



# OAKLAND POLICE COMMISSION

## MEETING MINUTES

October 14, 2021, 6:30 PM

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

Vice Chair Jose Dorado

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

Absent/excused: Chair Jackson + Comm. Garcia

### II. 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.

*Public Comment provided by the following speakers:*

Rashidah Grinage

Saleem Bey

Michele Lazaneo

### III. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; an update on the Negotiated Settlement Agreement; 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.***

Police Chief Armstrong updated the Commission on crime data including homicide rates reaching 110 citywide, 5% decrease in robberies, and firearm recoveries in collaboration with the ATF and the push for legislative change related to ghost guns. The Chief also noted that the three missing person's highlighted in the press releases (included in the packet) had all been found thanks to quick action and reliance on social media channels. The new ad hoc crafting the social media policy should be starting next month, on the direction of the Chair. The Chief also discussed attrition and staffing rates and the efforts underway to bring and keep officer numbers up.

*Public Comment provided by the following speakers:*

Rachel Beck



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Resa Jaffy  
Assata Olugbala  
Jennifer Findlay  
Saleem Bey  
Mary Vail  
Anne Janks

**IV. Review of Ad Hoc Committees and Standing Committees.** The Commission will hear a report about Standing and Ad Hoc Committees. *This is a new item*

Executive Director Alden (CPRA) talked through the information in the memo (see attachment in the packet) that outlines the resources, time and effort it takes to help support Commission ad hocs versus standing committees. He facilitated a conversation among commissioners related to prioritizing ad hocs, reviewing current standing committees and the possibility of reconfiguring or dissolve groups with completed objectives.

The commission requested more information from Commission counsel regarding relying on ad hocs with continued subject matter jurisdiction versus converting the group to a standing committee and the measures needed to dissolve standing committees. From staff, the commission would like to hear more about possible job classifications, especially in relation to outreach and engagement and what prioritizing current committees might look like.

*Public Comment provided by the following speakers:*  
Saleem Bey

Commissioner Gage brought a motion to move this matter to be continued to a future agenda pending receipt from staff of the information requested  
Commissioner Harbin-Forte seconds the motion  
Commission votes unanimously

**V. Recognition of Vice Chair Jose Dorado.** The Commission will recognize Vice Chair Jose Dorado for his service on the Commission as he completes his term. *This is a new item.*

Commissioners and staff thank Vice Chair Dorado for his time, efforts and service as one of the longest standing commissioners.

*Public Comment provided by the following speakers:*  
Rashidah Grinage  
Saleem Bey  
Mariano Contreras



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### VI. Committee Reports

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

#### **Inspector General Search**

##### **(Commissioners Milele, Jackson, Peterson)**

The Inspector General Search Ad Hoc Committee is tasked with conducting a nationwide search for a civilian Inspector General who will report to the Police Commission.

Comm. Milele shared that the ad hoc has narrowed its search to three finalists, their last interview will be held in public at an open forum scheduled for Wednesday Oct 27. Members of the public are invited to watch and submit suggestions for interview questions via a short survey posted, along with details to join and access the event, on the commission's webpage.

#### **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.

Comm. Jordan shared that line edits to the policy are still ongoing and the group is preparing for a public forum, more information to follow.

#### **Community Policing Policy revision (15-01)**

##### **(Commissioners Dorado, Harbin-Forte, Hsieh)**

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.

Comm. Dorado shared the continued progress of this committee including the start of language rewrites to draft policy 15-01. The committee will reconvene on Saturday Nov 6 to discuss edits to the roles of CROs and others referenced in the OPD policy.

#### **Community Engagement - Standing Committee**



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### **(Commissioners Dorado, Hsieh, Jordan)**

The purpose of this Committee is to broaden the reach of the Oakland Police Commission ensuring that every Oakland community knows of the Commission and its duties, and can engage with the Commission/Commissioners in a substantive way. This committee will seek to pilot and explore innovative means towards community outreach, transparency of its efforts and engagement so that public voices are captured and elevated.

Comm. Hsieh shared that the committee has met discuss organizing principles for this committee including scope and objectives, as well as composition and cadence. More work is still required, and the committee will keep moving forward.

*Public Comment provided by the following speakers:*

Saleem Bey

### **VII. 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.***

*Public Comment provided by the following speakers:*

Assata Olugbala

Maria Arroyo

Saleem Bey

### **VIII. Review and adoption of meeting minutes**

The Commission will vote to approve minutes from August 12 and September 16. ***This is a recurring item.***

Comm. Harbin-Forte noted a spelling mistake in the Aug 12 minutes and brings a motion to approve and adopt the minutes, once the correction is made.

Comm. Jordan seconds the motion

Commission votes unanimously to approve and adopt minutes for the August 12 meeting.

Comm. Jordan brings a motion to approve and the adopt the minutes for the September 16 meeting.

Comm. Milele seconds

Commission votes unanimously to approve and adopt the minutes for September 16.



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*Public Comment provided by the following speakers:*

Saleem Bey  
Assata Olugbala

### IX. **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.***

- Request to agendize a discussion on what information is reportable in the Bey case (Comm. Milele)
- An update on the IG selection and town hall (Comm. Peterson)

*Public Comment provided by the following speakers:*

Assata Olugbala  
Saleem Bey  
Rashidah Grinage  
Jennifer Findlay

### X. **Adjournment**

Meeting adjourned at 9:47 pm

**From:** [Mary Vail](#)  
**To:** [Adwan, Rania](#)  
**Cc:** [Regina Jackson](#); [Israel, Debra](#); [Lupoff, Kenneth](#); [grinage, rashidah](#); [Cathy Leonard](#); [Gallo, Noel](#); [Kaplan, Rebecca](#); [Katy Morsony](#); [Reid, Treva](#); [Mariano Contreras](#); [jbcofc@aol.com](mailto:jbcofc@aol.com)  
**Subject:** My advance testimony for the OPC's October 14, 2021 meeting  
**Date:** Thursday, October 14, 2021 4:08:30 PM

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### 1) Instagram case/situation:

a) The Administration's staff report to Council on this subject says that Department first learned of about the existence of the 'Crime Reduction Team' (CRT) site in *December 2020*, when in fact that knowledge existed in *September 2020*. Had the Department first learned of the situation in December 2020, the special investigator would not have been rushing to complete its investigation and findings/recommendations last month. It's disturbing that the OPD and/or the Administration continues to try to massage facts to make OPD look better.

b) Substantively, the investigation of the CRT and its officer-posters disclosed the ongoing (and until recently totally unsanctioned) issues with OPD's culture, including racism/White Supremacy, misogyny/sexism and defiance/resistance to policing reform, including NSA-mandated reforms. The site posts should leave absolutely no doubt as to why the City/OPD has yet to reach full NSA compliance after 18+ years of Federal Court oversight and no doubt as to why OPD leadership struggles with recruiting and retaining female officers, of all races, but particularly Black women.

c) The most disturbing aspect of the Clarence Dyer report, however, is its findings as to what OPD middle and upper management did and didn't do during the months of September-December 2020: Hoping the situation would fade away/never be exposed, characterizing the problematic posts as a problem created by 'anti-police' community members, not investigating those who made posts on the CRT site, even though their posts unambiguously opposed Court-ordered policing reforms (and) objected and mocked what the Department says are its values around race, equity, equal employment opportunity and building community-OPD trust. Such inaction is deeply problematic for a Department that holds itself out to Oaklanders as striving to comply with the NSA and to improve police-community relations and as being committed to deep cultural reform of the Department.

This is where, as the Council's PSC, measure's LL and S-1 and community members say, the Police Commission comes in. The Commission, no one else, has the authority to investigate those responsible (including members of IAD and the Intelligence Unit) responsible for the Department's actions and in-actions in the September-December 2020 time period. If the Commission fails to launch such an inquiry, it will fail Oaklanders in two ways. First, OPD has a disparate (by race and rank) discipline history. Only imposing discipline on those who did posts on the CRC site, leaving untouched those (all of higher rank, many in Intelligence and IAD) who

mis-characterized the situation and failed to launch an investigation or made (disturbing) statements such as those offended by the posts lacked a sense of humor or that the site was harmless, just a venue for officers to let off steam perpetuates those discipline disparities. Second, failure to act would be to condone/further embed OPD's impunity culture. In 2016, no OPD member or leader faced any personnel consequences for attempting to cover up the Department's rape/sex scandal. That zero accountability outcome cannot be repeated.

## **2) Chief Armstrong's October 12 presentation to the Montclair Greater Oakland Democratic Club:**

Although the Chief's presentation was largely thoughtful and useful, I was concerned with two aspects of it.

First, attendee's were given a long, detailed presentation about OPD suffering through under-staffing, budget cuts and vacancies during a violence/crime spike, during the Chief's opening remarks. Exposing the public to the Department's position on the Council's prior budget decisions is just not constructive. Nor is repeating the traditional position of police and police union leaders' "crimes up, so your City must increase the size of the police department", because over decades that approach has been proven unsuccessful in making the public safer..

A truly reform-minded Chief would have spoken to how the Department's capacity to address current serious crime levels has been aided by the RPS Task Force's and City Council's decisions to relieve OPD of certain non-core functions, to increase its investigative capacity and to transfer certain public-safety supporting work from OPD to other City Departments and/or community service providers. The Chief did not speak to any of that, at all.

Second, the Chief said he shared the public's concerns with budget-forced reductions in walking beat officers and re-assignment of CRO's (both true/shared), but also with disbanding OPD's traffic officer unit (so not true).

As a 36 year resident of the Glenview District and Park Blvd. homeowner, I can say that OPD's traffic unit was near useless to intervene/reduce the previously pervasive, now near 24-7 speeding and reckless driving on Park Blvd. For years, OPD officers have told my neighbors that the traffic unit can do little to nothing for us because it only has three officers. It is the consensus in the neighborhood that traffic calming and street engineering/design solutions (versus OPD or CHP enforcement increases) are the only ones that will make Park Blvd. safer. There is also a near-consensus in the neighborhood that the RPS Task Force recommendation to move most traffic enforcement to the City's DOT is a good thing. For the aforementioned reasons, the Chief's above-noted statements @ the MGO Zoom call were deeply concerning to me.

Mary Vail  
District 5/Glenview resident



**From:** [Maria Arroyo](#)  
**To:** [Adwan, Rania](#)  
**Subject:** Request to Speak at Police Commission Meeting Tonight  
**Date:** Thursday, October 14, 2021 12:15:21 PM  
**Attachments:** [IMG\\_57805248.MOV](#)

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Good afternoon,

My name is Maria Arroyo and I am requesting to speak during an off topic time during the meeting tonight. It was suggested by a member of The Citizens Police Review Agency that I do so. The subject that I would like to bring up is daily harassment by Patrick Gonzales while flying the OPD helicopter. I would like to ask the other members how many times a day he circles their homes. I assume most people would answer "never" I would like to bring to others attention that he circles my house just about everyday. Yesterday, he circled my house 3 different times spread across the day. I can prove that he did this. On 10/13/21, he flew above my house, then dropped altitude to 222 feet above the ground then came to a complete stop. Then he took off and gained altitude again. I will attach a video of this. I actually have so much flightpath records and videos to prove that he has been doing this to me for about a year now. It got really bad about May 2021. I have been reporting this all over the place and I am currently working with the Citizens Police Review Agency about this. My concern is that this is not something that is typically mandated for them to investigate and despite all the proof and evidence I have, Internal Affairs keeps treating me like he is not really doing this to me. I have actually had 2 different officers from Internal Affairs deny ownership of this helicopter on 2 different occasions, on another occasions they denied ownership to The Citizens Police Review Agency as well. Thank you very much in advance for the opportunity to bring up my concern.

Maria Arroyo

**From:** [Rashidah](#)  
**To:** [Regina Jackson](#); [Jose Dorado](#); [Sergio Garcia](#); [Tyfahra Milele](#); [Brenda Harbin-Forte](#); [Henry Gage, III](#); [David Jordan](#); [Marsha Peterson](#); [Jesse Hsieh](#)  
**Cc:** [Alden, John](#); [Zisser, Aaron](#); [Adwan, Rania](#)  
**Subject:** Instagram scandal and misplaced priorities  
**Date:** Thursday, October 14, 2021 11:48:31 AM

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Chair Jackson and Commissioners:

I was very disappointed that there was not a more robust discussion of this item at your last Commission meeting.

You devoted a considerable amount of time to the selection of a replacement vehicle for the Bear Cat, and seemed to be far less engaged in what is truly objectionable behavior on the part of members of OPD, many of whom didn't see any of the messaging as any kind of a 'red flag' and were not truthful in their characterization of the issue to a journalist.

So, thanks to the Public Safety Committee, there was finally an in depth discussion of this matter which you can hear below on the recording:

[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_oakland.granicus.com\\_player\\_clip\\_4490-3Fview-5Fid-3D2-26redirect-3Dtrue&d=DwIFaQ&c=6ZboKdJzR8nZOqwBjhPnCw&r=I3oKbpQ-tHB1OV0pglSQMdknQnL6CQgHVJIUHVq0A8g&m=BxPGFSTyJoB2811fQYcg\\_9C7vY\\_Qw9YwV2buyGhv7gk&s=llJDKBLexbZqVEtiZVv79Od4JQCcPdrVbom69ISou8&e=Fast forward to 4.05.42](https://urldefense.proofpoint.com/v2/url?u=http-3A__oakland.granicus.com_player_clip_4490-3Fview-5Fid-3D2-26redirect-3Dtrue&d=DwIFaQ&c=6ZboKdJzR8nZOqwBjhPnCw&r=I3oKbpQ-tHB1OV0pglSQMdknQnL6CQgHVJIUHVq0A8g&m=BxPGFSTyJoB2811fQYcg_9C7vY_Qw9YwV2buyGhv7gk&s=llJDKBLexbZqVEtiZVv79Od4JQCcPdrVbom69ISou8&e=Fast%20forward%20to%204.05.42)

This was at the end of a very long meeting... four hours in.... and I would hope that the Commission would take the lesson here. The Police Commission was referenced in several comments (particularly by Council member Reid) and it is clear that the Council expects you to be playing a primary role, not only in policy but also in the issue of accountability for those who did not discharge their responsibilities appropriately. So does the community.

Please take the time to hear this discussion.

Rashidah