference related to the negotiated settlement agreement. ***This is a new item (Attachment 7).***

- a. Discussion
- b. Public Comment
- c. Action, if any

VIII. Consider Approval of Revised Policy for Missing & Abducted Person’s Policy (DGO O-6)

The Commission will review and discuss the approval of the Police Department’s revised Missing Person’s policy, as completed by the Missing Person’s Ad Hoc Committee (DGO o-6). ***This item is a new item (Attachment 8).***

- a. Discussion
- b. Public Comment
- c. Action, if any

IX. Review of Commission Budget & Resourcing. The Commission will hear a report about required resourcing in review of current and future Standing and Ad Hoc Committees. ***This item is a continuation from discussion at the 10.14.21 and the 12.09.21 meeting. (Attachment 9).***

- a. Discussion
- b. Public Comment
- c. Action, if any

X. Amend Rules for Ad Hoc Reports

The Commission will review the rule to hear three committee reports instead of four at each meeting of the Commission. ***This is a new item.***

- a. Discussion
- b. Public Comment

- c. Action, if any

XI. **Committee Reports**

Representatives from Standing and Ad Hoc Committees will provide updates on their work. ***This is a recurring item (Attachment 11).***

Community Policing Policy revision (15-01) (Commissioners Hsieh, Harbin-Forte, Howell)

The mission of the OPC Community Policing Ad Hoc Committee is to refine OPD's draft of its Proposed Policy 15-01 on Community Policing to ensure that the proposed policy will result in OPD's full implementation of City Council Resolution 79235 governing community policing. The Committee will ensure that OPD'S proposed policy reflects the ideal that community members should take the lead in identifying community priorities for OPD involvement, and that the policy includes specific procedures for, among other things, addressing Beat level challenges, developing Beat and block leaders into viable Citywide networks, expanding public access to information and resources, and increasing community involvement in the training of OPD's Community Resource Officers, other officers department-wide, and staff.

Chief's Performance Evaluation (Commissioners Milele, Peterson)

The mission of the Chief Goals Ad Hoc is to establish goals and objectives that determine the criteria upon which the Oakland Chief of Police will be evaluated by the Oakland Police Commission.

Social Media Policy (Commissioners Hsieh, Jackson, Milele)

The objective of this Ad Hoc is to review the protocols and policies related to the Department's use of social media platforms and personal messaging, on- and off-duty. This Ad Hoc will propose a new social media policy for implementation by the Oakland Police Department.

Missing Persons Ad Hoc (Commissioners Jackson, Jordan)

The Missing Persons Ad Hoc Committee is tasked with reviewing and updating the OPDs missing persons policy, to ensure that it is in line with the standards of constitutional policing and evolving community values. The resulting policy will be presented for review and approval to the full Police Commission, with the intent that it be formally adopted as the guiding policy for the investigations of missing persons by the OPD.

- a. Discussion
- b. Public Comment
- c. Action, if any

XII. **Open Forum Part 2 (2 minutes per speaker)**

Chair Regina Jackson will invite public speakers to speak on items that were not on the agenda, and that are within the subject matter jurisdiction of the Commission, with priority given to speakers who were unable to address the Commission during Open Forum at the beginning of the meeting. Speakers who made comments during Open Forum Part 1 will not be permitted to make comments during this Open Forum. Comments previously made during public comment on agenda items may

not be repeated during this Open Forum. The Chair has the right to reduce speaking time to 1 minute for reasons the Chair will state on the record. ***This is a recurring item.***

XIII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item (Attachment 13).***

- a. Discussion
- b. Public Comment
- c. Action, if any

XIV. Adjournment

NOTICE: In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the videoconference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact the Police Commission's Chief of Staff, Rania Adwan, at radwan@oaklandca.gov for assistance. Notification at least 48 hours before the meeting will enable the Police Commission to make reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids or services.

OAKLAND POLICE COMMISSION

RESOLUTION NO. 22-01

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND POLICE COMMISSION 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>; and

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>; and

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>; and

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>; and

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>; and

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>; and

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>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that do not 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; and

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; and

WHEREAS, on October 14, December 9, and December 16, 2021, the Oakland Police Commission adopted a resolution determining that conducting in-person meetings 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; now therefore be it:

RESOLVED: that the Oakland Police Commission 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 Oakland Police Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Oakland Police Commission firmly believes that the community's health and safety 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 Oakland Police Commission 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 Oakland Police Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

ON JANUARY 13, 2022, AT A MEETING OF THE OAKLAND POLICE COMMISSION IN OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES –

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

RANIA ADWAN
Chief of Staff
Oakland Police Commission
City of Oakland, California



For Immediate Release December 22, 2021

OPD NEWS:

186th Basic Recruit Academy Graduation



Today, the Oakland Police Department (OPD) welcomed 25 new officers to the OPD family, as members of the 186th Basic Recruit Academy graduated at a ceremony held at the Scottish Rite Center.

“As someone born and raised in Oakland, I truly understand how important it is for the Oakland Police Department to strengthen our relationship with the community we serve. When police departments under-invest in communities for many years, you must over-invest in the community in order to build trust,” says Oakland Police Chief LeRonne L. Armstrong.

Chief Armstrong was joined on stage by Oakland City Administrator Edward Reiskin, Oakland Police Commissioner Chair Regina Jackson, Assistant Chief Darren Allison, Deputy Chief Christopher Bolton, Deputy Chief Angelica Mendoza, Deputy Chief Drennon Lindsey, Acting Deputy Chief Cliff Wong, Deputy Director Kiona Suttle, and Oakland Police Officers’ Association President Sergeant Barry Donelan.

Also on stage were the Training Section Staff: Academy Director Lieutenant Bryan Hubbard, Officer Damon Gilbert, Officer Danelia Chavarria, and Officer Jeffrey Cid.

Mayor Libby Schaaf celebrated the new officers in a video presentation saying, “My heartfelt congratulations to the graduates of the 186th Oakland Police Academy! As officers, they will have the opportunity to make people feel safe, which is an incredible gift and an immense



responsibility. These men and women have volunteered to join a department that's nationally recognized for progressive, constitutional policing, and I thank them for their dedication to public service.”

The 186th Academy Class is a diverse group with four Oakland residents, six females and 19 males; members of the group speak multiple languages including Spanish, Cantonese, Tagalog, and Twi.

The Valedictorian for the 186th Academy is Brandon Moss. The newly sworn Police Officers are: Jorge Aguilar, Hakim Alaoui, Julia Alarcon, Isias Alcantar, Jacqueline Alvarez, Michael Armah, Irene Arzate, Cody Burman, Jordan Bustos, Harold Cajucom, Rafael Casares, Gregory Chen, Angelo Dentoni, Marlesha Everett, Jesse Hawes, Bryan Jimenez, John Kang, Bryce Lee, John Magana, Angel Marigny, Spencer Mikell, Brandon Moss (Valedictorian), Ruby Resendiz, Raul Rodriguez, and Alberto Vazquez.

The graduates are a welcomed addition to our Oakland family and represent another step forward in our efforts to grow the Police Department and increase public safety and trust in the City of Oakland.



For Immediate Release December 31, 2021

OPD NEWS:

OPD Addresses a Challenging Year in Crime, With Year-End Data

Like most cities and departments across the nation, the City of Oakland, and the Oakland Police Department (OPD) navigated through an unprecedented pandemic. As new strains of the Coronavirus continued to emerge and impact our Country, Oakland saw an eight percent increase in both, the violent crime index and overall crime.

In 2020, the United States saw a 30% increase in homicides over the previous year, [representing the largest single-year increase ever recorded in the country](#). That trend seemed to continue into 2021, [as major cities across America are experiencing record numbers of homicides](#).

This year, OPD investigated 134 homicides, the most since 2012. Further, Oakland experienced a 21% increase in shooting incidents. Many of the homicides and shootings involved gang and group members and conflicts. As the homicides increased, Chief LeRonne L. Armstrong recognized the need to reassign six additional investigators to work in the homicide section. The additional investigators allowed the department to solve more cases and increase the homicide clearance rate from 33% in October to 47% at year's end. In 2021, OPD arrested nearly 60 homicide suspects, supporting the department's message, that OPD will make every effort to bring those responsible for these crimes to justice.

OPD remains focused on proven violent crime prevention strategies such as Ceasefire to address gun violence. However, the two-year pandemic has impacted the department's ability to practice the Ceasefire strategy in its fullest form, resulting in the reduced number of outreach opportunities for those at the highest risk of being involved in gun violence.

Still, OPD relies on intelligence-led policing. The department's Crime Gun Intelligence Center (CGIC), and the Violent Crime Operations Center (VCOC), created this year by Chief Armstrong, leads our focused enforcement and apprehension efforts. Collectively, OPD is on track to recover over 1200 firearms this year, more than three firearms a day.

Although OPD saw an increase in robbery and burglary investigations, 12% and 16% respectively, those statistics are well below our year-end numbers in 2019, prior to the pandemic. OPD will continue to work with other law enforcement partners to reduce violence and solve crimes.

In his first year, Chief Armstrong created two initiatives, to develop stronger ties with our residents and businesses. First, Chief Armstrong held a rally and march for community members called, "Stand Up for a Safe Oakland." The event brought Oaklanders, the Department of Violence Prevention, and other City leaders together with one goal of making Oakland safer for all. Second, Chief Armstrong held "Conversations Towards Solutions" where he visited nearly all 35 policing beats citywide, as well as community group gatherings throughout Oakland.



The meetings were held both in-person and virtually, to hear directly from those most impacted by crime. The investment proved to be successful. Numerous community members assisted with investigations by sharing information and video. Their efforts helped solve crimes and increased partnership between OPD and the community.

In January, to address the disproportionate number of calls for service and violent crime in East Oakland, Chief Armstrong will reallocate 48 officers to Bureau of Field Operations East, with the implementation of a six-area patrol plan. This plan will deploy much-needed resources to a part of our community that experiences the majority of violent crime and priority calls for service. This deployment reinforces our commitment to responding to community calls for help.

Despite the staffing challenges experienced throughout the year, the members of the Oakland Police Department continued to demonstrate their commitment and sacrifice for the community.

Public service and safety are in the highest tradition of the Oakland Police Department, which we will continue to demonstrate each day. With continued support from community members, City leaders, and Oakland Police Commission, we look forward to a unified effort in making Oakland a safe city.



For Immediate Release January 5, 2022
OPD NEWS:

OPD Recovers Two Dozen Firearms in Three Days

The Oakland Police Department (OPD) increased its staffing for the holiday weekend, and the additional officers proved to be beneficial. From December 31, 2021 - January 2, 2022, OPD recovered at least 20 firearms during high-risk enforcement stops and ShotSpotter Activations.



Just before 11:30 AM, New Year's Eve, officers on patrol in the area of East 20th Street and 27th Avenue, observed an individual sleeping in a vehicle with a rifle on his lap. For the safety of our community, the officer immediately requested additional resources; the Emergency Armored SUV and Emergency Rescue Vehicle were dispatched to the scene. Officers issued commands to the individual who exited the vehicle and ran. Following a short foot pursuit, the individual was taken into custody.

ShotSpotter activations led to two additional firearm recoveries. One of the incidents occurred just before 9:30 PM, New Year's Eve, in the 5500 block of Harmon Avenue. Upon arrival, officers searched the area and located an unoccupied vehicle that had two firearms (pictured above), and large-capacity magazines in plain view.

Another ShotSpotter activation occurred after midnight on New Year's Day, in the 1300 block of 64th Avenue. Officers observed an occupied vehicle with bullet casings nearby. Officers asked the individual to step out of the vehicle. As the officers searched the vehicle, they located a loaded firearm. The individual was arrested for multiple firearm offenses.

"I appreciate all the hard work of the women and men at the Oakland Police Department," said Oakland Police Chief LeRonne L. Armstrong. "The holiday enforcement focused around reducing gunfire in the City of Oakland. Our focused effort led to the recovery of more than 20 firearms."

Additional firearms were recovered during traffic stops. OPD recovered 1,200 firearms in 2021.



End of Year Gunfire Summary

01 Jan. – 31 Dec., 2021

Citywide <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Homicide – 187(a)PC	71	67	75	102	124	22%	88	41%
Homicide – All Other *	4	8	3	7	10	43%	6	56%
Assault with a firearm – 245(a)(2)PC	279	276	287	499	599	20%	388	54%
Subtotal - Homicides + Firearm Assault	354	351	365	608	733	21%	482	52%
Shooting occupied home or vehicle – 246PC	196	217	243	425	531	25%	322	65%
Shooting unoccupied home or vehicle – 247(b)PC	77	84	117	216	263	22%	151	74%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	627	652	725	1,249	1,527	22%	956	60%
Negligent discharge of a firearm – 246.3PC	369	437	688	1,356	1,826	35%	935	95%
Grand Total	996	1,089	1,413	2,605	3,353	29%	1,891	77%

Area 1 <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Homicide – 187(a)PC	12	13	14	9	16	78%	13	25%
Homicide – All Other *	1	3	-	1	1	0%	1	-17%
Assault with a firearm – 245(a)(2)PC	34	54	48	65	84	29%	57	47%
Subtotal - Homicides + Firearm Assault	47	70	62	75	101	35%	71	42%
Shooting occupied home or vehicle – 246PC	28	38	49	55	79	44%	50	59%
Shooting unoccupied home or vehicle – 247(b)PC	9	7	13	28	37	32%	19	97%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	84	115	124	158	217	37%	140	55%
Negligent discharge of a firearm – 246.3PC	38	38	80	120	136	13%	82	65%
Grand Total	122	153	204	278	353	27%	222	59%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unbounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
All data extracted via Coplink Analytics.



End of Year Gunfire Summary

01 Jan. – 31 Dec., 2021

Area 2	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
<i>All totals include attempts except homicides.</i>								
Homicide – 187(a)PC	6	6	3	3	11	267%	6	90%
Homicide – All Other *	-	1	-	1	1	0%	1	67%
Assault with a firearm – 245(a)(2)PC	18	8	11	26	47	81%	22	114%
Subtotal - Homicides + Firearm Assault	24	15	14	30	59	97%	28	108%
Shooting occupied home or vehicle – 246PC	11	10	8	16	18	13%	13	43%
Shooting unoccupied home or vehicle – 247(b)PC	5	4	8	2	12	500%	6	94%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	40	29	30	48	89	85%	47	89%
Negligent discharge of a firearm – 246.3PC	19	18	19	26	52	100%	27	94%
Grand Total	59	47	49	74	141	91%	74	91%

Area 3	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
<i>All totals include attempts except homicides.</i>								
Homicide – 187(a)PC	10	10	14	22	27	23%	17	63%
Homicide – All Other *	-	3	1	1	2	100%	1	43%
Assault with a firearm – 245(a)(2)PC	39	42	49	100	128	28%	72	79%
Subtotal - Homicides + Firearm Assault	49	55	64	123	157	28%	90	75%
Shooting occupied home or vehicle – 246PC	23	26	39	61	86	41%	47	83%
Shooting unoccupied home or vehicle – 247(b)PC	11	17	19	39	37	-5%	25	50%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	83	98	122	223	280	26%	161	74%
Negligent discharge of a firearm – 246.3PC	70	78	126	260	338	30%	174	94%
Grand Total	153	176	248	483	618	28%	336	84%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

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* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
All data extracted via Coplink Analytics.



End of Year Gunfire Summary

01 Jan. – 31 Dec., 2021

Area 4	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
<i>All totals include attempts except homicides.</i>								
Homicide – 187(a)PC	13	17	13	25	27	8%	19	42%
Homicide – All Other *	1	1	2	-	2	PNC	1	67%
Assault with a firearm – 245(a)(2)PC	62	46	59	101	132	31%	80	65%
Subtotal - Homicides + Firearm Assault	76	64	74	126	161	28%	100	61%
Shooting occupied home or vehicle – 246PC	45	53	53	106	113	7%	74	53%
Shooting unoccupied home or vehicle – 247(b)PC	22	22	23	44	57	30%	34	70%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	143	139	150	276	331	20%	208	59%
Negligent discharge of a firearm – 246.3PC	100	103	146	340	474	39%	233	104%
Grand Total	243	242	296	616	805	31%	440	83%

Area 5	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
<i>All totals include attempts except homicides.</i>								
Homicide – 187(a)PC	30	21	31	43	43	0%	34	28%
Homicide – All Other *	2	-	-	4	4	0%	2	100%
Assault with a firearm – 245(a)(2)PC	120	118	114	191	192	1%	147	31%
Subtotal - Homicides + Firearm Assault	152	139	145	238	239	0%	183	31%
Shooting occupied home or vehicle – 246PC	89	89	92	180	232	29%	136	70%
Shooting unoccupied home or vehicle – 247(b)PC	29	33	51	102	115	13%	66	74%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	270	261	288	520	586	13%	385	52%
Negligent discharge of a firearm – 246.3PC	140	196	312	583	806	38%	407	98%
Grand Total	410	457	600	1,103	1,392	26%	792	76%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

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PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
All data extracted via Coplink Analytics.



End of Year Crime Report — Citywide

01 Jan. – 31 Dec., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	5,466	5,514	5,836	6,051	6,534	8%	5,880	11%
Homicide – 187(a)PC	71	67	75	102	124	22%	88	41%
Homicide – All Other *	4	8	3	7	10	43%	6	56%
Aggravated Assault	2,536	2,650	2,744	3,315	3,559	7%	2,961	20%
Assault with a firearm – 245(a)(2)PC	279	276	287	499	599	20%	388	54%
Subtotal - Homicides + Firearm Assault	354	351	365	608	733	21%	482	52%
Shooting occupied home or vehicle – 246PC	196	217	243	425	531	25%	322	65%
Shooting unoccupied home or vehicle – 247(b)PC	77	84	117	216	263	22%	151	74%
Non-firearm aggravated assaults	1,984	2,073	2,097	2,175	2,166	0%	2,099	3%
Rape	249	230	203	217	158	-27%	211	-25%
Robbery	2,610	2,567	2,814	2,417	2,693	11%	2,620	3%
Firearm	989	857	1,034	805	1,109	38%	959	16%
Knife	160	174	140	173	112	-35%	152	-26%
Strong-arm	1,076	1,201	1,252	972	784	-19%	1,057	-26%
Other dangerous weapon	89	87	88	77	72	-6%	83	-13%
Residential robbery – 212.5(a)PC	101	72	97	89	95	7%	91	5%
Carjacking – 215(a) PC	195	176	203	301	521	73%	279	87%
Burglary	12,932	10,610	14,988	8,689	10,197	17%	11,483	-11%
Auto	10,379	8,228	12,364	6,221	8,179	31%	9,074	-10%
Residential	1,929	1,614	1,809	1,247	1,055	-15%	1,531	-31%
Commercial	417	606	623	958	670	-30%	655	2%
Other (includes boats, aircraft, and so on)	137	129	168	191	166	-13%	158	5%
Unknown	70	33	24	72	127	76%	65	95%
Motor Vehicle Theft	6,938	6,208	6,482	8,722	9,010	3%	7,472	21%
Larceny	6,220	6,628	7,768	5,974	6,186	4%	6,555	-6%
Arson	151	196	152	193	170	-12%	172	-1%
Total	31,711	29,164	35,229	29,636	32,107	8%	31,569	2%

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All data extracted via Coplink Analytics.



End of Year Crime Report — Area 1

01 Jan. – 31 Dec., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	1,126	1,189	1,177	1,027	1,023	0%	1,108	-8%
Homicide – 187(a)PC	12	13	14	9	16	78%	13	25%
Homicide – All Other *	1	3	-	1	1	0%	1	-17%
Aggravated Assault	521	545	532	552	606	10%	551	10%
Assault with a firearm – 245(a)(2)PC	34	54	48	65	84	29%	57	47%
Subtotal - Homicides + Firearm Assault	47	70	62	75	101	35%	71	42%
Shooting occupied home or vehicle – 246PC	28	38	49	55	79	44%	50	59%
Shooting unoccupied home or vehicle – 247(b)PC	9	7	13	28	37	32%	19	97%
Non-firearm aggravated assaults	450	446	422	404	406	0%	426	-5%
Rape	41	49	47	56	40	-29%	47	-14%
Robbery	552	582	584	410	361	-12%	498	-27%
Firearm	180	165	187	92	131	42%	151	-13%
Knife	32	37	33	25	15	-40%	28	-47%
Strong-arm	284	314	306	217	134	-38%	251	-47%
Other dangerous weapon	14	25	14	15	11	-27%	16	-30%
Residential robbery – 212.5(a)PC	17	14	16	11	13	18%	14	-8%
Carjacking – 215(a) PC	25	27	28	50	57	14%	37	52%
Burglary	3,729	3,405	4,270	1,963	3,307	68%	3,335	-1%
Auto	3,285	3,022	3,883	1,473	2,882	96%	2,909	-1%
Residential	268	190	201	201	173	-14%	207	-16%
Commercial	134	162	142	226	167	-26%	166	0%
Other (includes boats, aircraft, and so on)	36	28	41	48	49	2%	40	21%
Unknown	6	3	3	15	36	140%	13	186%
Motor Vehicle Theft	931	884	830	1,112	1,195	7%	990	21%
Larceny	1,553	1,611	1,831	1,152	1,254	9%	1,480	-15%
Arson	41	56	36	37	30	-19%	40	-25%
Total	7,381	7,148	8,144	5,292	6,810	29%	6,955	-2%

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 All data extracted via Coplink Analytics.



End of Year Crime Report — Area 2

01 Jan. – 31 Dec., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	742	641	754	645	657	2%	688	-4%
Homicide – 187(a)PC	6	6	3	3	11	267%	6	90%
Homicide – All Other *	-	1	-	1	1	0%	1	67%
Aggravated Assault	273	256	261	284	314	11%	278	13%
Assault with a firearm – 245(a)(2)PC	18	8	11	26	47	81%	22	114%
Subtotal - Homicides + Firearm Assault	24	15	14	30	59	97%	28	108%
Shooting occupied home or vehicle – 246PC	11	10	8	16	18	13%	13	43%
Shooting unoccupied home or vehicle – 247(b)PC	5	4	8	2	12	500%	6	94%
Non-firearm aggravated assaults	239	234	234	240	237	-1%	237	0%
Rape	25	35	21	29	24	-17%	27	-10%
Robbery	438	344	469	329	308	-6%	378	-18%
Firearm	186	133	219	89	106	19%	147	-28%
Knife	28	17	16	37	19	-49%	23	-19%
Strong-arm	178	159	190	162	120	-26%	162	-26%
Other dangerous weapon	13	10	15	10	18	80%	13	36%
Residential robbery – 212.5(a)PC	12	10	12	10	9	-10%	11	-15%
Carjacking – 215(a) PC	21	15	17	21	36	71%	22	64%
Burglary	4,011	2,840	4,552	2,535	2,782	10%	3,344	-17%
Auto	3,307	2,231	3,892	1,825	2,187	20%	2,688	-19%
Residential	574	450	485	434	364	-16%	461	-21%
Commercial	97	128	144	218	168	-23%	151	11%
Other (includes boats, aircraft, and so on)	17	27	30	38	34	-11%	29	16%
Unknown	16	4	1	20	29	45%	14	107%
Motor Vehicle Theft	964	762	786	1,180	1,426	21%	1,024	39%
Larceny	1,449	1,421	1,774	1,349	1,446	7%	1,488	-3%
Arson	11	14	14	20	20	0%	16	27%
Total	7,177	5,679	7,880	5,730	6,332	11%	6,560	-3%

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 All data extracted via Coplink Analytics.



End of Year Crime Report — Area 3

01 Jan. – 31 Dec., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	1,018	1,063	1,156	1,290	1,500	16%	1,205	24%
Homicide – 187(a)PC	10	10	14	22	27	23%	17	63%
Homicide – All Other *	-	3	1	1	2	100%	1	43%
Aggravated Assault	376	380	452	599	624	4%	486	28%
Assault with a firearm – 245(a)(2)PC	39	42	49	100	128	28%	72	79%
Subtotal - Homicides + Firearm Assault	49	55	64	123	157	28%	90	75%
Shooting occupied home or vehicle – 246PC	23	26	39	61	86	41%	47	83%
Shooting unoccupied home or vehicle – 247(b)PC	11	17	19	39	37	-5%	25	50%
Non-firearm aggravated assaults	303	295	345	399	373	-7%	343	9%
Rape	67	45	44	46	28	-39%	46	-39%
Robbery	565	628	646	623	821	32%	657	25%
Firearm	224	211	218	203	335	65%	238	41%
Knife	31	46	31	48	29	-40%	37	-22%
Strong-arm	227	298	295	244	233	-5%	259	-10%
Other dangerous weapon	18	16	21	20	13	-35%	18	-26%
Residential robbery – 212.5(a)PC	24	16	38	25	27	8%	26	4%
Carjacking – 215(a) PC	41	41	43	83	184	122%	78	135%
Burglary	1,787	1,558	1,999	1,614	1,302	-19%	1,652	-21%
Auto	1,265	989	1,343	1,113	876	-21%	1,117	-22%
Residential	431	430	517	261	229	-12%	374	-39%
Commercial	55	101	102	185	147	-21%	118	25%
Other (includes boats, aircraft, and so on)	24	28	30	43	29	-33%	31	-6%
Unknown	12	10	7	12	21	75%	12	69%
Motor Vehicle Theft	1,405	1,370	1,533	2,026	1,842	-9%	1,635	13%
Larceny	976	1,210	1,337	1,280	1,262	-1%	1,213	4%
Arson	21	23	17	44	31	-30%	27	14%
Total	5,207	5,227	6,043	6,255	5,939	-5%	5,734	4%

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All data extracted via Coplink Analytics.



End of Year Crime Report — Area 4

01 Jan. – 31 Dec., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	1,176	1,123	1,193	1,229	1,396	14%	1,223	14%
Homicide – 187(a)PC	13	17	13	25	27	8%	19	42%
Homicide – All Other *	1	1	2	-	2	PNC	1	67%
Aggravated Assault	548	574	579	691	751	9%	629	19%
Assault with a firearm – 245(a)(2)PC	62	46	59	101	132	31%	80	65%
Subtotal - Homicides + Firearm Assault	76	64	74	126	161	28%	100	61%
Shooting occupied home or vehicle – 246PC	45	53	53	106	113	7%	74	53%
Shooting unoccupied home or vehicle – 247(b)PC	22	22	23	44	57	30%	34	70%
Non-firearm aggravated assaults	419	453	444	440	449	2%	441	2%
Rape	46	31	26	28	23	-18%	31	-25%
Robbery	569	501	575	485	595	23%	545	9%
Firearm	218	178	207	171	269	57%	209	29%
Knife	41	42	37	40	27	-33%	37	-28%
Strong-arm	214	220	249	186	153	-18%	204	-25%
Other dangerous weapon	26	16	18	17	12	-29%	18	-33%
Residential robbery – 212.5(a)PC	23	12	17	14	19	36%	17	12%
Carjacking – 215(a) PC	47	33	47	57	115	102%	60	92%
Burglary	1,079	961	1,100	859	611	-29%	922	-34%
Auto	689	566	673	508	334	-34%	554	-40%
Residential	274	255	271	143	141	-1%	217	-35%
Commercial	68	115	126	176	96	-45%	116	-17%
Other (includes boats, aircraft, and so on)	28	17	25	23	24	4%	23	3%
Unknown	20	8	5	9	16	78%	12	38%
Motor Vehicle Theft	1,472	1,351	1,468	1,876	1,994	6%	1,632	22%
Larceny	871	954	1,133	922	874	-5%	951	-8%
Arson	32	38	28	31	33	6%	32	2%
Total	4,631	4,428	4,924	4,917	4,910	0%	4,762	3%

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All data extracted via Coplink Analytics.



End of Year Crime Report — Area 5

01 Jan. – 31 Dec., 2021

Part 1 Crimes <i>All totals include attempts except homicides.</i>	2017	2018	2019	2020	2021	Percentage Change 2020 vs. 2021	5-Year Average	2021 vs. 5-Year Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	1,316	1,380	1,435	1,735	1,822	5%	1,538	18%
Homicide – 187(a)PC	30	21	31	43	43	0%	34	28%
Homicide – All Other *	2	-	-	4	4	0%	2	100%
Aggravated Assault	769	828	875	1,112	1,194	7%	956	25%
Assault with a firearm – 245(a)(2)PC	120	118	114	191	192	1%	147	31%
Subtotal - Homicides + Firearm Assault	152	139	145	238	239	0%	183	31%
Shooting occupied home or vehicle – 246PC	89	89	92	180	232	29%	136	70%
Shooting unoccupied home or vehicle – 247(b)PC	29	33	51	102	115	13%	66	74%
Non-firearm aggravated assaults	531	588	618	639	655	3%	606	8%
Rape	51	49	41	34	28	-18%	41	-31%
Robbery	466	482	488	546	557	2%	508	10%
Firearm	171	157	186	236	243	3%	199	22%
Knife	28	26	20	23	21	-9%	24	-11%
Strong-arm	166	200	187	160	132	-18%	169	-22%
Other dangerous weapon	18	20	18	13	18	38%	17	3%
Residential robbery – 212.5(a)PC	25	19	14	27	25	-7%	22	14%
Carjacking – 215(a) PC	58	60	63	87	118	36%	77	53%
Burglary	1,546	1,304	2,278	1,176	1,429	22%	1,547	-8%
Auto	1,084	903	1,811	797	1,174	47%	1,154	2%
Residential	355	271	316	184	128	-30%	251	-49%
Commercial	63	97	106	145	83	-43%	99	-16%
Other (includes boats, aircraft, and so on)	28	26	38	34	24	-29%	30	-20%
Unknown	16	7	7	16	20	25%	13	52%
Motor Vehicle Theft	2,037	1,745	1,761	2,403	2,423	1%	2,074	17%
Larceny	1,148	1,207	1,412	1,079	1,113	3%	1,192	-7%
Arson	42	62	53	59	56	-5%	54	3%
Total	6,091	5,698	6,939	6,456	6,847	6%	6,406	7%

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For Immediate Release December 17, 2021
OPD NEWS:

Help Locate Kyla Peterson, A Runaway Person at Risk Due to Age

The Oakland Police Department is requesting assistance from our community and media partners in locating runaway person, Kyla Peterson, who is at-risk due to her age.



Peterson is 15 years old and was last seen December 16, 2021, around 11:00 PM, in the 4100 block of Coolidge Avenue.

Peterson's family states she is in good physical condition and has mental health challenges and maybe in crisis. She is described as a black female, weighing 100 pounds, 5'2" tall, with black hair and brown eyes. Peterson was last seen wearing a blue coat and baggy jeans.

Peterson is known to frequent the following areas where she skateboards:

Dimond Park, Bret Harte Middle School, Laurel Elementary, Rockridge BART Station,
Montclair Neighborhood

If you have any information regarding the whereabouts of Peterson, please notify the **Oakland Police Department's Missing Persons Unit at 510-238-3641**.

Visit Nixle.com to receive Oakland Police Department alerts, advisories, and community messages, or follow OPD on Twitter, Facebook, Instagram @oaklandpoliceca.

Paul Chambers
Strategic Communications Manager
Oakland Police Department
Email: pchambers@oaklandca.gov

***#OPDCARES* initiative is about working together as a community to help stop the tragic loss of life and reduce the level of violence in our city. Collectively, we want to ensure Oaklanders and our visitors are safe in our community.**

Follow OPD on [Twitter](#), [Facebook](#), [Instagram](#), and [YouTube](#)







MISSING PERSON

Kyla Peterson

OPD Missing Persons Unit 510-238-3641

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612
Police Commission

December 30, 2021

Vis U.S. Mail and Electronic Mail

Monitor and Independent Monitoring Team

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RE: Reimagining The Negotiated Settlement Agreement

Dear Mr. Warshaw and Independent Monitoring Team,

I am the Chair of the Oakland Police Commission (“Commission”), which is empowered under the Oakland City (“City”) Charter to oversee the Oakland Police Department (“OPD”), the Community Police Review Agency (“CPRA”), and the Office of the Inspector General, to ensure the City of Oakland engages in Constitutional policing.

Having considered the Monitor and the Independent Monitoring Team’s (collectively, the “IMT”) Seventy Sixth and Seventy Seventh Status Reports about OPD’s compliance with the Negotiated Settlement Agreement (“NSA.”), I write on the Commission’s behalf to request updates to several core aspects of the NSA process to better support the City’s ongoing effort to

institutionalize lasting reform. Both Reports contain useful examples of the way the NSA process can be updated to better reflect the new realities of police oversight and reform in Oakland.

As OPD's civilian oversight, a central Commission goal for OPD is to resolve the need for the NSA. The United States Federal District Court overseeing the case that gives rise to the NSA provided key guidance to the City at a 2019 hearing: "...[o]utside experts should not be the force propelling OPD to constitutional policing. That should be internal coming from the mayor on down." The Court expanded on this important point:

...The court part needs to end, but it can't end until the City and the Police Department are taking full responsibility for making sure that there is constitutional policing, that it's not somebody from the outside who's prodding you, that this is all something that is internal and it's built into what the City -- it's built into the DNA of the force and the leadership of the City...

Consistent with this guidance, the Commission owes its existence to the widely expressed sentiment among Oakland elected leaders and Oakland voters that transforming the structure of policing in Oakland is an essential pathway towards earning full and final resolution of the NSA. Going forward, the Commission's request is for the IMT to better recognize and support its role in achieving sustained police reform.

The Commission's specific requests to the IMT are, *first*, for the IMT to better coordinate its work with the Commission on matters within the Commission's subject matter jurisdiction per Section 604 of the Oakland City Charter; *second*, for the IMT to establish set, consistent, and detailed parameters by which the City can fully and finally resolve each NSA task; and *third*, for the IMT to better account for the Commission's Charter authorities when it imposes policy mandates or new deadlines. The IMT's recent reports underscore the need for these updates to the NSA process, as detailed below.

Better Coordination With the Police Commission

In the Seventy Sixth Report, the IMT finds that OPD is not in compliance with Task 2. The IMT specifically admonishes OPD to "initiate an open dialogue with the CPRA to ensure that the efforts of both entities are contributing to the Department's compliance with its 180-day requirement as articulated in policy." The IMT's critique arises from multiple "cases in which OPD's failure to meet [the] 180-day timeliness requirement resulted only from delays in the [CPRA] completing its concurrent investigations..."

This is the first the Commission has learned of the IMT's interpretation of the NSA to require that CPRA's investigation deadlines comply with the 180-day requirement. The CPRA's Charter mandate does not require 180-day completion. Charter Section 604(f)(3) states:

The Agency shall make every reasonable effort to complete its investigations within one hundred and eighty (180) days of the filing of the complaint with the Agency. The Agency shall complete its investigations within two hundred and fifty (250) days of the filing of the complaint with the Agency unless the Agency Director, in

his or her discretion, makes a written finding that exceptional circumstances exist in a particular case that are beyond the Agency's control.

The Commission engaged in a robust discussion about this topic during its agendaized public meeting on December 9, 2021. There, the CPRA reported about the practical benefits of taking extended time to ensure the quality and rigor of the specific investigations at issue. The CPRA also reported that with respect to investigations resulting in disagreements between the Police Department and the CPRA Director, the reforms codified into the Charter will often require more time for a Discipline Committee consisting of Commissioners to resolve the disagreement.

The reform tradeoffs that the CPRA reported at our meeting underscore the need for better coordination between the IMT and the Commission. Ongoing reform would benefit if the Commission had prior notice about any NSA issue that implicates its duties and authorities, as well as consistent, predictable measurements for OPD's compliance tasks and subtasks that do not shift in their basic application or expand in definition and/or scope over time.

Set, Consistent, and Detailed Parameters to Resolve Each Reform Task and Subtask

The Seventy Sixth and Seventy Seventh Reports also underscore the need for transparent, set, and clearly defined IMT parameters by which OPD can resolve all of the NSA's tasks and subtasks. The Commission, the CPRA, and the Office of Inspector General are all new Charter entities created by the City after the IMT was first appointed, in order to build police reform into the leadership structure of the City and OPD. Collectively, these entities stand ready to continue the IMT's valuable work after the NSA is resolved, in order to ensure Constitutional policing.

Given this important context, which aligns with the Court's guidance, new and more expansive interpretations of NSA tasks can work at cross purposes with ongoing reform. Taking the example above, the CPRA came into existence after Task 2 was codified into the NSA, and applying Task 2 to the CPRA in a novel or unpredictable way to CPRA risks working at cross purposes with the CPRA's reform mandate under the Charter. Ultimately, the Commission's request is for transparent and clearly defined compliance measurements that it can use to provide effective oversight and support to OPD.

As another example from the Seventy Sixth Report, the IMT rebukes OPD supervisory staff for failing to properly discipline officers who fail to timely activate Body Worn Cameras ("BWC's"), including for BWC activations that occur but are too late. The IMT reports that it is going to assess OPD's compliance with Task 2 after it receives a list of all incidents dating back to 2019 "where the failure to properly activate a BWC has resulted in any remedial action."

This IMT request implies that OPD violations in 2019 may imperil the Department's Task 2 compliance in 2022. During that span of time, from 2019 to present day, the Commission has exercised several broad reform authorities under the Charter, including via joint action with the Mayor in 2020 and 2021, to help transform OPD and bring about a new era of reform under new leadership. Given that context, it is difficult to understand the specific reform purpose of assessing Task 2 compliance in 2019 to determine if OPD is ready to achieve sustained compliance in 2022.

In the Seventy Seventh Report, Task 5 is “deferred” despite reporting the Department’s “sustained history of 100% compliance” with one of Task 5’s subtasks. At the Commission meeting on December 16, 2021, OPD reported it is ready to demonstrate full Task 5 compliance during the next Monitor visit. Still, what has yet to be clearly and publicly defined is how the City can entirely resolve Task 5 and any other tasks or subtasks the IMT expressly finds are in sustained compliance. More broadly, what connects all of these examples is the need for a set, consistent, and detailed methodology by which the City can earn wholesale resolution of the N.S.A.’s outstanding requirements over the next calendar year.

Account for Commission Reform Processes When Imposing Mandates or Deadlines

Finally, the Commission requests for the IMT to expressly account for its Charter authorities when it imposes new mandates or deadlines on OPD. The IMT’s current approach has operational effects on the Commission’s ability to discharge its reform mandates under the Charter. A new instance of this issue arises in the IMT’s Seventy Seventh report, which states:

As we noted in our last report, the public report on what has been referred to as the “Instagram case” sets out several recommendations for OPD, including that the Department should implement policies regarding social media and anti-discrimination – incorporating key concepts from AI 71; as well as “clear rules and regulations concerning the use of personal devices, private text communications, and ephemeral media in the conduct of police work.” We will discuss the Department’s plans for the implementation of these recommendations during our next site visit.

This deadline, like others before it, implicates a policy process that the Commission oversees. A flowchart that OPD has presented at our regular meetings is attached for reference. Oakland City Charter Section 604(b)(5) provides that the Department is to forward any changes to N.S.A.-related policies to the Commission, which the Commission then has one hundred and twenty (120) days to approve, modify, or reject, and if there is disagreement, to then forward onto City Council for final resolution within another hundred and twenty days (120).

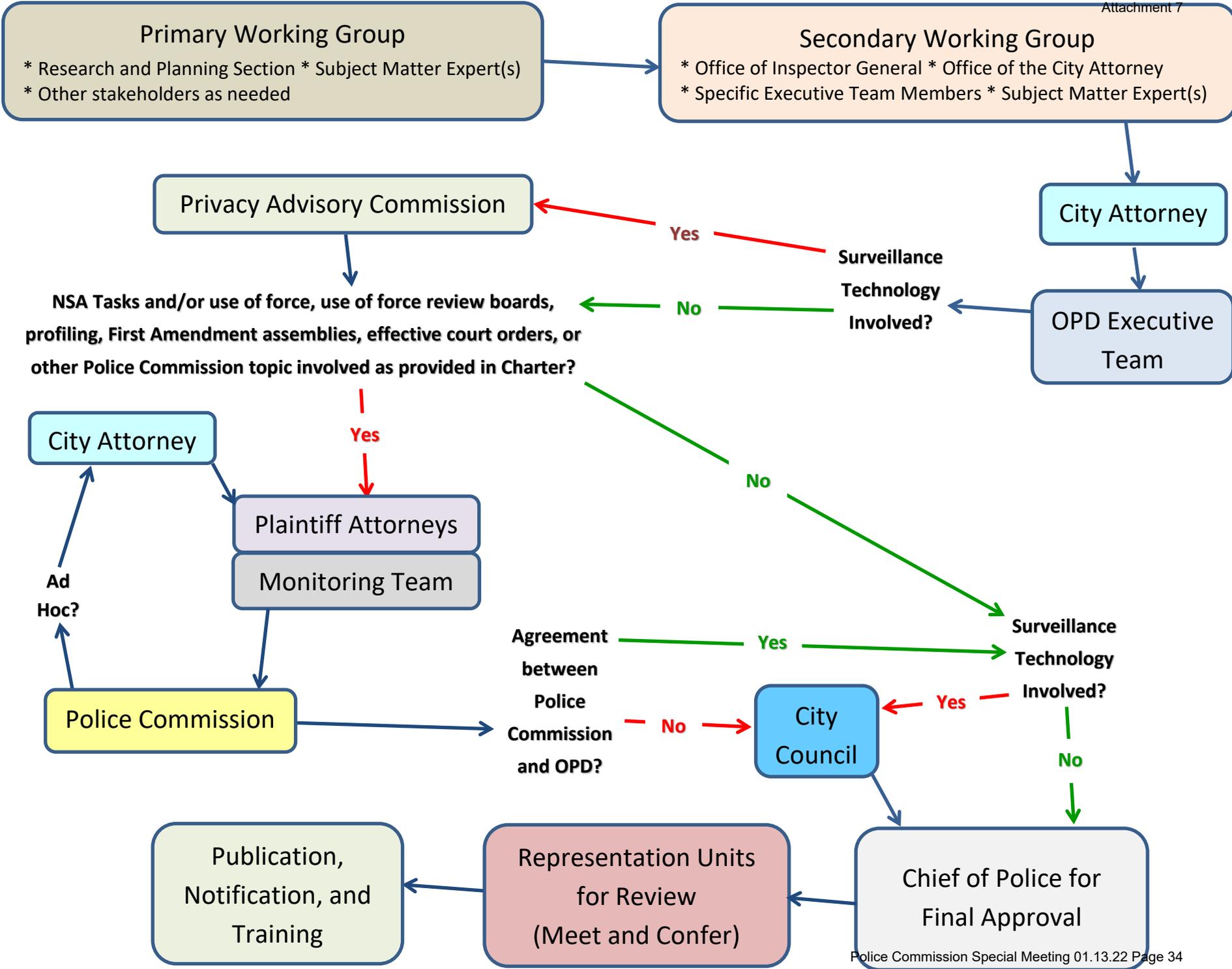
When the IMT meets with OPD about its plans for implementation, it is important that the IMT’s discussions with OPD are predicated on the full policy process running its course. Specifically, the Charter process for police policymaking empowers the Commission to conduct its own exhaustive policy process that centers Oakland residents and several other Department stakeholders to provide them a voice in the Department policies that most directly affect them. The Commission conducts hearings, considers the new policy language, and assesses its effects on policing in Oakland. Like the CPRA example discussed above, the Commission’s Charter process facilitates lasting reform, which is why the IMT’s mandates and deadlines should account for the Commission’s full review and approval when it sets expectations about OPD’s policy deadlines.

At the mutual convenience of the IMT and Commission leadership, we would like to meet to address these issues, with the goal of facilitating full OPD compliance with the N.S.A. within the next calendar year. We will reach out next week with a list of proposed dates and times.

A handwritten signature in black ink, appearing to read "Regina Jackson", is centered on the page. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Regina Jackson (via remote electronic signature)
Chair
Oakland Police Commission

Enclosure: OPD Policy Development Process Flowchart





DEPARTMENTAL GENERAL ORDER

O-6 Missing and Abducted Persons

Effective Date: XX MMM YY

Coordinator: Special Victims Section - Missing Person Unit

MISSING AND ABDUCTED PERSONS**A. DEFINITIONS****A - 1. Missing Person**

Any person who is reported missing to law enforcement when the person's location is unknown. This includes a child who has been taken, detained, concealed, enticed away, or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

A - 2. At Risk

Includes, but is not limited to (Penal Code § 14215):

1. A victim of a crime or foul play.
2. A person missing and in need of medical attention
3. A missing person with no pattern of running away or disappearing.
4. A missing person who may be the victim of parental abduction.
5. A mentally impaired missing person, including cognitively impaired or developmentally disabled.

A - 3. Missing Person Networks

Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Missing Unidentified Persons System (MUPS).

B. POLICY**B - 1. Missing Person Priority**

The Oakland Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Oakland Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

B - 2. Required Forms and Biological Sample Collection Kits

The Investigation supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

1. Department report form for use in missing person cases
2. Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
3. Missing person school notification form
4. Medical records release form from the California Department of Justice
5. California DOJ missing person forms as appropriate (See Missing Person Checklist)
6. Biological sample collection kits

B - 3. Acceptance of Reports

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay, as soon as possible (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

B - 4. Transmitting Reports to Other Jurisdictions

When the Oakland Police Department takes a missing person report on a person who lives outside of this jurisdiction, the Special Victims Section Missing Persons Unit shall, within 24 hours, promptly notify and forward a copy of the report to the agencies having jurisdiction over the missing person's residence and where the missing person was last seen. (Penal Code § 14211(g)).

B - 5. School Notification

The follow-up investigator assigned to a missing person investigation shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile. The notice shall be in writing and should also include a photograph (California Education Code § 49068.6).

The school shall "flag" a missing child's record and immediately notify law enforcement of an inquiry or request for the missing child's records (California Education Code § 49068.6).

B - 6. MUPS/NCIC Notification

When the missing person is At Risk, the officer shall direct Special Victims Section Intake personnel to enter the person into the California Department of Justice Missing/Unidentified Persons System (MUPS) within two hours (Penal Code § 14211(e)).

When a missing person is under the age of 21, the reporting officer shall direct Special Victims Section Intake personnel to enter the person into the California Department of Justice Missing/Unidentified Persons System (MUPS) within two hours after accepting the report (Penal Code § 14211; 42 USC §5779(a) and 42 USC § 5780(3)(C)).

Entering a subject into MUPS automatically notifies the Department of Justice (DOJ) and the National Crime Information Center (NCIC) and populates their databases accordingly.

C. INITIAL INVESTIGATIONS

C - 1. Preliminary Investigating Officers

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions:

1. Respond to a dispatched call for service as soon as practicable.
2. Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
3. Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
4. Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).
5. Ensure that entries are made into the appropriate missing person networks as follows:
 - a. Immediately, when the missing person is at risk.
 - b. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
6. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

7. Collect and/or review:
 - a. A photograph and a fingerprint card of the missing person, if available.
 - b. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - c. Any documents that may assist in the investigation, such as court orders regarding custody.
 - d. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
8. When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
9. Make immediate inquiries to local hospitals, CRIMS, CORPUS, systems, and the Alameda County Coroners.
10. Activate and document the preliminary investigation via BWC in accordance DGO I-15.1 Body Worn Camera
11. Prior reports: If the missing person has been previously reported missing to an outside agency AND that or another agency is actively investigating that previous report, contact the outside agency within 24 hours when practicable. When this is not practicable, the information should be documented in the missing persons report for transmission to the appropriate agency by the Missing Persons Unit.

****NOTE:** If the information relates to an at-risk missing person or a missing person under age 21, the member shall notify a supervisor and proceed with reasonable steps to locate the missing person.

C - 2. At Risk Requirements

In all cases involving a person who is At Risk or under 21 years of age, the following steps shall be taken:

1. The reporting member shall notify a supervisor immediately.
2. The reporting member shall Broadcast a "Be on the Look-Out" (BOLO) bulletin within one hour of determining the missing person is under 21 or may be At Risk (Penal Code § 14211).
3. The Special Victims Intake Officer shall electronically transmit the report to the Department of Justice via the California Law Enforcement Telecommunications System for inclusion in the Violent Crime Information Center and the National Crime Information Center databases. (Penal Code § 14211.)
4. The Missing Persons Unit shall conduct a Coroner's check within 24 hours of the report being initiated (Penal Code § 14206(a)(2)).

C - 3. Supervisor Responsibilities

A supervisor should respond to any missing person call involving any of the following:

- a. A child under 10 years old;
- b. High-risk circumstances
- c. Suspected foul play

Supervisors shall ensure resources are deployed (as described in the at-risk checklist).

Supervisors shall review and approve missing person report as soon as practicable, no later than end of shift.

Supervisors shall also ensure applicable notifications and public alerts are made and documented, and that records have been entered into the appropriate missing person networks.

Supervisors should also take reasonable steps to identify and address any jurisdictional issues to ensure cooperation between agencies.

Supervisors shall consult with the Watch Commander to ensure all available resources are deployed properly.

D. FOLLOW UP INVESTIGATIONS

D - 1. Supervisor Responsibilities

The supervisor shall review and approve missing person reports upon receipt and ensure resources are deployed as appropriate. The reports should be promptly sent to Records Bureau.

The supervisor shall also ensure applicable notifications and public alerts are made and documented and that records have been entered into the appropriate missing person networks.

The supervisor should also take reasonable steps to identify and address any jurisdictional issues to ensure cooperation between agencies.

D - 2. Special Victim Section Intake Responsibilities

The receiving member shall:

1. Enter or update the Missing Persons Log of all persons reported missing and the disposition of each incident.
2. Notify the California Department of Justice (DOJ) through the National Crime Information Center (NCIC) computer system within two (2) hours.

3. In the event a missing person is a non-resident of Oakland, notify the appropriate outside agency within 24 hours.
4. Check with the Alameda County Coroner's Office or any other relevant Coroner's Office for missing persons under age 21 within 24 hours.
5. Submit to DOJ the Authorization to Release Dental/Skeletal X-Rays/Photograph [PC 14212], Authorization to release information to the National Missing and Unidentified Person System [PC 14209], and Authorization to refer missing juveniles who are the victims of sexual exploitation/human trafficking to victim advocacy groups and resources within 24 hours.
6. Advise DOJ via NCIC when missing persons are found (removal from MUPS). DOJ notification shall be made within 24 hours for a missing person under age 21 or "at-risk" when found.
7. If the missing person is found during the preliminary investigation, the identifying information will be entered into the CJIS/MPS System, and a missing person report will still be completed by the reporting officer per DOJ. The missing person will then be removed from CJIS/MPS.
8. Immediately notify the Communications Division if the missing person is found or the initial information provided regarding the missing person is unfounded or inaccurate

D - 3. Missing Persons Unit Follow-Up

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

1. Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - a. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
 - b. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child's student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school
2. Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.
3. Should consider contacting other agencies involved in the case to determine if any additional information is available.
4. Shall verify and update CLETS, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and

every 30 days thereafter until the missing person is located (34 USC § 41308).

5. Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
6. Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
7. Should make appropriate inquiry with the coroner.
8. Should obtain and forward medical and dental records, photos, X-rays, and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.
9. Shall attempt to obtain the most recent photograph for persons under 21 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (34 USC § 41308).
10. Should consider making entries if appropriate and searches in the National Missing and Unidentified Persons System (NamUs).
11. In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

D - 4. DNA Sample Collection

In any case in which a report is taken concerning a person missing under high-risk circumstances, the assigned investigator shall, within no more than 30 days, inform the parents or other appropriate relatives that they may give a voluntary sample for DNA testing or may collect a DNA sample from a personal item belonging to the missing person, if available (Penal Code § 14250(c)).

Such samples shall be collected in a manner prescribed by the Department of Justice, using a DOJ model kit.

After 30 days, the reporting officer or assigned investigator shall verify the status of the missing person. If still missing, the DNA sample and a copy of the original report and any supplemental reports shall be sent to the Department of Justice for testing and inclusion in the DNA database.

D - 5. When Missing Persons Are Found

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify

the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Administrator shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213):

1. Notification is made to California DOJ.
2. The missing person's school is notified.
3. Entries are made in the applicable missing person networks.
4. Immediately notify the Attorney General's Office.
5. Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation within 24 hours.

D - 6. Unidentified Persons

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

1. Obtain a complete description of the person.
2. Enter the unidentified person's description into the NCIC Unidentified Person File.
3. Use available resources, such as those related to missing persons, to identify the person.

E. TRAINING

Subject to available resources, the Personnel and Training Administrator should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

- (a) The initial investigation:
 - 1. Assessments and interviews
 - 2. Use of current resources, such as Mobile Audio Video (MAV)
 - 3. Confirming missing status and custody status of minors
 - 4. Evaluating the need for a heightened response
 - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

F. CALIFORNIA CHILD SAFETY (AMBER) NETWORK

The California Child Safety AMBER Plan (hereafter referred to as the “AMBER Plan”) was established to provide a far-reaching and rapid response to instances of child abduction in California. AMBER plans are administered by the California Highway Patrol Emergency Notification and Tactical Alert Center (CHP ENTAC) as well as CARE counties (Alameda, Los Angeles, Orange, and San Diego.) The CHP ENTAC unit is available to support personnel in their swift recovery of exigent missing persons and distribution of information to aid in the investigation.

F - 1. Criteria for Activation of the AMBER Alert

An AMBER alert may be authorized by the Special Victims Section commander when the following statutory criteria for child abduction have been met:

1. It has been confirmed that an abduction has occurred, or the child has been taken by anybody including, but not limited to, parents and/or guardians;
2. The victim is 17 years of age or younger, or of proven mental or physical disability;
3. There is a reason to believe the victim is in imminent danger of serious bodily injury or death;
4. There is information available that, if disseminated to the general public, could assist in the safe recovery of the victim such as: Description of the Child, Description of the Suspect, Description of Suspect Vehicle.

F - 2. Notifications

The primary SVS investigator shall prepare and send a Criminal Case Information (CCI) distribution notification to designated command staff regarding the AMBER Alert. An AMBER alert generates significant media coverage that will be of interest to the community and OPD command staff. To facilitate this process, the Watch Commander shall authorize a Public Information Officer (PIO) call-out.

The PIO shall handle all press releases and utilize notification protocols in accordance with the provisions of Departmental General Order Q-1, NOTIFICATIONS TO THE CHIEF OF POLICE, et al. In the absence of the PIO, the Watch Commander or designee shall perform these duties.

F - 3. Cancellation

The SVS Desk Officer shall contact the CHP to cancel the AMBER Alert upon the resolution of the incident.

The SVS Intake officer or SVS investigator shall ensure all other agencies and alert systems have been notified of an AMBER Alert cancellation.

G. CALIFORNIA SILVER ALERT SYSTEM

The purpose of the Silver Alert is to issue and coordinate alerts for persons reported missing that are 65 years of age or older, developmentally disabled, or cognitively impaired, and where certain requirements are met as specified in Government Code (GC) Section 8594.10.

G - 1. Silver Alert Criteria

In accordance with GC Section 8594.10, a law enforcement agency may request a Silver Alert be activated if the agency determines the following conditions are met:

1. The missing person is 65 years of age or older, developmentally disabled, or cognitively impaired;
2. The investigating law enforcement agency has utilized all available local resources;
3. The law enforcement agency determines the person has gone missing under unexplained or suspicious circumstances;
4. The law enforcement agency determines the person is in danger because of age, health, mental or physical disability, environment, or weather conditions, the person is in the company of a potentially dangerous person, or other factors indicating the person may be in peril;
5. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

G - 2. Notifications

The primary SVS investigator shall prepare and send a Criminal Case Information (CCI) distribution notification to designated command staff regarding the SILVER Alert. A SILVER alert generates significant media coverage that will be of interest to the community and OPD command staff. To facilitate this process, the Watch Commander shall authorize a Public Information Officer (PIO) call-out.

The PIO shall handle all press releases and utilize notification protocols in accordance with the provisions of Departmental General Order Q-1, NOTIFICATIONS TO THE CHIEF OF POLICE, et al. In the absence of the PIO, the Watch Commander or designee shall perform these duties.

G - 3. Cancellation

The SVS Desk Officer shall contact the CHP to cancel the SILVER Alert upon the resolution of the incident.

The SVS Intake officer or SVS investigator shall ensure all other agencies and alert systems have been notified of a SILVER Alert cancellation.

H. ENDANGERED MISSING ADVISORY (EMA) ALERT SYSTEM

An EMA involves many of the same alerting/notification measures utilized during an AMBER Alert, except for there is no activation of the EAS. An EMA generally consists of an Emergency Digital Information Service (EDIS) message, APBNET flyer Wireless Emergency Alert, Twitter post, Be-On-the-LookOut broadcasts, U.S./Mexico border notification (if appropriate), and notification to the National Center of Missing and Exploited Children. Additional notification systems can be used during an EMA; however, they are used on a case-by-case basis. Further questions regarding EMAs can be directed to ENTAC.

H - 1. EMA Alert Criteria

An EMA can be issued in cases where the statutory criteria for an AMBER Alert are not met; however, an agency has reasons to believe the person is at risk or endangered and assistance distributing information to help locate the individual(s) is desired. Although not all inclusive, the following are examples where an EMA, versus an AMBER Alert, may be appropriate:

1. A custodial parent takes their child and, due to specific circumstances, the investigating agency deems the child to be at-risk/endangered.
2. A juvenile is reported missing and there is no indication or confirmation that an abduction occurred.
3. A person with a known medical condition, such as dementia, is reported missing.

H - 2. Notifications

The primary SVS investigator shall prepare and send a Criminal Case Information (CCI) distribution notification to designated command staff regarding the EMA. An EMA generates significant media coverage that will be of interest to the community and OPD command staff. To facilitate this process, the Watch Commander shall authorize a Public Information Officer (PIO) call-out.

The PIO shall handle all press releases and utilize notification protocols in accordance with the provisions of Departmental General Order Q-1, NOTIFICATIONS TO THE CHIEF OF POLICE, et al. In the absence of the PIO, the Watch Commander or designee shall perform these duties.

H - 3. Cancellation

The SVS Desk Officer shall contact the CHP to cancel the EMA upon the resolution of the incident.

The SVS Intake officer or SVS investigator shall ensure all other agencies and alert systems have been notified of a EMA cancellation.

By order of

LeRonne L Armstrong
Chief of Police

Date Signed: _____



AGENDA REPORT

TO: Police Commission

FROM: John Alden
CPRA Executive Director

SUBJECT: Costing, Staff Time, and Procedural Requirements for Police Commission Standing and Ad Hoc Committees; Future Budgeting Requests

DATE: December 3, 2021

RECOMMENDATION

The Commission direct staff as to what positions to request in the next budget cycle, which Standing Committees they intend to ask the City Council to add or delete, and which Ad Hocs to continue, form, or discontinue, given current staffing.

EXECUTIVE SUMMARY

The Police Commission continues to review and discuss its growing needs as relates to staffing and resourcing in support of current and potentially new Standing Committees and Ad Hoc Committees. A prior report, submitted to the Commission on October 8 for debate and discussion at its October 14, 2021 Special Meeting, offered analysis on the requirements and processes in creating such committees, considering the Commission's current limited resources.

The conclusion of that discussion was that Standing Committees require much more staff time, as well as specific hearing rooms at City Hall and City Council approval. Ad Hocs are much more flexible, and could require much fewer resources, than Standing Committees; depending on how the Commission chooses to organize and run them. Staff assessment remains that with the limited resources, your current single staff person is only able to support one new Standing Committee and three or four Ad Hocs in addition to the bi-monthly Commission meetings and general daily responsibilities of supporting a volunteer commission.

This report continues in the spirit of this on-going discussion, to help in the consideration of the ideal Commission office composition (short and long-term) and support the Commission as it prepares for the next budget cycle and the opportunity to request from the City additional staffing and resources.

To that end, staff recommends the Commission consider requesting – at a minimum and in service of the agency's efficacy and development – one full time administrative/clerical person, and consider, either now or in the future, supplementing the team with a creative and strategic project manager to support the various committees. This report will also provide responses to Commissioner queries around a full-time staff person committed to community outreach, as well as review of Commission budget and spending.

Police Commission
December 9, 2021

BACKGROUND / LEGISLATIVE HISTORY

Current Commission Staffing

The Commission has only one staffer, the Chief of Staff. Among the priorities for the Chief of Staff position is ensuring that the Commission is successful in meeting its many charter mandates. Those requirements call on the Commission to demonstrate the timely and transparent management of Commission meetings and materials, establishing channels through which the Commission can conduct and conclude its work (that is Ad Hoc and Standing Committees) within the public view and often with community engagement, oversight of the OPD, CPRA and the IG's office, fiscal accountability and the general administrative tasks needed to run a City agency.

As discussed on October 14, 2021, and as of right now, and given the limited resourcing at the Commission's disposal, the current sole staff person, the Chief of Staff, is only able to support one additional Standing Committee along with the bi-monthly Police Commission meetings and three or four Ad Hoc Committees, depending on the level of support and engagement required.

As a result of that meeting, staff understood the direction of the Commission to include:

- a) Setting regularly scheduled Discipline Committee meetings every other month with rotating Commissioners starting in 2022.
- b) Obtaining legal advice for questions relating to Brown Act requirements, which staff understands has been transmitted separately since that meeting.
- c) Receiving from staff a report as to additional staffing that would allow for more Committees, support to the Commission, and outreach generally. This is that report.

On this final point, Commissioners asked at the October 14, 2021, meeting as to the remaining responsibilities of the Chief of Staff, if and when clerical support can be provided to the Chief of Staff. The following serves as a suggestion from the CPRA Executive Director and the Commission Chief of Staff as to ideal staffing to meet the resourcing needs of the Oakland Police Commission.

Ideal Future State

Ideally, staff recommends that the Commission's office composition would include three staff positions, only one of which (Chief of Staff) currently exists in the Commission budget:

1. An administrative person (a new position):
 - Filing (document and web information captured and appropriately archived)
 - Meeting logistics and information capture (agenda, minutes, transcripts including clearing any backlog)
 - Timely posting to the web pages, as well as maintaining and enhancing web presence
 - Building and managing social media presence and messaging
 - Respond to public records requests

Police Commission

Costing, Staff Time, and Procedural Requirements for Police Commission Standing and Ad Hoc Committees; Future Budgeting Requests (Cont. from Oct 14)

Date: December 3, 2021

Page 3

It was and remains generally agreed that clerical support will be a more cost-effective option for some of the Commission's necessary and fundamental obligations. It would also free up your higher leveled Chief of Staff to focus on developing an innovative and efficiently managed Police Commission.

Based on Commission direction from the October 14, 2021, meeting, staff have engaged in discussions with the City's HR team, who, having identified the tasks this individual will undertake, landing on an Administrative Assistant II classification.

Staff are currently undertaking a two-step process, one that allows the onboarding of temporary clerical support in this position quickly to help the Police Commission, CPRA and the IG's office while formal staffing and budget requests are prepared for the June/July budget cycle, at which time the permanent administrative position can be filled should permanent funding be approved.

2. A strategic project manager (a new position) to support Ad Hoc, Standing Committees and working groups by:
 - Managing meeting logistics
 - Research, data and information analysis to provide salient recommendations, innovative pathways forward and creatively overcome obstacles
 - Work collaboratively with Commissioners to design and implement the frameworks to help us craft the most progressive policies and actions
 - Devise and implement avenues for public engagement and greater public awareness

This role is not currently budgeted, nor has it been previously discussed. Instead, the idea for additional strategic support comes from the Commission's ambitions to enhance and improve public understanding and awareness, have information readily available, and create new avenues for engagement and participation. This individual would support the strategic and logistical running of committees and working groups, with a keen focus on ensuring communities are aware and able to take part.

Staff recommend that the Commission ask for permanent funding for this position in the following budget cycle (2022/23), and once more of the Commission's regular activities are seamlessly executed and any backlog of work addressed.

3. A creative operations leader/Chief of Staff, an existing position, which is currently staffed by Ms. Adwan:
 - Oversee the efficacy and management of the Commission office
 - Forge and foster relationships with City and Community leaders
 - Collaborate and work closely with the IG, CPRA and OPD
 - Develop partnerships (local and national) to design and execute pilot programs in service of the Commission's agenda and in support of improving Community safety and wellbeing
 - Identify or create avenues to share and exchange knowledge
 - Grow the Commission's network and expand local and national exposure

Police Commission
December 9, 2021

- Entrusted to serve as the Commission proxy in meetings

During the October 14th Special Meetings, Commissioners discussed the idea of a staff member dedicated to community outreach and engagement. Staff reached out to other City Departments and learned that City agencies across the board in Oakland are also facing the same/similar challenges in this regard.

Informally, agency leaders have taken the initiative to form and convene a multi-agency group (inclusive of the City's Race & Equity team) that meets every other week to share opportunities, build on ideas and help develop strategies. Staff from both the CPRA and the Commission have been invited to participate and join the meetings as often as schedules permit.

Outside of this group, the City has no current classification that captures the role and responsibilities associated with such specialized work at the Commission. Designing and integrating new classifications into the City's system is a timely and sometimes arduous process. For this reason, staff is not recommending creation of a new classification.

Instead, the responsibility of community outreach and engagement can be shared among the staff noted above. Including tasks in the job description in service of these endeavors in performance expectations for the above three positions would be appropriate under existing rules, and would help enforce the shared team response, e.g., strong communication and facilitation skills, social media and web proficiency.

Current and former Commissioners can also play an integral role in promoting and highlighting milestone efforts and avenues to committee involvement. And, at some point (pandemic permitting), this Commission has expressed its commitment to finding ways to get out and into Oakland communities.

Standing Committees

Furthermore, at the November 18, 2021, Police Commission meeting, staff understood from the Commission that the Commission desires to seek City Council approval for a Standing Committee for Militarized Equipment. Whether any other existing Standing Committees should be wound down when this new Standing Committee is requested of the City Council is not yet determined.

ANALYSIS AND POLICY ALTERNATIVES

This memorandum recommends adding two new staff positions. If the Commission were instead to continue with existing staff only, we anticipate the following consequences:

- No staffing for public outreach beyond 4 Ad Hocs and one Standing Committee. The Commission currently has two Standing Committees and desires a third, so the Commission would have to wind down two of those Standing Committees to fit staffing resources.

Police Commission

Costing, Staff Time, and Procedural Requirements for Police Commission Standing and Ad Hoc Committees; Future Budgeting Requests (Cont. from Oct 14)

Date: December 3, 2021

Page 5

- No staffing for outreach beyond posting of meetings and running Ad Hocs.
- Minimal staff support for Commissioners, pushing the Commission to continue to rely heavily on the volunteer contributions of its members and/or members of the public for existing operations.
- Continued reliance on Police Department personnel for a portion of the staffing needed for policy-related Ad Hocs, as was the case with Use of Force last year.

FISCAL IMPACT

The Police Commissions total budget is \$862,438. CPRA and the Inspector General each have separate budgets from the Commission's.

Department	Police Commission		
Rev orExp	Expense		
Row Labels	Sum of FY21-22 Working Total	Sum of FY22-23 Working Total	
56311 - Printing	332	332	
O&M	544,393	544,393	
52213 - Minor Computer Hardware and Software (No Asset Number Not Capitalized)	3,000	3,000	
52911 - Bottled Water and Food for Human Consumption	1,000	1,000	
53312 - Public Relations	10,000	10,000	
53719 - Miscellaneous Services	10,000	10,000	
54011 - Contract Contingencies (Budgetary Only)	233,000	233,000	
54511 - Legal Fees	287,393	287,393	
Personnel & OH	303,324	314,305	
51111 - Civilian: Regular	131,252	131,252	
51511 - Civilian: Paid Leave Charge	38,984	38,984	
51611 - Civilian: Retirement Accrual	77,798	80,352	
51613 - Civilian: Fringe Benefits Accrual	55,290	63,717	
Grand Total	851,776	862,438	

Recruitment and resourcing for staff is its own set of line items (accounts beginning with 51###). These funds cannot be shifted to any expenses other than staff without approval of the City Council.

As the Commission considers its submission for the next budget cycle (Jun/Jul), anticipated staffing - as for staffing in the next round and per prior and ongoing discussions, the Commission can anticipate its annual spend to include the two new positions described above, as well as the current position filled position (Chief of Staff, category Project Manager II):

Administrative Assistant II, **new**
(\$61,424.28 - \$75,414.60 annually)

Project Manager I, **new**
(\$130,179.12 - \$159,848.52 annually)

Police Commission
December 9, 2021

Project Manager II, *filled/ELDE*
 (\$150,701.52 - \$185,039.76 annually)

The only way to fund these new positions on a permanent long-term basis is by means of City Council approval in the annual budget process.

The Commission's contracts with third-party vendors and other miscellaneous expenses, like training, falls under "O&M" spending (accounts ranging from 52111 through 54999). These funds can be shifted from one category of expenses to another at the discretion of the Commission during the fiscal year. So, for example, the Commission could choose to move funds from Contract Contingencies to Commissioner Training or Publicity at any time.

As for contracting expenses specifically, the Commission started this fiscal year with \$233,000. Once new, ongoing and completed contracts are compensated, this line item stands at \$185,500. Those expenses to date included: Raheem survey contract \$27k, (anticipated and based on the prior retreat) Commission Retreat facilitation \$10.5k, (anticipated) ~\$10k fee to speed the process of a permanent hire in the Chief of Staff role).

In addition, the City Administrator and Department of Finance allowed for carrying forward \$150,000 from last year's budget to this year to cover the current StoneTurn contract regarding the allegations made by the Oakland Black Officers Association (OBOA). This carryforward allows the Commission to pay for the full value of this contract from last's years funding, as intended by the Commission in the first place. Thus, this contract and carry forward has no net effect on the current year's budget.

The remaining funds in O&M accounts appear sufficient for the modest miscellaneous costs associated with running the Ad Hoc and Standing Committees described above. Staff have been, and continue to be, the vast majority of the cost to support Committee work.

PUBLIC OUTREACH / INTEREST

Staff conducted no public outreach on this issue beyond the usual posting of this memo with the meeting agenda.

COORDINATION

This report was crafted with the assistance of the Commission Chief of Staff, CPRA, the Department of Race and Equity, Human Resources Management, the Department of Finance, and the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic: None.

Environmental: None.

Race & Equity: As a general rule, providing public access to Commission deliberations on any given topic creates opportunity to better engage the public around the race and equity impacts of the policies and actions the Police Commission may discuss. Public-facing Committees, whether Standing or Ad Hoc, may create an opportunity to gather such input in addition to input gathered at Commission meetings. On the other hand, the existence of a committee does not, by itself, directly add or detract from the City of Oakland's overall goal of improving racial equity.

ACTION REQUESTED OF THE POLICE COMMISSION

Staff recommends, given current resourcing, the Police Commission continue relying more on Ad Hoc and revisits Standing Committees as the office manages its current obligations and is able to grow to allow for additional staff support. To grow that support, staff also recommends that the Commission:

1. Direct staff to include in the Commission's mid-cycle budget adjustment proposal for FY '22-'23 a request for the two additional support staffers describe above, subordinate to the Commission Chief of Staff, to support Commission committees and other Commission needs.
2. Decide whether the two current Standing Committees remain Standing Committees or be converted to Ad Hoc, freeing up resources for other Committees, and direct staff to notify the City Council accordingly when seeking Council approval for the new Standing Committee for Militarized Equipment.
3. Consider a limit on the number and/or kinds of staffing for Ad Hoc Committees to match current staffing, with a plan to revisit those limits should staffing increase.

For questions regarding this report, please contact JOHN ALDEN, CPRA EXECUTIVE DIRECTOR, at 510-238-7401.

Respectfully submitted,



JOHN ALDEN
 Executive Director, CPRA

Attachments (#):

- A – October 8, 2021 Police Commission Standing Committees Memo to Police Commission
- B – Position Description for Administrative Assistant II
- D – Position Description for Project Manager I



CITY OF OAKLAND

AGENDA REPORT

TO: Police Commission

FROM: John Alden
CPRA Executive Director

SUBJECT: Costing, Staff Time, and Procedural Requirements for Police Commission Standing and Ad Hoc Committees

DATE: October 8, 2021

RECOMMENDATION

Staff Recommends, Given Current Resourcing, The Police Commission Continues Relying More On Ad Committees And Revisits Standing Committees As The Office Manages Its Current Obligations And Is Able To Grow To Allow For Additional Staff Support.

EXECUTIVE SUMMARY

The Police Commission recently considered the creation of new Standing Committees, and considered the number and type of Ad Hoc Committees it might utilize. This memo responds to Commission questions about the processes for creation of such committees, the tasks required to operate each kind, and current staff time available to support such committees.

In short, Standing Committees require much more staff time, as well as specific hearing rooms at City Hall. Ad Hocs are much more flexible, and could require much fewer resources, than Standing Committees; depending on how the Commission chooses to organize and run them.

Current resources likely allow for very few, if any, additional Standing Committees at this time. Because Standing Committees require more resources than Ad Hocs, each Standing Committee consumes the same resources as several Ad Hocs.

BACKGROUND / LEGISLATIVE HISTORY

This section addresses three background issues: 1. Definitions and Requirements of Police Commission Committees; 2. Processes for Establishing Committees; and 3. Staff Time for Committees.

1. Definitions and Requirements of Police Commission Committees

A. Standing Committees

Municipal Code Section 2.20.030(J) defines Standing Committees as “any number of members of a local body which totals less than a quorum and which has a continuing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution or formal action of the local body.” Thus, Standing Committees must not exceed three Commission members at any

time. Generally, past Standing Committees have had a “continuing subject matter jurisdiction,” but not necessarily a fixed meeting schedule.

The Municipal Code also requires that each Standing Committee: comply with the Ralph M. Brown Act (2.20.050), post its agenda at least 48 hours prior to the meeting since these will be considered Special Meetings (2.20.070(A)), maintain minutes of actions taken during the meeting (2.20.160(A)), and be at minimum audio recorded for record keeping purposes (2.20.160(B)). Starting this month, these requirements will also include AB 361 compliance, such as passing periodic resolutions permitting continued virtual meetings. Standing Committees do require substantial staff resources, detailed below, because of these requirements.

In Oakland, Standing Committees of any Board or Commission have met at City Hall. Oakland now has approximately 30 Boards or Commissions, and of course meetings of the City Council and its Committees. Meeting space for Standing Committees is fast becoming scarce.

All other Brown Act requirements also apply to Standing Committees, such as public comment procedures and limiting the business conducted at any given meeting to the topics agendized. All meetings of Standing Committees, meaning any gathering of a quorum of that Committee, must comply with these same rules. Members of Standing Committees must then be careful to avoid small gatherings or communications between meetings lest those events trigger Brown Act requirements for the Standing Committee on which they sit together.

B. Ad Hoc Committees

In contrast, Ad Hoc Committees have few rules. They are not subject to Brown Act requirements, so long as less than a quorum of the Commissioners attend any given meeting. Local ordinances do not require compliance with any other rules for meetings of Ad Hocs. They can meet anywhere, even virtually or over the phone. Commission Procedural Rules require Ad Hocs to report to the full Commission periodically.

Historically, the Police Commission has sometimes administered Ad Hocs in a manner similar to Standing Committees, such as providing agendas to the public in advance, allowing public comment, having regularly scheduled meetings, and keeping meeting recordings and/or minutes. Other Ad Hocs have simply been meetings directly between two or three Commissioners without any minutes, agendas, or public comment. In this regard, Ad Hocs are very flexible. The costs and staffing for Ad Hocs also vary according to how they choose to perform.

2. Processes for Establishing Committees

On July 10, 2018, the City Council adopted Ordinance No. 13498 C.M.S. which serves as the Enabling Ordinance for the Police Commission. The Enabling Ordinance added Municipal Code Section 2.45.150, which establishes the criteria for creating Police Commission Standing Committees. The requirements state that “the [Police] Commission must obtain City Council approval prior to the creation of any standing committee. A proposal to create a standing committee of the Commission must include information regarding the costs associated with

staffing the standing committee, if any, and the costs of complying with noticing and reporting requirements resulting from its establishment.”

These requirements are consistent with other references in the City’s Municipal Code. Specifically, Sections 17.03.030(E) and 17.05.100(D) related to the City’s Planning Commission and Landmarks Preservation Advisory Board, respectively, both state that City Council approval must be obtained prior to the creation of any standing committee for the commission/board. Additionally, the code states a proposal to create a standing committee must include information regarding the costs associated with staffing the standing committee, and the costs of complying with noticing and reporting requirements. For this reason, a staffing analysis such as the one in this memo is a mandatory step in Oakland for creating a Standing Committee.

At the request of the Police Commission in 2018, the City Council created two Standing Committees: the Personnel Committee and the Community Outreach Committee. (See Attachment A, below.) Both remain authorized by the City Council.

Ad Hocs do not require City Council approval. Currently, current Commission Procedural Rules call for Ad Hocs to be formed by the Commission Chair at the Chair’s discretion. Those same rules require Ad Hocs to report to the full Commission periodically.

3. Staff Time for Committees

Staff time for Committees is quite limited, as the Commission currently has only one staffer, Rania Adwan, the Commission Chief of Staff. Her time is already taken up by a series of tasks mandated by Charter or other authorities. Each Committee also requires more time, but that time varies according to whether the Committee is a Standing Committee, and Ad Hoc with a high level of transparency and public engagement, or an Ad Hoc that meets privately with no need for staffing.

A. Existing Time Commitments (30-38 hours / month)

The Chief of Staff role is contracted to work approximately 162 hours per month, a full-time schedule in the City of Oakland.

As a new employee, Ms. Adwan is still onboarding and learning the City systems and requirements, as well as the Commission. Still in her first three months, onboarding is currently requiring almost 10 hours a month dedicated to training as well as connecting with various departments and agencies to establish relationships and work processes. The following six months will likely require less time and could be at 5 hours a month.

Additionally, general upkeep of Commission business (emails, scheduling, web maintenance, budgeting etc.) can take between 20-28 hours a month. All of this without accounting for one-off or infrequent tasks that would be expected, such as onboarding new Commissioners, tracking and supporting Commissioner training and so on (perhaps 2 – 3 hours per task, depending on the task).

There are several larger projects the Chief of Staff will need to schedule, prepare and complete on behalf of the Commission, including preparing the Commission's Annual report (due Spring of 2022) and organizing the Commission retreat (anticipated early 2022), among other things.

B. Full Commission Meeting Staff Time Requirements (24-48 hours / month)

The Police Commission meets twice a month, and Ms. Adwan is currently the sole staffer for these meetings. She spends between 14 to 24 hours on each meeting, including attending the meeting itself, for a total of 24 to 48 hours monthly. That time includes:

- Agenda setting, including working with agenda team on drafts (3 - 5 hours)
- Following up on needed exhibits and presenters for each agenda (1 - 3 hours)
- Preparing documents for meetings, like exhibits and final agendas for posting (1 - 2 hours)
- Posting the meeting materials for Brown Act compliance (1 -2 hours)
- Running the meeting itself (5 - 7 hours)
- Drafting minutes afterwards (3 - 5 hours) – sometimes this requires less time with transcripts to work from; but transcripts require additional costs, as noted below
- NOTE: Staff time for Commission meetings will increase post-COVID in order to setup the meeting room, including providing hardcopies of documents for the public.

C. Staff Time Required for Ad Hoc and Standing Committees (time varies)

The level of preparation and effort depends on the intentions and objectives of the Ad Hoc or Standing Committee.

At a minimum, each committee requires a base level of organizing, that is working with the committee members to determine a schedule, cadence for meetings, identifying the activities required, as well as potential stakeholder or barriers to success and determining a roadmap to the project's successful completion. With scheduling and following up with commissioners, this can take 3 - 5 hours. (Basic Ad Hoc set up: 3 - 5 hours)

More often than not, it is appropriate to approach and stand up an Ad Hoc as if it were a unique project requiring a general framework to organize activities; broadly this looks like:

1. *Discovery or research phase*: determining what research exists, best practice, model policies, subject matter experts and possible partnerships with stakeholders. Essentially, anything that supports the committee and its members getting quickly up to speed with the topic and confident enough to plot next steps needed to achieve the desired outcome.
2. *Project design*: crafting the first iteration of activities and events that need to happen in service of the desired outcome, this could look like determining how to work through line edits of a policy under review, consolidating ideas, debating direction, requiring forums or subject matters experts to help deepen understanding or guide committee members. These would be identified and mapped to the schedule, ideally with owners - often requiring staff to support momentum.

3. *Review and presentation:* as well as regularly reporting at Police Commission meetings, some Ad Hocs will require the Commission take action. To do this, the Ad Hoc would be expected to create a presentation, sometimes with additional speakers, to help the full commission and members of the public not involved in the Ad Hoc deeply understand the work being presented. Staff might support this by providing a template, talking points and so on, to help the committee make a clear case to the commission and the public

Overlaying these activities are the following additional tasks:

4. *Planning and logistics:* scheduling, preparation for meetings, following up, keeping notes, responding to queries, creating and updating web pages.
5. *Outreach:* surveys, public forums, promotional material, language access (if required)
6. *Running the meeting (often twice a month per Ad Hoc)*

Supporting the running of an Ad Hoc thus requires anywhere between 5 - 10 hours of work per Ad Hoc meeting/activity.

In addition and as a reminder, Standing Committees require an additional 10 - 16 hours per meeting beyond those required for Ad Hocs (estimated based on work output for Commission meetings, the closest template to a Standing Committee):

- Preparing public-facing documents for meetings, like exhibits and final agendas for posting (1 - 2 hours)
- Posting the meeting materials for Brown Act compliance (1 - 2 hours)
- Running the meeting itself (5 - 7 hours)
- Drafting minutes afterwards (3 - 5 hours) – sometimes this requires less time with transcripts to work from.

D. Remaining Time for Ad Hoc and Standing Committees

Working with a volunteer commission, it is generally understood and accepted that staff would be required to respond and be ready to take on duties outside of regular office hours. Thus Ms. Adwan also manages and conducts Commission business as well as supporting Ad Hocs on evenings and weekends. She is currently committed to supporting (in various degrees of fidelity) the following Committees:

- Inspector General Hiring Ad Hoc
- Community Policing policy review Ad Hoc
- Missing Persons policy review Ad Hoc
- Chief of Police Performance Goals Ad Hoc

Altogether then, the current Commission Chief of Staff expends 24 - 48 hours monthly on Commission meetings, 20 - 28 hours on general Commission business, and 10 hours a month on her own training, leaving 78 to 110 hours monthly for Ad Hocs. The above committees have

over 12 meetings monthly, requiring 60 to 120 hours monthly. Currently, these obligations therefore expend all of the Chief of Staff's time any given month.

In addition, we have not yet set a level of support from the Chief of Staff for the Community Outreach Standing Committee, or a meeting schedule for that Standing Committee. But given that that is a Standing Committee, the time commitment could be a significant addition to the above totals.

For these reasons, your Chief of Staff will not have more time for additional Committee work until either a) some of these Committees resolve their work, and/or b) additional staff are secured.

ANALYSIS AND POLICY ALTERNATIVES

First, the above time assessments make clear that existing staffing will not support additional Committees – either Ad Hoc or Standing – until some existing Ad Hocs resolve their work and presumably disband.

Second, staff recommends that decisions regarding Committee staffing also take into account the Discipline Committee. Periodically, the Commission will require a Discipline Committee pursuant to its Charter-mandated duty to resolve certain discipline cases. Discipline Committees are subject to the same Brown Act requirements as Standing Committees, and thus have similar staff time costs. While much of the work of such a Discipline Committee occurs in Closed Session, the staff work is essentially the same.

Because Discipline Committees are a Charter-mandated responsibility, and because we can reasonably foresee they will be needed frequently, staff recommends the Commission prioritize Discipline Committee staffing before all other Committee staffing. And, in order to make Discipline Committees less of a burden to Commissioners and to assure they will be available as needed, staff recommends that a regular schedule of Discipline Committees be created. For example, Discipline Committees could be set to meet every two months for a year, with each Discipline Committee having specific Commissioners set on a rotating schedule, like so:

June 1, 9 am:	Commissioners A, B, and C
August 1, 9 am:	Commissioners D, E, and F
October 1, 9 am:	Commissioners A, E, and G
...etc....	

If any given meeting of the Discipline Committee is not needed because there are no cases to resolve at that particular session, that meeting could be cancelled. Given the tight timelines for Discipline Committees set by Charter and state law, setting these meetings on an as-needed basis can be rushed and logistically challenging for all involved. Staff suggest it may be more efficient for staff and more convenient for Commissioners to have a regularly scheduled meeting that cancels from time to time, rather than trying to create new meetings on as-needed basis.

At this time, staff do not recommend creation of any new Standing Committees given the mandatory time commitments involved. We would not be able to identify staffing resources for

such meetings as required by current ordinance. In addition, it is not clear that rooms would be available in City Hall for any regular meeting schedule for new Standing Committees.

This time analysis also shows that robust use of Committees in the future will require additional staffing. Since a substantial portion of this work could be performed by administrative staff, adding an administrative staffer reporting up to the Commission's Chief of Staff may be the most economical way to increase staffing for Committees, and to better leverage the significant skill set of any Chief of Staff. For example, if the Commission Chief of Staff had an Office Assistant or similar position reporting to them, that staffer could be assigned the work of creating minutes, posting agendas, preparing rooms and the like, to support the Chief of Staff. This could significantly increase staffing resources for a greater number of Committees.

Finally, should the Commission consider adopting any new Standing Committees in the future, staff would recommend reassessing whether the two existing Standing Committees should continue or be disbanded.

FISCAL IMPACT

This memo does not address the fiscal impacts of these committees. Those fiscal impacts depend largely on optional discretionary meeting costs the Commission can decide at another time, such as whether to order transcripts for each meeting. Staff intends to bring a budget presentation to the Commission soon detailing possible costs across all categories of Commission spending for this fiscal year.

PUBLIC OUTREACH / INTEREST

Staff conducted no public outreach on this issue beyond the usual posting of this memo with the meeting agenda.

COORDINATION

This report was crafted with the assistance of Police Commission Counsel, the Commission Chief of Staff, CPRA, and the City Administrator's Office. The creation of Standing Committees, if any, will require further coordination with the above entities, as well as the City Council.

SUSTAINABLE OPPORTUNITIES

Economic: None.

Environmental: None.

Race & Equity: As a general rule, providing public access to Commission deliberations on any given topic creates opportunity to better engage the public around the race and equity impacts of the policies and actions the Police Commission may discuss. Public-facing Committees, whether Standing or Ad Hoc, may create an opportunity to gather such input in addition to input gathered at Commission meetings. On the other hand, the existence of a Committee does not, by itself, directly add or detract from the City of Oakland's overall goal of improving racial equity.

ACTION REQUESTED OF THE POLICE COMMISSION

Staff recommends, given current resourcing, the Police Commission continue relying more on Ad Hocs and revisits Standing Committees as the office manages its current obligations and is able to grow to allow for additional staff support.

Specifically, staff recommends the Commission:

1. Direct staff to include in the Commission's mid-cycle budget adjustment proposal for FY '22-'23 a request for additional support staffing subordinate to the Commission Chief of Staff to support Commission committees and other Commission needs.
2. Consider whether the two current Standing Committees remain Standing Committees or be converted to Ad Hocs in order to supply more resources for other Ad Hoc Committees.
3. Consider a limit on the number and/or kinds of staffing for Ad Hoc Committees to match current staffing, with a plan to revisit those limits should staffing increase.

For questions regarding this report, please contact JOHN ALDEN, CPRA EXECUTIVE DIRECTOR, at 510-238-7401.

Respectfully submitted,



JOHN ALDEN
Executive Director, CPRA

Attachments (#):

A – November 13, 2018, Police Commission Standing Committees Memo to City Council



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2018 NOV 20 PM 1:18

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Deputy City Administrator

SUBJECT: Police Commission Standing
Committees

DATE: November 13, 2018

City Administrator Approval

Date:

11/20/18

RECOMMENDATION

Staff Recommends That The City Council Consider A Resolution Authorizing The City Of Oakland's Police Commission To Establish A Personnel Standing Committee And A Community Outreach Standing Committee That Will Meet On An As-Needed Basis.

EXECUTIVE SUMMARY

At the request of the City of Oakland's Police Commission and on behalf of the CPRA Executive Director (currently vacant), City Council adoption of the proposed Resolution will allow the Police Commission to create two Standing Committees: A Personnel Standing Committee and a Community Outreach Standing Committee. The Police Commission, authorized by Measure LL in the November 2016 election, is a seven Commissioner, and two alternate Commissioners, civilian oversight board that oversees the policies, practices and customs of the Oakland Police Department (OPD) to meet national standards of constitutional policing and oversees the Community Police Review Agency (CPRA) that investigates complaints of police misconduct and makes recommendations for discipline. The Police Commission is also charged with conducting an annual performance review of the CPRA Executive Director and OPD Chief of Police. The commission has been meeting regularly since December 2017 and requests to establish two formal Standing Committees so Commissioners can plan and discuss efforts around Personnel and Community Outreach. If approved, meetings of the future Police Commission Standing Committees will be considered Special Meetings.

BACKGROUND / LEGISLATIVE HISTORY

On November 8, 2016, voters approved Measure LL which created the Oakland Police Commission run by civilian commissioners to oversee OPD's policies and practices and CPRA's investigations of police misconduct complaints. Measure LL granted the Mayor authority to appoint three regular members and one alternate member to the Police Commission. Additionally, a selection panel comprised of members of the public, appoint four regular members and one alternate member.

Item: _____
Public Safety Committee
December 4, 2018

At its meeting of October 17, 2017, the City Council approved the Mayor's and selection panel's appointments to serve on the Police Commission. The Police Commission held its first meeting on December 13, 2017, and currently meets twice a month on the second and fourth Thursday of each month at 6:30 pm.

The Police Commission has selected members to serve on ad-hoc committees that meet as-needed to discuss a range of issues from the recruitment of the Executive Director to the CPRA, policies and procedures for the Commission, community outreach, and a review of legislation. At its meeting of May 24, 2018, the Police Commission voted to request City Council approval to establish a Community Outreach Standing Committee, and at its meeting of June 28, 2018, the Police Commission voted to request City Council approval to establish a Personnel Standing Committee.

Standing Committee Requirements

Municipal Code Section 2.20.030(J) defines standing committees as "any number of members of a local body which totals less than a quorum and which has a continuing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution or formal action of the local body." The two proposed standing committees must not exceed three Commission members at any time, comply with the Ralph M. Brown Act (2.20.050), post its agenda at least 48 hours prior to the meeting since these will be considered Special Meetings (2.20.070(A)), maintain minutes of actions taken during the meeting (2.20.160(A)), and be at minimum audio recorded for record keeping purposes (2.20.160(B)).

Process for Establishing Standing Committees

On July 10, 2018, the City Council adopted Ordinance No. 13498 C.M.S. which serves as the Enabling Ordinance for the Police Commission. The Enabling Ordinance added Municipal Code Section 2.45.150, which establishes the criteria for creating Police Commission Standing Committees. The requirements state that "the [Police] Commission must obtain City Council approval prior to the creation of any standing committee. A proposal to create a standing committee of the Commission must include information regarding the costs associated with staffing the standing committee, if any, and the costs of complying with noticing and reporting requirements resulting from its establishment."

These requirements are consistent with other references in the City's Municipal Code. Specifically, Sections 17.03.030(E) and 17.05.100(D) related to the City's Planning Commission and Landmarks Preservation Advisory Board, respectively, both state that City Council approval must be obtained prior to the creation of any standing committee for the commission/board. Additionally, the code states a proposal to create a standing committee must include information regarding the costs associated with staffing the standing committee, and the costs of complying with noticing and reporting requirements.

ANALYSIS AND POLICY ALTERNATIVES

The Police Commission Standing Committees will meet on an as-needed basis, similar to the Planning Commission's Standing Committees. Meeting on an as-needed basis allows for

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greater flexibility in scheduling meetings with Police Commissioners and for City Hall meeting room spaces to be available for various City and community meetings.

Because the minimum requirement for non-City Council standing committee meetings is to be audio recorded, when the two proposed Police Commission Standing Committees need to meet, staff can look at various City Hall rooms or even off-site venues to hold the proposed Standing Committee meetings. Those meetings that could not take place inside Hearing Room 1 or the City Council Chambers (the two rooms at City Hall that have video recording capabilities) would be audio recorded with the audio made available on the City's website.

Additionally, meeting as-needed allows the Police Commission Standing Committees to meet prior to the Police Commission's regular meeting inside the City Council Chambers, as the room is available beginning at 12:00 pm on the second and fourth Thursday of the month. If a Standing Committee needs to meet, they could use the City Council Chambers for the Standing Committee meeting so long as the meeting is properly noticed given the 48-hour Agenda posting requirements for Special Meetings.

For those meetings taking place in Hearing Room 1 or the City Council Chambers, staff will work with KTOP, the City's video broadcasting team, to video record the meeting. This would not require additional staff, only reassignment to cover the shift provided advanced notice is given. CPRA staff assigned to the Standing Committees may need to adjust their work schedule to attend and, if needed, audio record meetings not held in Hearing Room 1 or the City Council Chambers. Therefore, no additional staffing is required to support the two proposed Police Commission Standing Committees.

FISCAL IMPACT

Generally, staff resources are necessary for supporting committee meetings; however, the following items will need to be absorbed by existing CPRA staff should the City Council approve the proposed Resolution:

- Identify available meeting rooms and set up for each meeting.
- Notice meetings by posting Agenda on the City's website and providing to the City Clerk's Office.
- Prepare minutes.
- Update the website with approved minutes and video/audio recordings.
- Staff the meetings to record audio, if necessary, and/or provide information to the Standing Committee(s). Overtime pay for staff may be required if meetings occur outside of normal business hours.

The following would be absorbed by existing KTOP staff when the Standing Committee(s) are held in the City Council Chambers or Hearing Room 1:

- Assign a staff member to work from Master Control for the full duration of the meeting. Overtime pay for staff may be required if meetings occur outside of normal business hours.
- Record the meeting in its entirety and provide technical support, if needed.
- Provide CPRA staff with a video link to post on the City's website.

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CPRA staff, in conjunction with the City Administrator's Office, will monitor and evaluate staff time and resources dedicated to the two proposed Standing Committees. It is not anticipated that the Police Commission's request requires significant staff support beyond CPRA's current capacity; however, should that change in the future, staff may need to request additional resources to support the Standing Committees through the City Council.

PUBLIC OUTREACH / INTEREST

No additional public outreach was deemed necessary other than the standard noticing procedures of posting the City Council's Agenda.

COORDINATION

Preparation of this report and proposed Resolution was coordinated with the assistance of CPRA, KTOP, the City Attorney's Office and Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Social Equity: The proposed Police Commission Standing Committees will increase opportunities for the public to participate in police and public safety issues, especially those centered around community outreach. The public would have more opportunities to discuss and have a dialogue with the City's Police Commissioners who have civilian oversight on OPD's policies and practices and CPRA's investigations of police misconduct complaints.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Of Oakland's Police Commission To Establish A Personnel Standing Committee And A Community Outreach Standing Committee That Will Meet On An As-Needed Basis.

For questions regarding this report, please contact Richard J. Luna, City Administrator Analyst, at 510-238-4756.

Respectfully submitted,



STEPHANIE HOM
Deputy City Administrator

Prepared by:
Richard J. Luna, City Administrator Analyst

Item: _____
Public Safety Committee
December 4, 2018

2018 NOV 20 PM 1:19 RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY OF OAKLAND'S POLICE COMMISSION TO ESTABLISH A PERSONNEL STANDING COMMITTEE AND A COMMUNITY OUTREACH STANDING COMMITTEE THAT WILL MEET ON AN AS-NEEDED BASIS

WHEREAS, on November 8, 2016, voters approved Measure LL which created the Oakland Police Commission run by civilian commissioners to oversee the Oakland Police Department's policies, practices and customs to meet national standards of constitutional policing and the Community Police Review Agency to investigate complaints of police misconduct; and

WHEREAS, at its meeting of October 17, 2017, the City Council approved the Mayor's and selection panel's appointments to serve on the Police Commission, which is comprised of seven voting Commissioners and two alternate Commissioners; and

WHEREAS, the Police Commission held its first meeting on December 13, 2017, and currently meets twice a month on the second and fourth Thursday of each month at 6:30 p.m.; and

WHEREAS, since its first meeting, the Police Commission has selected its members to serve on ad-hoc committees that meet as-needed to discuss a range of issues from the recruitment of the Executive Director to the Community Police Review Agency, policies and procedures for the Police Commission, community outreach, review of legislation, among other topics; and

WHEREAS, at its meeting of May 24, 2018, the Police Commission voted to request City Council approval to establish a Community Outreach Standing Committee; and

WHEREAS, at its meeting of June 28, 2018, the Police Commission voted to request City Council approval to establish a Personnel Standing Committee; and

WHEREAS, on July 10, 2018, the City Council adopted Ordinance No. 13498 C.M.S. which serves as the Enabling Ordinance for the Police Commission, and added Municipal Code Section 2.45.150, which requires that the Police Commission must obtain City Council approval prior to the creation of any standing committee; and

WHEREAS, as per the requirements of Municipal Code Section 2.45.150, the Police Commission, through this Resolution, seeks approval from the City Council to establish a Personnel Standing Committee and a Community Outreach Standing Committee that will meet on an as-needed basis, thereby, considered Special Meetings; and

WHEREAS, in accordance with Municipal Code Section 2.20.050, each Police Commission Standing Committee is subject to the Brown Act and Oakland Sunshine Ordinance; and

WHEREAS, in accordance with Municipal Code Section 2.20.070(A), the Police Commission Standing Committees must publish and distribute its Special Meeting Agendas at-least 48 hours in advance; and

Attachment 9

WHEREAS, that the costs to staff to provide administrative support to the proposed Police Commission Standing Committees be absorbed to the existing duties of staff assigned to the Community Police Review Agency; now, therefore be it

RESOLVED, that the City Council authorizes the creation of a Police Commission Personnel Standing Community to meet on an as-needed basis; and be it

FURTHER RESOLVED, that the City Council authorizes the creation of a Police Commission Community Outreach Standing Committee to meet on an as-needed basis.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California



CITY OF OAKLAND

CITY OF OAKLAND

Administrative Assistant II

Class Code:
SS104Bargaining Unit: TW1 - Local 21 Admin, Prof,
Technical & Other

SALARY RANGE

\$31.50 - \$38.67 Hourly
\$5,118.69 - \$6,284.55 Monthly
\$61,424.28 - \$75,414.60 Annually

DEFINITION:

Under direction, performs responsible clerical and administrative support to division managers and other management staff; supervises assigned clerical staff; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS:

This is an advanced journey level class in the clerical support series. Incumbents perform a full range of professional clerical and administrative support duties including the supervision of subordinate staff. Duties include organization and coordination of work load; maintenance of a calendar and scheduling appointments, meetings and travel; and preparation of City Council, Board and/or Commission agenda materials, resolutions and ordinances. Incumbents are expected to use professional judgment and skill in the performance of assignments which are subject to review by professional superiors. This class differs from Executive Assistant in that incumbents of the latter provide highly confidential and complex secretarial and administrative support to department heads, division managers or other executive management staff. It differs from Administrative Assistant I in that incumbents of the latter perform less complex assignments within an established procedural framework. Incumbents receive general supervision from division managers or other management staff and may provide general supervision over Office Assistant I and II, Administrative Assistant I, and other assigned clerical staff.

EXAMPLES OF DUTIES:

- Organize and coordinate work; set priorities and meet critical deadlines; oversee or perform a variety of office administrative tasks such as purchasing requisitions, processing time cards, ordering materials and supplies, monitoring supply budgets, processing accounts payable, and keeping current reference materials and files.
- Receive and screen visitors and telephone calls; provide information which requires the use of judgment and the interpretation of City policies and procedures.

- Type drafts and a wide variety of finished documents from recording devices, notes, brief written or oral instructions.
- Compile and maintain complex and extensive records and prepare reports.
- Make appointments and maintain a calendar; maintain tickler file; schedule and arrange meetings and make travel arrangements; organize meetings by notifying participants, make room arrangements, and prepare required informational materials.
- Supervise, train and evaluate assigned clerical staff.
- Attend board and commission meetings and record and transcribe minutes.
- Prepare City Council, Board and Commission agenda materials, draft reports, resolutions and ordinances.
- Sort and distribute mail received by departmental staff.
- Input, retrieve and reference various computer data management systems such as Financial Management System and Budget Development System; issue budget change requests.
- Provide follow-up and research information on inquiries and problems which require knowledge of services and programs of the City; resolve problems and respond to special assignments which require interdepartmental or staff communications.
- Review finished materials for thoroughness, accuracy, format, compliance with policies and procedures, and appropriate English usage; organize and maintain various administrative, reference, and follow-up files.

MINIMUM QUALIFICATIONS:

Any combination of education and experience that is equivalent to the following minimum qualifications is acceptable.

Education:

Equivalent to the completion of the twelfth grade. Business or other college course work is desirable.

Experience:

Two years of experience comparable to Administrative Assistant I in the City of Oakland.

KNOWLEDGE AND ABILITIES:

Working knowledge of:

- Modern office methods and equipment including business correspondences and filing.
- Operation of standard office equipment including a word processor, facsimile, and recording devices.
- Correct English usage including spelling, grammar, punctuation, and vocabulary; editing.
- Public contact skills.
- Principles of supervision and training.
- Standard business arithmetic.
- Record keeping, report preparation, and filing methods.

Ability to:

- Plan, organize and schedule work in the office.
- Type accurately at 40 words per minute.
- Transcribe from recording equipment; prepare detailed minutes of official meetings.
- Learn and use departmental computer system.

- Compose routine correspondence from brief instructions.
- Supervise, train and evaluate assigned clerical staff.
- Make arithmetic and statistical calculations.
- Maintain confidential data and information.
- Establish and maintain effective work relationships with those contacted in the performance of required duties.

LICENSE OR CERTIFICATE / OTHER REQUIREMENTS:

Positions assigned to the Police Department require successfully passing a thorough background investigation.

CLASS HISTORY:

Revised: 11-08-2007; CSB Reso#: 44502
Established: 06-27-1996; CSB Reso#: 44358



Project Manager

Class Code:
EM216

Bargaining Unit: UM2 - Local 21 Management
Employees (Civil Service)

SALARY RANGE

\$66.76 - \$81.97 Hourly
\$10,848.26 - \$13,320.71 Monthly
\$130,179.12 - \$159,848.52 Annually

DEFINITION:

Under general direction, organize, manage, and direct the work of a City project; prepare short and long range plans; train and supervise assigned staff; and perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS:

This is a management level classification. Incumbents in this series are hired for the duration of the project, which is usually six months to three years. Project activities are based upon direct consultation with the user department executive management staff and involve the exercise of considerable discretion and latitude of judgment in the formulation and development of policies and procedures. The scope and nature of specific projects determines the level of the Project Manager required. The Project Manager classification is normally responsible for small projects within a department in terms of dollar amount, scope and complexity supervising a staff of three or more individuals with the project scope impacting one department or division. It is distinguished from the Project Manager II classification, which manages medium sized projects that could involve more than one department or require community input.

Incumbents receive direction from a Department Director or other executive management staff, and exercise supervision over assigned professional and clerical support staff.

EXAMPLES OF DUTIES:

Duties may include, but are not limited to the following:

- Plan, organize, manage, participate in and direct the work of the project including the development, successful implementation, and quality control aspects of each project.
- Prepare long-range plans in coordination with City departments, other divisions, and other public agencies; develop policies and procedures for establishing costs, schedule controls and coordinating activities.
- Formulate strategies and establish priorities to achieve objectives.

- Negotiate and administer contracts with project participants and service providers; resolve conflicts in a timely manner satisfying the client's needs, the designer's concepts and in keeping with the budgetary constraints and established schedule.
- Analyze proposed and current project management regulations and develop recommendations for implementation compliance.
- Prepare or review staff reports and resolutions for the City Administrator, City Council, or commissions.
- Work closely with department representatives, the City Council, public and private groups, professional groups, and citizens to explain or coordinate plans for proposed projects and to solicit their support.
- Direct the preparation and administration of project budgets.
- Prepare cost forecasts, variances, and critical paths including project closeout procedures; maintain master schedule and inform management of potential conflicts.
- Manage, assign, supervise, and evaluate assigned staff; provide training and staff development.

MINIMUM QUALIFICATIONS:

Any combination of education and experience that is equivalent to the following minimum qualifications is acceptable.

Education:

Bachelor's degree from an accredited college or university in public or business administration or other relevant degree for particular project assignment. A Master's degree is desirable.

Experience:

Two years of progressively responsible public sector experience in relevant project management, including two years in a supervisory capacity.

KNOWLEDGE AND ABILITIES:

Knowledge of:

- The area of interest of the particular project.
- Principles and practices of project management.
- Principles and practices of management and supervision.
- English punctuation, syntax, language mechanics and spelling.
- Contract negotiation and administration.
- Conflict resolution techniques.
- Principles of budget development and monitoring including development of control measures to remain within budget.
- Personal computer systems and applications.
- Principles and techniques for persuasive presentation of ideas and concepts in both oral and written formats.

Ability to:

- Prepare and administer departmental budgets.
- Negotiate and administer a variety of contracts.

- Develop and maintain positive relationships with community leaders, organizations, businesses and staff.
- Coordinate a variety of projects and activities inter-departmentally and with outside agencies.
- Plan, organize, direct and coordinate a variety of functional specialties with overlapping work areas.
- Supervise and direct subordinate professional and support staff.
- Interpret and enforce administrative/operational policies, practices and procedures.
- Analyze and solve problems of a complex nature.
- Maintain departmental and state safety standards.
- Analyze complex technical and administrative information and telecommunications systems problems, evaluate alternative solutions and recommend or adopt effective courses of action.
- Communicate effectively and persuasively in both oral and written format.
- Speak in large and small group settings.
- Prepare and analyze comprehensive reports.
- Conduct staff meetings.
- Exercise sound independent judgment within general policy guidelines.
- Establish and maintain effective work relationships with those contacted in the performance of required duties.

LICENSE OR CERTIFICATE / OTHER REQUIREMENTS:

Successful incumbents in this position are expected to operate automotive vehicles in the performance of assigned duties. Due to the nature of the assignment and the hours worked, public transportation may not be a cost effective or efficient method for traveling to the various locations required. Individuals who are appointed to this position will be required to maintain a valid California Driver's License throughout the tenure of employment OR demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties.

Additional relevant licensing or certification may be required based upon project needs or requirements.

CLASS HISTORY:

Established: 08/21/2014 CSB Reso #: 44734



CITY OF OAKLAND | POLICE COMMISSION
250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

Current Committees

Standing Committee	Commissioners
Outreach	Hsieh, Jordan, Howell
Personnel	Jackson

Ad Hoc Committee	Commissioners
Annual Report	Jackson
Budget	Jackson
Community Policing OPD 15-01	Harbin-Forte, Hsieh, Howell
CPRA Director Performance Evaluation	Milele, Jackson
Inspector General Search	Jackson, Milele, Peterson
Mental Health Model	X (formally Dorado)
Militarized Police Equipment	Gage, Jordan
Missing Persons Policy	Jackson, Jordan
OBOA Allegations Investigation	Harbin-Forte, Jackson
Police Chief Goals and Evaluation	Milele, Peterson
Racial Profiling Policy	Jackson, Milele
Rules of Procedure	Gage, Harbin-Forte
White Supremacists and Other Extremist Groups	Harbin-Forte, Jackson
OPD's Social Media Policy	Jackson, Milele, Hsieh
CID Ad Hoc	Jackson, Hsieh, Jordan

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
2	Commissioner Trainings	1/1/2018	<p>Complete trainings mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190</p> <p>Some trainings have deadlines for when they should be completed (within 3 months, 6 months, etc.)</p> <p>Several trainings were delivered in open session and have been recorded for future use</p>	<p>The following trainings must be done in Open Session:</p> <ol style="list-style-type: none"> 1. California's Meyers Milias Brown Act (MMBA) and Public Employment Relations Board's Administration of MMBA (done 3.12.20) 2. Civil Service Board and Other Relevant City Personnel Policies and Procedures (done 2.27.20) 3. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees (done 4.22.21) 4. Police Officers Bill of Rights (done 12.12.19; 2021) 	High	COMPLETED (as to current commissioners)		

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
3	Confirming the Process to Hire Staff for the Office of Inspector General	5/17/2019	Per the Enabling Ordinance: The City shall allocate a sufficient budget for the OIG to perform its functions and duties as set forth in section 2.45.120, including budgeting one (1) full-time staff position comparable to the position of Police Program and Audit Supervisor. Within thirty (30) days after the first Inspector General is hired, the Policy Analyst position and funding then budgeted to the Agency shall be reallocated to the OIG. All OIG staff, including the Inspector General, shall be civil service employees in accordance with Article IX of the City Charter.	This will require information presented from the City Administrator's Office.	High			
4	Finalize Bylaws and Rules	1/24/2019			High	COMPLETED		Gage
5	Hire Inspector General (IG)	1/14/2019	Hire IG once the job is officially posted	Pending Measure LL revisions to be included in the November 2020 ballot. Recruitment and job posting in process.	High			Jackson
6	Modify Code of Conduct from Public Ethics Commission for Police Commission	10/2/2018		On code of conduct for Commissioners there is currently a code that was developed by the Public Ethics Commission.	High	COMPLETED		
7	Neighborhood Opportunity and Accountability Board (NOAB) Update	5/13/2021	Receive a report on the Neighborhood Opportunity and Accountability Board which launched in April 2020	Tabled from May 13, 2021 meeting	High	July 22, 2021		

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
8	Notification of OPD Chief Regarding Requirements of Annual Report	1/1/2018	Commission must notify the Chief regarding what information will be required in the Chief's annual report	<p>The Chief's report shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. The number of complaints submitted to the Department's Internal Affairs Division (IAD) together with a brief description of the nature of the complaints; 2. The number of pending investigations in IAD, and the types of Misconduct that are being investigated; 3. The number of investigations completed by IAD, and the results of the investigations; 4. The number of training sessions provided to Department sworn employees, and the subject matter of the training sessions; 5. Revisions made to Department policies; 6. The number and location of Department sworn employee-involved shootings; 7. The number of Executive Force Review Board or Force Review Board hearings and the results; 8. A summary of the Department's monthly Use of Force Reports; 9. The number of Department sworn employees disciplined and the level of discipline imposed; and 10. The number of closed investigations which did not result in discipline of the Subject Officer. <p>The Chief's annual report shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code section 832.7</p>	High	June 14, 2018 and June 14 of each subsequent year		Jackson
9	OPD to Provide a 30 Day Snapshot on the Effectiveness of SO 9202	2/27/2020		On 2.27.20, at the request of OPD the Commission considered and approved SO 9202 which amends the section in SO 9196 regarding Type 32 reportable force	High			

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
10	Performance Reviews of CPRA Director and OPD Chief	1/1/2018	Conduct performance reviews of the Agency Director and the Chief	The Commission must determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation. The Commission may, in its discretion decide to solicit and consider, as part of its evaluation, comments and observations from the City Administrator and other City staff who are familiar with the Agency Director's or the Chiefs job performance. Responses to the Commission's requests for comments and observations shall be strictly voluntary.	High	Annually; Criteria for evaluation due 1 year prior to review		Jackson
11	Prioritization of OPD Policies for Review	5/13/2021	Discuss and prioritize OPD policies for review	Tabled from May 13, 2021 meeting; discussed June 24, 2021 - Gage to reorganize by category	High			
12	Recommendations for Community Engagement	5/13/2021	Discuss recommendations for community engagement	Tabled from May 13, 2021 meeting	High			
13	Reports from OPD	10/6/2018	Commission to decide on what reports are needed prior to receiving them.	Receive reports from OPD on issues such as: response times; murder case closure rates; hiring and discipline status report (general number for public hearing); any comp stat data they are using; privacy issues; human trafficking work; use of force stats; homelessness issues; towing cars of people who sleep in their vehicles	High	Ongoing as appropriate		

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
14	Request City Attorney Reports	1/1/2018	Request the City Attorney submit semi-annual reports to the Commission and the City Council	Request the City Attorney submit semi-annual reports to the Commission and City Council which shall include a listing and summary of: 1. To the extent permitted by applicable law, the discipline decisions that were appealed to arbitration; 2. Arbitration decisions or other related results; 3. The ways in which it has supported the police discipline process; and 4. Significant recent developments in police discipline. The City Attorney's semi-annual reports shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code 832.7	High	Semi-annually Next one should be October, 2021		Jackson
15	Sloan Report	5/13/2021	Discuss the independent review commissioned by the City as part of a Step 3 Grievance procedure related to the Pawlik investigation	Tabled from May 13, 2021 meeting, discussed June 24, 2021 -- Commission counsel submitted report	High	COMPLETED		
16	Training on Brown Act, Sunshine Ordinance, and Parliamentary Procedure	5/21/2021	Receive a training session for Commissioners to understand rights and obligations under the Brown Act, the Sunshine Ordinance, Robert's Rules of Order, and the Commission's Rules		High	COMPLETED		
17	Community Policing Task Force/Summit	1/24/2019			Medium			Dorado

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
18	CPAB Report			Receive any and all reports prepared by the Community Policing Advisory Board (hereinafter referred to as "CPAB") and consider acting upon any of the CPAB's recommendations for promoting community policing efforts and developing solutions for promoting and sustaining a relationship of trust and cooperation between the Department and the community.	Medium			
19	Determine Outstanding Issues in Meet and Confer and the Status of M&C on Disciplinary Reports	10/6/2018		Need report from police chief and city attorney. Also need status report about collective bargaining process that is expected to begin soon.	Medium			
20	Free Gun Trace Service	1/27/2020		This service was mentioned at a meeting in 2019.	Medium			Dorado
21	Offsite Meetings	1/1/2018	Meet in locations other than City Hall	The offsite meetings must include an agenda item titled "Community Roundtable" or something similar, and the Commission must consider inviting individuals and groups familiar with the issues involved in building and maintaining trust between the community and the Department.	Medium	Annually; at least twice each year		Dorado, Jackson
22	OPD Supervision Policies	10/2/2018		Review existing policy (if any) and take testimony/evidence from experts and community about best practices for supervisory accountability. Draft policy changes as needed. In addition, IG should conduct study of supervisor discipline practices. In other words, how often are supervisors held accountable for the misconduct of their subordinates.	Medium			
23	Public Hearing on OPD Budget	1/1/2018	Conduct at least one public hearing on the Police Department's budget	Tentative release date of Mayor's proposed budget is May 1st of each year.	Medium	COMPLETED for 2021		
24	Report from OPD Regarding Found/Confiscated Items	7/12/2019	OPD will report on the Department's policy for disposition of found/confiscated items.	This came about through a question from Nino Parker. The Chief offered to present a report at a future meeting.	Medium			

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
25	Report Regarding OPD Chief's Report	1/1/2018	Submit a report to the Mayor, City Council and the public regarding the Chief's report in addition to other matters relevant to the functions and duties of the Commission	The Chief's report needs to be completed first.	Medium	Annually; once per year		
26	Review Budget and Resources of IAD	10/10/2018		In Discipline Training it was noted that many "lower level" investigations are outsourced to direct supervisors and sergeants. Leaders in IAD have agreed that it would be helpful to double investigators and stop outsourcing to Supervisors/Sgts. Commissioners have also wondered about an increase civilian investigators. Does the Commission have jurisdiction over this?	Medium			
27	Review Commission's Outreach Policy	4/25/2019			Medium			Dorado
28	Revise Contracts with CPRA and Commission Legal Counsels	10/10/2018		The contract posted on the Commission's website does not comport with the specifications of the Ordinance. As it stands, the Commission counsel reports directly to the City Attorney's Office, not the Commission. The Commission has yet to see the CPRA attorney's contract, but it, too, may be problematic.	Medium			
29	Revisit Standing and Ad Hoc Committee Assignments	10/29/2019	The chair will create adhoc and staff standing committees as appropriate		Medium	Ongoing		Jackson
30	Amendment of DGO C-1 (Grooming & Appearance Policy)	10/10/2018		DGO C-1 is an OPD policy that outlines standards for personal appearance. This policy should be amended to use more inclusive language, and to avoid promoting appearance requirements that are merely aesthetic concerns, rather than defensible business needs of the police department.	Low			
31	Annual Report	1/1/2018	Submit an annual report each year to the Mayor, City Council and the public		Low	Spring, 2022		Jackson

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
32	Assessing Responsiveness Capabilities	10/6/2018		Review OPD policies or training regarding how to assess if an individual whom police encounter may have a disability that impairs the ability to respond to their commands.	Low			
33	CPRA Report on App Usage	10/10/2018		Report from staff on usage of app.	Low	August, 2021		
34	Creation of Form Regarding Inspector General's Job Performance	1/1/2018	Create a form for Commissioners to use in providing annual comments, observations and assessments to the City Administrator regarding the Inspector General's job performance. Each Commissioner shall complete the form individually and submit his or her completed form to the City Administrator confidentially.	To be done once Inspector General position is filled.	Low			
35	Discipline: Based on Review of MOU	10/6/2018		How often is Civil Service used v. arbitration? How long does each process take? What are the contributing factors for the length of the process? How often are timelines not met at every level? How often is conflict resolution process used? How long is it taking to get through it? Is there a permanent arbitration list? What is contemplated if there's no permanent list? How often are settlement discussions held at step 5? How many cases settle? Is there a panel for Immediate dispute resolution? How many Caloca appeals? How many are granted? What happened to the recommendations in the Second Swanson report?	Low	2023		

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
36	Discipline: Second Swanson Report Recommendations – Have These Been Implemented?	10/6/2018		Supervisor discipline Process for recommending improvements to policies, procedures and training, and to track and implement recommendations Tracking officer training and the content of training Comparable discipline imposed – database of discipline imposed, demonstrate following guidelines IAD civilian oversight for continuity in IAD Improved discovery processes Permanent arbitration panel implemented from MOU OPD internal counsel Two attorneys in OCA that support OPD disciplines and arbitration Reports on how OCA is supporting OPD in discipline matters and reports on arbitration Public report on police discipline from Mayor’s office OIG audit includes key metrics on standards of discipline	Low			
37	Feedback from Youth on CPRA App	10/10/2018		Get some feedback from youth as to what ideas, concerns, questions they have about its usability.	Low			
38	OPD Data and Reporting			Review and comment on the Department’s police and/or practice of publishing Department data sets and reports regarding various Department activities, submit its comments to the Chief, and request the Chief to consider its recommendations and respond to the comments in writing.	Low			
39	Outreach Committee: Work with Mayor's Office and City Admin to Publicize CPRA App	10/10/2018			Low			
40	Overtime Usage by OPD - Cost and Impact on Personal Health; Moonlighting for AC Transit	1/1/2018		Request Office of Inspector General conduct study of overtime usage and "moonlighting" practices.	Low			

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1	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
41	Proposed Budget re: OPD Training and Education for Sworn Employees on Management of Job-Related Stress	1/1/2018	Prepare for submission to the Mayor a proposed budget regarding training and education for Department sworn employees regarding management of job-related stress. (See Trauma Informed Policing Plan)	Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of posttraumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter. Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection (C) above.	Low	4/15/2021		
42	Public Hearings on OPD Policies, Rules, Practices, Customs, General Orders	1/1/2018	Conduct public hearings on Department policies, rules, practices, customs, and General Orders; CPRA suggests reviewing Body Camera Policy		Low	Annually; at least once per year		Dorado
43	Social Media Communication Responsibilities, Coordination, and Policy	7/30/2019		Decide on social media guidelines regarding responsibilities and coordination.	Low			