



**CITY OF OAKLAND
OAKLAND POLICE COMMISSION**

Special Meeting Transcript

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5:30 PM

City Hall, Council Chambers

1 Frank H. Ogawa Plaza, Oakland, California 94612

Regina Jackson: Excuse me, if I can have everybody's attention. It is 5:34 and I would like to call the meeting to order, and I'd like to hear who's here. So Commissioner Gage?

Henry Gage III: Here.

Regina Jackson: Commissioner Dorado?

Jose Dorado: Present.

Regina Jackson: Here for myself. Commissioner Smith?

Thomas Smith: Here.

Regina Jackson: And Commissioner Harris?

Ginale Harris: Here.

Regina Jackson: And we do have a quorum. All right, so unless there are any public comments before we go to closed session? No public comments. Okay. Thank you very much. We are going to adjourn to closed session and we shall be back. Thank you.

----- Closed Session -----

Regina Jackson: Okay. Excuse me. It is now 7:03. We really appreciate your patience, and Happy New Year. This is my first new meeting since we started the new year. I wanted to call to order... No, I wanted to report from the closed session. We have nothing to report. Now I want to welcome everyone, and first I wanted to see if we couldn't take a moment of silence for Miesha Singleton, the mother of seven and educational activist whose life was snuffed out by a hit and run.

Regina Jackson: Thank you. I'd like to have us take our roll call again. We started earlier on and since then Commissioner Gage has left us. He's not feeling well. So alternate Commissioner Jordan.

David Jordan: Here.

Regina Jackson: Commissioner Dorado.

Jose Dorado: Present.

Regina Jackson: Commissioner Anderson.

Tara Anderson: Here.

Regina Jackson: Commissioner Harris.

Ginale Harris: Here.

Regina Jackson: Here for myself. Commissioner Smith.

Thomas Smith: Here.

Regina Jackson: And alternate commissioner...

Speaker 6: Here.

Regina Jackson: Sorry I got to drink some water. Thank you. And we're all here. Yes. So we have a quorum. You can go on to the restroom if you need to. Okay, so we are going to do two things. One, I wanted to address the public based upon last meeting that I watched on video. I wanted to say that we greatly respect community. We greatly respect our community, our staff and the fellow commissioners. I was disappointed to watch talking over a commissioner and would just like to underscore the importance of our mutual respect for each other. And the expectation that moving forward that we will continue to operate accordingly with respect for each other.

Regina Jackson: I have spoken with Commissioner Dorado and he has offered to meet with Mississauga and I'm hoping that they're going to do that and I will support in any way I can. And that was my statement there. There's another process change and that is that Mr. Rouse from now on will be calling the public speakers. It will be a point of efficiency for us and we hope that will work for everyone.

Regina Jackson: So do we have public speakers for the first item?

Speaker 7: We do. For public open forum we have Mary Vale, John [Slappery 00:01:35:59]. I believe that's what that says. I have one blank one and a [Gene Haser 00:31:59].

Regina Jackson: Please approach in any order.

PART 3 OF 10 ENDS [01:36:04]

Regina Jackson: Please approach in any order. So there are at least three additional people raising their hands, Mr. Ruse. Ms. Shale, Ms. Assad and Mr. Bay.

Mr. Hazard: Happy new year. Thank you Madam Chair for acknowledging the delay to the public. Because the public doesn't get that same respect from the city council. They just come out and the public sits here, and they don't even apologize. We know that sometime it's going to take longer, but acknowledge that. But appreciate that Jean has it for the record.

Mr. Hazard: Yeah, I think it's very insulting of what staff has done to redirect the \$649,000 that was supposed to go to the inspector general. They have redirected those monies elsewhere. And without giving an explanation why, even when the council had approve the amount of money to go to this body. So I don't think you should let that go lightly. Huh? You need to write to the council expressing your outrage because that interfered with you doing your job. So that was on the agenda at the council meeting last Tuesday, and I was shocked to see that. And it was, I think that may have been on the consent calendar. Yeah, I think it was on the consent. And monies that should have properly gone to hire the inspector general, now they're doing it with some outside government. So you need to look into that. Thank you.

Regina Jackson: Thank you Mr. Hazard. Mr Alden, is there a correction or clarification on that item?

Mr. Alden: Sure. I think it was the first meeting in December of the commission or thereabouts, perhaps late November. I recall we had discussed as a group some of our financial planning for the next year. And one of the needs the commission identified and that I had recommended was that since it looked like we weren't going to have an inspector general hired between now and the end of the fiscal year in July, that perhaps we could ask council permission to redirect some of the salary savings that we're accumulating right now from not having the general over to some contract opportunities to have some of that same work done, like the contract we were discussing publicly at our last meeting with regards to some of the complaints from the OBOA and some others.

Mr. Alden: The city council did approve that move of funds this week on Tuesday, pursuant to this commission's request. So now we are well funded for those kinds of contract expenses moving forward. That said, I think the core concern that I heard at the council meeting and I think I'm hearing tonight that we don't have an inspector general, I think still remains absolutely spot on. We'd all prefer to have an inspector general, but if we realize we're not going to have one for the next six months, we can at least get some of that office's work done on a contract basis.

Regina Jackson: Okay, terrific. I just wanted to make sure that we were all clear. Thank you. Ms. Vale?

Ms. Vale: Remembering last year's budget process, both for you guys and the police department. Probably by March or so we should be deep into looking. It was appalling last year where the police department offloaded these community engagement surveys and stuff and tried to put it in your budget. It wasn't your budget from you. And also taking a look at the police department's budget. And this is going to be a challenging year. I hear there were some rumblings from the mayor and the city administrator that they're looking at citywide cuts, which probably won't affect OPD. But I'm going to be sure that both as to your budget and your oversight and comment on the police department, that you start studying it and get, once the mayor's recommendations come out, get engaged early because there was a last minute flavor part of it because the city wants to hide the ball from you guys sometimes. But we know that history last year. And I hope you'll be able to be more deeply engaged and more timely engaged in the budget process. Thank you.

Regina Jackson: Thank you. Excuse me. Kay Top, can you please turn up the a mics? Not everyone can hear. Thank you, Mr. Bay.

Celine Bay: Celine Bay. For the record. On July 13th, 2007 I filed IAD or CPRB complaint 07-0538. The CPRB closed that in one day. The IED closed it in less than a month. It was a complaint that OPD was failing to investigate my brothers' case. One brother was murdered and one brother was shot up. What ended up happening is on 7/16, three days later, the person who was the lead suspect in those cases was in Solano County court. He was in front of a judge. And while he was in front of a judge, he was on a no bail warrant. He was also on multiple concurrent bales for crimes he had committed all the way up. Most of them involving violence and weapons. And yet he magically walked out of that court on 7/16/07, three days after I complained about the police department failing to investigate the cases that this person was doing.

Celine Bay: The very next day on 7/17 I ran into Chauncey Bailey, the black reporter, journalist. And I told him there's no way that a person can walk out of Solano County, which is closer to Klan County than it is to anything else. A young black man on multiple bales with violence and everything doesn't get the benefit of the doubt from white Solano County. Chauncey Bailey wrote the story and he put that in it. Two weeks later, he was murdered. The person who murdered him was the person they let out of jail. So there's no way that Chauncey Bailey could have been murdered if this person hadn't walked out of jail in the first place. The city attorney's office admitted nine years later that I did in fact file 07-0538, and that it was against chain of command and the officers who were supposed to be. Okay?

Celine Bay: It took 12 years to get the documents behind all that to prove that they had closed these cases. Because my brother's case, where he was shot, was closed in 63 days, two months. Were AKA, there's three weapons, Everything. There's

no way you can close that and run all the ballistics. It can't be done. That means you buried it. Then we found the evidence that showed that OPD was helping the shooters. Okay. Then Chauncey Bailey was murdered. Three other people were murdered. That's 07-0538 that the city attorney's office has plenty of evidence bate stamped from the city that says that these police officers were engaging in helping criminals out there stay out there to shoot, knowing that they had access to these illegal weapons. So I'm just saying that to say, the same city attorney's office that it took us 12 years to get all those documents to get an independent investigation, you just hand back the independent investigation to that city attorney's office who's been sitting on it for the last 15 years to now we're going to wait on them to have the independent investigation to show that they're criminally part of the coverup.

Celine Bay: I'm just letting you know we're not going to let that go. And it's not going to happen. I want to know where is the city. If it's only four different words in that, why is the city attorney's office hasn't take those four different words and approved it? How long is it going to take? Do we have to wait two months, four months, six months, 12 months? For the people who fought us for five years in federal court to stop an independent investigation are now the people who are blocking the independent investigation that this body approved. It's not going to happen.

Regina Jackson: Thank you, Mr. Bay. Can you hold it?

Michele: Yes. Good evening, Michele Lazaneo, spokesperson for Jonathan Bandabaila and the Bandabaila family. OPD has five social media platforms, Twitter, Facebook, Instagram, Nixle, and Next Door. It's January 23rd and 23 days have been wasted during National Human Trafficking Awareness Month by OPD. Not one piece of info information, advice, crime data, awareness or prevention tools have been shared with the community by the Oakland Police Department on any of their five social media sites. The Alameda County district attorney's office created a new manual dated April, 2019 titled Alameda County Human Trafficking Protocol for Law Enforcement. OPD is one of the 22 listed law enforcement agencies required to adhere to the new procedures provided in this manual, but where is this listed in their department General orders? I noticed that ' hashtag on Instagram is OPD cares. Really? Well OPD has 16 posts in 23 days all about illegal sideshows, a daily post to repeatedly remind us that illegal sideshows will not be tolerated in Oakland, but not one thing about human trafficking.

Michele: On December 26th, there was a post and a media interview about an arrest in human trafficking case with Oakland and the victim was a 14 year old child. The Lieutenant of OPD special victims unit proclaimed human trafficking is an epidemic, and added that the FBI marks the Bay Area as the third busiest hub for trafficking in the entire United States. But no post with prevention or advice for the community. December 31st, OPD posted about the Montclair laptop theft. Later that same day, they posted an update that the victim passed. The next day they posted another update that the suspect was arrested. This

indicates that OPD can post stories immediately and provide critical updates at their will. January 8th, OPD posted a press conference with Mayor Schaff, Chief Kirkpatrick, announcing the creation of a new multi-agency task force to address the increase of electronic thefts AND car burglaries. January 10th, the OPD public information office post an announcement about a new addition to their social media platform called The Weekly Officer's Safety Tip.

Michele: The tip for that day was auto burglaries. January 17th, the public information officer posted a second video with the second officer's safety tip about auto burglaries and electronic thefts. This is no coincidence. It appears as though when you're from certain neighborhoods or areas of Oakland, like Montclair, the public information officer, chief, and Mayor Schaff are more responsive to the community and will immediately post safety and crime information on social media. 266 days Jonathan's been missing, and there has been a grand total of approximately five posts by OPD about his disappearance and we fought and advocated for all five of them. 266 days, yet not one post to alert the community about the frequency of missing persons cases or that runaways are at risk for human trafficking, or that the predators are out there every night, and that they often use social media to find and groom victims. No advice telling parents or friends that they should never delay in making a missing persons report.

Michele: Why the disparity between the Montclair laptop theft and Jonathan Bandabaila if OPD cares? January 17th at 10:00 PM, a woman was raped and robbed at gunpoint at 3800 Ruby Street. Yet only one post on next door by captain Chris Bolton. The PIO didn't post anything. No inclusive officer's safety tip shared on all five of their social media platforms. OPD cares, but only one single post about a rape and robbery at gunpoint.

Michele: You want to build a relationship with the community and have us believe and embrace the idea that OPD cares. Then get a social media policy that includes community input. Get a social media policy that's inclusive. All of your social media is in English. Why not add Spanish, Cantonese, and Mandarin? You need a social media policy that sets a standard that's consistent and effective. Decide to prioritize your social media for crime prevention and information. Citizens who reside in all areas of Oakland, not just Montclair and North Oakland, and not just for a positive public relations campaign. Once you make those changes, then we'll know that OPD really cares.

Regina Jackson: Thank you.

Speaker 9: Love life. Love Jonathan and I hope something happens to bring him home. Let me start off by saying this. You are not the police of the public. You have authority over the Oakland police department, not me. So don't act like you can come here and dictate to me what I can say. That is not your right and you don't have that privilege. So leave me alone. I will say what I want to say.

Speaker 9: Your job is to police the police department. When the agenda spoke to the last occasion on the report related to the grievance by the black police officers, the public was told and you were told that you could not give certain information about the investigation because it would violate the Police Officer's Bill of Rights. I read that today three times. Public Safety Officers Procedure Bill of Rights. That documents speaks to the procedures that will be used as it relates to the investigation or interrogation when an officer has to be investigated For some circumstances. It covers the due process procedures.

Speaker 9: It states nothing about, you're not able to give public information about the results of the investigation. So somebody needs to do some follow up on that. And to give some context to that, you get the Warsaw Report and you're going to get it tonight. If you look at the Warsaw Report like I did, he reveals the results of his investigation having to do with police officer issues. And he does that repeatedly and his reports. If you look at the two Swanson reports, the results of the investigation of inappropriate police behavior was reveal in terms of its findings. So somebody needs to go back and we want to know what happened as a result of the police investigation of a, private investigation, excuse me, around the grievance of the black police officers.

Regina Jackson: Thank you. We are actually having some conversations about that, so hopefully we'll be able to report out to you at the next meeting.

Johnny Chaperi: Okay. Before I come up here I want to just knowledge everybody, okay?

Regina Jackson: Can you step forward to the mic a little bit?

Johnny Chaperi: I will. One second.

Regina Jackson: Thank you.

Johnny Chaperi: But I want to acknowledge one thing before I do. Okay. We live in a stance of a government thing, okay? But we circle around a lot of accumulation of government things, right? But with those government things, we don't know what we're really analoging to get into. Okay. It's called covenant. But before I go on my timing, I want to give you my name. My name is Johnny Chaperi. Okay. You know me by Johnny Chaperi. I'm sure everybody else does by that, but I'm going to read something. 30 people have been killed for wrongdoing in a jail by many others around the world. But the church is adding to it. Trust me, God knows that I am. God knows as the corruption of unjust with no life and death that has been the totem pole life. What life do we value in the concept of killing people? Okay? What do we value when we kill people?

Johnny Chaperi: We kill ourselves in a detrimental sense of that. Okay? Life does not matter with the rising violence when one teaches us, when someone does teaches us, does he teach us life as a father does, or does he teach us lies of corruption or do we all dignify truth when we teach. Do we teach? Do we teach truth and gain? Do

we? Because now that I see it, we're not teaching anything but we're teaching people to kill each other.

Johnny Chaperi: I look at Revelation very seriously. What's going on in the world is shows that we steal people, we kill people. We con. You can't look at the book and not know what's going on in the world. But if you keep on doing this, there's a death total pole and you. If there's no life in you and you speak of death in you, then there's corruption of the covenant. And that's death. I'm telling you that. We're not going down. Those that are in death will. And it shows that in the book of life that those will rise back up because that's God's truth and word by Jesus Christ.

Regina Jackson: Thank you. Mr. Ruse, do we have any more speakers on this item?

Mr. Ruse: That's all that I have on this item.

Regina Jackson: Okay, commissioner. Okay, so it's not a problem. You can too. Specifically, I wanted to clarify. I in no way am trying to police anyone. What I am trying to do is establish a decorum. We can't hear each other if we're talking over each other. That was my only point.

Speaker 9: I want to talk about it.

Regina Jackson: Okay. I just wanted to clarify.

Speaker 9: He was sitting on the podium trying to correct me.

Regina Jackson: Okay.

Speaker 9: And so, decorum, you're right about it.

Regina Jackson: Okay. Thank you.

Speaker 10: Let her go?

Regina Jackson: So next item up is item seven. The Jonathan Bandabaila investigation update and OPD social media policy. Mr. Ruse, How many speakers do we have?

Mr. Ruse: We have one, two, three, four, five speakers on this topic. Is there a presentation first?

Regina Jackson: Okay. Yes. We'll have a presentation. I just want to have you total the number of cards so that we know how many people are planning to speak. Okay, thank you. Go ahead.

Drennon Lindsey: Good evening. Good evening. Can everyone hear me? My name is Drennon Lindsey and I am the acting deputy chief for the Bureau of Investigations. And I

am here to give you an update on the Bandabaila missing persons case. So far we've been able to go back out and do an additional canvas of areas that we were able to determine from Jonathan's cell phone pings. And so basically we were able to have our departmental subject matter expert go back over his phone records, do a deeper analysis and provide us what some locations where we saw Jonathan's phone ping. And we were able to go back out a couple of weeks ago on a Sunday re-canvass the area. We were able to distribute flyers. We were able to post up the flyers on our social media platforms, and also we had media come out to give us some coverage on our efforts to just gain additional information on Jonathan's whereabouts.

Drennon Lindsey: Additionally, we have been able to re interview and interview some of his friends who we believe may have some additional information about the whereabouts of Jonathan, and just to also gain information that may lead us in additional directions to seek out information as to where he could have been or just his state of mind. And then just to also to provide the family with some information that they were seeking as well. In that, we got some additional information about some social media accounts this weekend. And so we have tapped our intelligence unit to assist us with doing a deeper dive into the social media of Jonathan.

Drennon Lindsey: In addition to his associates, we've authored a search warrant to get Jonathan's social media records so that we can do a deeper analysis of those records to see if we are able to get any additional information. As of today, we still have not received those records back from his account. It usually takes about three to five days and because of the holiday we'll probably get those records tomorrow. Once we get those records, we'll do the analysis and we'll reach out to the family to provide them with any additional information that we're able to glean from those records.

Drennon Lindsey: We still have some more work to do. One of the things we'll be doing this week, we're going to go back out to the San Mateo bridge and do a re-canvas. We're going to go and just recheck the traffic cameras along that 10 mile bridge to see if there's any additional information, see if there's anything that we may have missed. And also we'll be canvassing the wildlife refuge area just to look and see if there's any additional videos out there that may be helpful in just determining what could happen that a time period that he went missing.

Drennon Lindsey: Officer Sides, our lead investigator, has a really good relationship with the national center for missing and exploited children. They've been very helpful with allowing us to post information on their site. And so he's going to reach back out to them and ask that they repost Jonathan's information and his photo so that we can just keep it going and make people aware. In addition, he's going to reach out to the California Department of Justice to repost his case throughout their network as well. Additionally, CID will request the Marine and Argus unit. So the Marine is our boat and Argus is our helicopter, and we're going to go back out and just search the shoreline just to see if there's any

additional information, clothing. His cell phone is missing. So anything that we may be able to discover just with an additional search of that area.

Drennon Lindsey: And lastly, we will be seeking advice from our district attorney. We have been trying to obtain information from the Solano County Public Defender's office. There was a phone call that came in then the night right before his phone went dead from the public defender's office, and they're not giving us the information to find out what they were trying to leave a message about. Was there a conversation? So we've been having some challenges with getting that information. So we're going to seek out some legal advice from the District Attorney to see if there's some ways that we can go about trying to obtain that information. And just lastly, we have one last person to interview on our list. We've been successful at interviewing his friends. We did go and re-interview some friends, but there's one person in particular that's not being cooperative. So we're going to try some additional strategies to see if we will be able to get him to talk with us. So.

Regina Jackson: Thank you. Commissioner Harris.

Ginale Harris: Thank you chair. First I'd like to just say thank you. Thank you for giving this case the attention that it deserves. And being that you have so much experience that you are extremely thorough and your team is more attentive to this case. So I really appreciate that. That's one.

Drennon Lindsey: Thank you.

Ginale Harris: So what we've heard so far is shocking. You know, a lot goes into an investigative case. I was just interested to know, I know you said that there was a Marine and Argus team that would be sent out to search the coastline. Would there be a dive team as well looking into where he disappeared from?

Drennon Lindsey: Yes, we can certainly have a dive team assist us. We've had the dive team come out on two separate occasions and done two searches for us. So yeah, we can definitely follow up with that as well. Let me just make sure I didn't overlook. Yeah, we can definitely have that done. That's not a problem at all.

Regina Jackson: Thank you. Wow. Would have been really great for you to be on this from the beginning?]. Thank you for the thoroughness. Can you tell us about how many times the social media platforms have been used to identify any items around Jonathan? How many times in a week?

Drennon Lindsey: Off the top of my head, I don't want to guess. So I can follow up and give you a more of a approximate number. I do know that our investigator, the Sergeant, the commander, our public information officers have been really helpful in posting information. When we went out and did the search, I brought my daughters with me and some of the other investigators brought their children and they posted as well on their social media platforms just to get the word out.

And then actually this afternoon I met with our strategic director, I'm sorry, the strategic communications manager. I want to make sure I get his title correct, Paul Chambers. And I'm going to actually be emailing the family to set up some time for next week to do another a media blast in addition to putting out some tips for just things that people should be aware of. For missing persons, if something happens. Just to kind of educate the public but also give an opportunity to repost Jonathan's story and get that information out there as well.

Regina Jackson: Great. We'll alert our admin to also tweet, since that's the only media handle we have. Okay. Thank you. Commissioner Harris.

Ginale Harris: I just wanted to make the public aware that Deputy Chief Lindsey is correct. We all went canvassing one Saturday. However, maybe an hour or two after we left the area, the manager of that place started taking down the post. We did do a press conference. However, when I watched the press conference that night, it got very minimal attention. All you seen was like some teenagers posting up posters. It really didn't get in depth on why we were there. And I found it shocking because we had special victims there. We had detectives there, we had police officers there, we had deputy chiefs there, we had commissioners there who all spoke at like a makeshift podium, but they didn't view it. They didn't show any of it on the news.

Ginale Harris: And last night I was watching the news, and another young man came up missing in San Francisco. And they gave him a 10 minute segment. It was nice and warm and inviting. They showed their parents in their living room on the couch explaining how good their son was. And he was missing under suspicious circumstances. And it's unfortunate this young man is missing. Right. But my point in me saying this is that this case got no means, didn't get any of that kind of attention from the beginning, and this family came in here practically begging us to do something about it. The social media policy, the community I've been working with the community. Michele has been a great lead in pulling some of the social media policies for this commission and -

PART 4 OF 10 ENDS [02:08:04]

Speaker 11: ...social media policies for this commission. I know that Oakland has a social media policy, total, but we believe that the police department should have their own. I think this is something we can work on with the community together in Jonathan's name. Thank you.

Speaker 14: One comment, it really is a shame how little attention this got. But I've also learned that sometimes we have to video our own stuff and send it to the news stations. Sometimes they just won't send stuff. I have no reasons for excuses of what else is going on, but we probably need to be prepared to manage that, as well. Whether OPD does their own social media policy, it stands to reason. If you don't have the contacts through the public information office for all of the news contacts, then I can provide some. Sometimes they would literally be like,

if you send it, we'll air it. It's getting very interesting. It just seems like the fires and the robberies, and all that stuff make it, but people are missing human trafficking. It just kind of goes by the wayside. Commissioner Anderson, did you have something to say?

Tara Anderson: I appreciate the new dedication of resources, and then the work that's happening now. What I failed to hear is what is being done to make sure this doesn't happen again, and what policies and actions will be taken. Direct calls for the social media policy have been made. Other key types of policy that need to be in place to ensure that investigation begins as it should from the very beginning, so just making sure that we're both addressing the matter at hand and improving this for Jonathan. But that we're also making sure that every person gets the service they should and looking in many different forms. Maybe I'm missing something, but I've failed to hear the commitment and update about what's being done to make sure that what's has been largely documented as wrongs in this process won't happen again.

Deputy Farmstro: Deputy Farmstrong, liaison to the commission. I just spoke with Chief Kirkpatrick and we are now prepared to move forward with an ad hoc request. Initially about three months ago, we spoke to the commission and said that once the city released its city-wide policy, we would then come back and request an ad hoc so that we could move forward working with the commission and the public to create an OPD-specific social media. This evening Chief Kirkpatrick is requesting that the commission be prepared to be open to create an ad hoc specifically for the social media policy.

Speaker 14: Excellent. I have a question. Is there a 15-point plan for missing people? Is there a graphic that says here are the steps that we go through, because it just seems like we flubbed. Either there hadn't been an appropriately delineated plan or we went afoul from it. I just think that given both Commissioner Anderson and Harris' points, that if there is a clearly delineated series of steps that one goes through whenever anybody is missing that we could know what to expect, and then also know if those steps got missed.

Speaker 12: You want me to speak to it.

Speaker 15: I got it. I think that the chief is-- we've been very clear, and I think we've spoke to Commissioner Harris about this, that the missing person policy needs to be revised and that there needs to be a component specific to social media. It needs to be a very comprehensive policy that covers all of the things that we learned from even this particular case. We've also talked about the updating of that policy, as well. Chief Lindsey, missing person falls under Chief Lindsey, so that'll be a policy that her staff and her will be responsible for moving forward on. We've acknowledged that that policy is outdated and needs to be updated. That is a policy that will be revised, as well. I was just speaking with the chief, so we're open to revising that policy as well, to get it concurrent to what other departments are doing currently when it comes to missing persons.

Ms. Granage: Now that we're prioritizing that policy, when will it be ready for review?

Speaker 15: It was a part of the social media conversation. I think those two policies were both ones that we talked about with Commissioner Harris. She brought it up to us a long time ago that we needed to do social media and we needed to update the missing person.

Ms. Granage: The ad hoc will be for both?

Speaker 15: Yes.

Ms. Granage: Very good. Thank you.

Speaker 14: Are there any other questions from the commissioners? We'll go to public comment. Mr. Ruse.

Mr. Ruse: We now have six speakers Ann Jenks, Gene Hazard, Rashida Granage, Michelle, Yvonne, Celine Bay, Asada Olubala.

Gene Hazard: For record Gene Hazard. Thank you chief for your comments. My question is here we are, 266 days out from when Jonathan went missing. My question is, did they look at the cameras then, when it was reported that we had a missing person situation? I know you made comment, that's what you're doing now. Did they do it then? Did they check the records then to locate where he was last seen through the phone records. Also with regards to the comments you made about the difficulties in getting something from the Solano department, then why don't you subpoena the records? This is a serious situation. Within them having a push back on that for no known reason, then get a court order and subpoena those records, because you got a missing person 266 days out and this could be critical to a solution, whatever that might be.

Gene Hazard: Also, I would like to suggest, Chief Armstrong has stated the policy needs to be updated. I think you should have, while you're updating it, you should have a member from this body sitting with you as you're developing the update. Then when he comes here, we don't have to wait later to make corrections and add to it. Hopefully whatever person, or two persons, that are with you and updating that, it'd save a lot of time in moving forward. Would you answer the question, if you can?

Ms. Granage: Through the chair.

Gene Hazard: Did they look at the cameras then? Did they check the phone records then?

Ms. Granage: Mr. Hazard. The question is through the chair for her to answer. That's okay. Trying to clarify.

Gene Hazard: I respect that.

Ms. Granage: Thank you. I appreciate that.

Gene Hazard: Thank you for the correction. Thank you.

Ms. Granage: Ms. Lindsey, go ahead.

Ms. Lindsey: Yes, we did check the cameras then. What was his second question? The phone records. Yes, the phone records were checked. That did happen.

Ms. Granage: Just for final clarification, there hasn't been a request for an ad hoc committee to work with them on the policies, and that will happen. Thank you. Mr Bay.

Celine Bay: Celine Bay. First I'd like to thank Deputy Chief Lindsey for everything that she's doing, but there's also a reason why it's called the first 48 hours, right? Because that's when everything is hot. You can't make a missing person's report until 72 hours, so you're already 24 hours behind on finding a trail that's rapidly getting cold. That's 24 hours after the 48 hours. We are standing here eight months later and you're doing something that should have been done in the first week. Not only that, but over those eight months, there was a responsibility and that responsibility was with Deputy Chief Cunningham. What was Deputy Chief Cunningham doing for all the time before you got it, and all of a sudden saw how the light came on and these are the things that need to be done? We appreciate that. But what was deputy Cunningham doing?

Celine Bay: Not only that, who promoted Deputy Chief Cunningham? The same person needs to be fired. The chief of police who's failed on every single metric of racial profiling, discrimination, use of force, all that, and violence is going up. This is the same chief that started under this investigation, so now you can come back eight months later and go, no, we really out there. We're grinding. We appreciate that. In the future, because you've sacrificed the opportunity for Jonathan, but in the future, when black people or black children nationally go missing, they don't get any coverage. They're doing the same thing in Oakland right?

Celine Bay: Now let's go back to Deputy Chief Cunningham. Deputy Chief Cunningham sat on IED 131062, which you voted to investigate independently for seven months and came back and said they couldn't find any of my brother's files. What was you doing for seven months? The person that we complained about was seven blocks away at the DA's office. He left one message for the person. This is Deputy Cunningham's investigation. When I say this, I'm saying this as an indictment against this chief. She needs to go. Her very first move was to promote people who covered up the rape scandal, who Deputy Cunningham was part of that.

Celine Bay: Here we are now, eight months later, talking about things that should have been done. I don't even hear them saying like you say, there should be an ABC when a person is missing. In 2004, we reported my brother, a CEO of a

multimillion dollar corporation with over 200 black jobs on his payroll, missing. We didn't hear anything from the police. Just saying.

Ms. Granage:

Thank you.

Speaker 13:

I'm so appalled that I can hardly give voice to it. I do want to recognize Commissioner Harris for being so proactive. I want to recognize Michelle, the advocate for the Johnathan family, and Ms Asada, who brings up Jonathan's name every time she appears at every meeting. It's sad that it's taken this much pressure to bear on the police department to get them to do what should be automatic. Why it isn't and hasn't been is inexplicable, and only now are talking about addressing the failures in the policy issues.

Speaker 13:

What would happen if you weren't here to provide the focus on this? Where would this family be? That's why we need a commission and that's why we need you, because without you, the pressure wouldn't be created and there wouldn't be a driving necessity to fix what's wrong and fix it quick. I didn't hear an answer to chairperson's question about a date certain that a policy would come forward. I think we don't leave this discussion until we get a date certain. It's way overdue. It should have been done months ago. We can only do our best to continue to put the focus on this until we get answers. Thank you, all.

Ms. Granage:

Thank you. Commissioner Harris.

Ginale Harris:

Thank you Ms. Granage. I just want to say to the public that the commission her hears you loud and clear, and currently we're working on a few different policies. I found it very important that the community be involved in this process. As you see on the agenda tonight, we are going to be talking about some monies to be involved with community to do different town hall meetings, in regards to different policies. We're going to have different patches of people working on different things so we can get this thing going. That's in motion. I just want you to know that we hear you and we are moving.

Speaker 14:

Deputy Chief Lindsey, can we get up a by date, when we're going to have that policy come back to us? If this is January and it'll be June, we just--

Speaker 12:

For all of the commissioners who have participated in an ad hoc, I think it'll be determined by the progress of the ad hoc. I think it's a very open process, so it's hard for me to say specifically a timeline. It'll depend as soon as we can have an ad hoc meeting for the social media policy. The ad hoc group can come up with a timeline for completion. I think it's hard for us to say at the initial beginning stage.

Speaker 14:

I'll follow up tomorrow and we'll give you a date. Go ahead, Commissioner Harris.

Ginale Harris: I know this body has been saying the pressure is on us. However, I feel like the police department needs to take a little bit of ownership here, and give us some, We are all on something doing stuff, right? They're all important to me, so I want to be involved in all of them if I could, but I know that I can't. However, I just feel like in good faith, the department should give us a timeline. That's all. When do we want to get this done? Even if it doesn't happen, we can discuss that up here, the timeline, we can come back and report back to the public and say, we're working on. But the public's going to be involved in this process. All we're asking for is like a goal, right? A goal, a date. By April, or by February, or by March, we're going to have a draft for you to look at, so that we'll light some fires to get people to be working.

Speaker 14: I agree.

Gene Hazard: [inaudible 00:16:38].

Speaker 14: Thank you very much, Mr. Hazard. I think one of the first steps is if you could send the missing person's policy to all of us. I will check in to figure out who wants to serve on the ad hoc committee. I certainly will be one of those people, and then we will forge ahead.

Ms. Granage: I'll get it to you first thing in the morning.

Speaker 14: Thank you. Why don't, why don't we put April 30 as our goal date. Yes ma'am. Okay, thank you. Thank you, Michelle.

Michelle: Just to get some context to this whole situation, first I want to clarify what Mr. Bay said. You don't have to wait 72 hours anymore to make a missing person's report. If you call, a police department cannot refuse to take a missing person's report, regardless of how long the person's been missing. That's one of the things I want to Oakland to tell parents, that you don't have to wait anymore. As soon as your child is outside, or whoever you in your family is missing, has not come home in their regular timeframe of when they call you or when they answer, you call because there's no problem to cancel a missing persons report. You lose that time. It's lost. I just wanted to clarify that.

Michelle: To give you context about how wonderful Deputy Chief Lindsay has been, she has only been involved in this since November 26. The sad part that you need to realize is that Chief Kirkpatrick has been involved since the beginning. She's attended at least five meetings with this family. How did she not know all these things were going on? Not that she could fix them, but make Deputy Chief Cunningham accountable for them, and make him make his detective accountable. Five meetings with her, at least. We are so grateful to have Deputy Chief Lindsey, because in two months time, she gave us answers that we've been waiting for, for six months. This family has been suffering for six months with no answers, when they had some of the answers the whole time and wouldn't tell us.

Michelle: Another thing you need to know is that Deputy Chief Cunningham was involved in this case for a long time, claimed that he cared about this family, and that he liked Jonathan and had a connection with him because of soccer. Yet when he decided to retire, he did not have the decency to take a one-minute phone call and call these parents and say, I did not find your son but I'm handing this off to a capable person, and they are going to work on it until it's closed. What kind of lack of disrespect for the community is that? I told Lieutenant Beer and Detective Sides that, the other day when they were leaving his house. I said, you need to know that, that that is not an insignificant thing to call a family. That is how you connect with the community. When you don't do that, you never gain their trust again.

Michelle: As far as policy goes, we asked for support for this family and for the kids that came up here crying at one of the meetings. I said, if you know anybody, if the police department knows anybody, no one ever got back to us. Yet, Open has a volunteer police chaplaincy program. Until Detective Lindsay was involved, it was never offered to this family, not to these kids that may be feeling some kind of way to want to do something, not to his sister who's isolating herself, not to anybody. It was there the whole time. In fact, it says that one of the objectives is to enhance the department's 24-hour service to the Oakland community. There are two chaplains that shall be assigned 24/7. They are on standby.

Michelle: One of the categories that it's resulting in is for lost children. Jonathan may be 19, but he's a child, and he's this family's child. Since they had a chaplaincy program the whole time, it should have been offered from the moment they made this report, and it should have followed them this whole 266 days. That policy is also from July 15th, 2009, so they might want to update that one, too.

Speaker 14: Thank you. Michelle. Commissioner Harris.

Ginale Harris: Mr, Bandanilla, I just want to apologize to you and your family again, because nobody should have to miss their child or not know what happens to their child. I can tell you that this commission is committed to helping you find your son. Until we do, then I will always be a part of this process.

Speaker 14: Thank you, commissioner Harris. She speaks for us all.

Ms. Asada: [inaudible 02:29:11] I make the same commitment. The usual procedure when you don't want to do anything, is just wait and people are going to forget. That's not going to happen with this case. The challenge for me is, one of the challenges, a lack of sense of urgency. We're playing catch up. The other part of that is there exists a sense of urgency under certain circumstances. I hate to use this example, but it is an example that happened when a six-month-old French bulldog was missing. The next day, social media from the police department had it out there, and the dog was found. That's insulting. In 30 days for this child to have some recognition to the public, and it was just an incident of a missing child where they did a Amber alert. One hour after that, the public was out there, they found the child.

Ms. Asada: The other challenge is we have no jurisdiction of other police departments. What happened that was misguided was with the California Highway Patrol, where we have no ability to hold them accountable or either to make them give us information, because no jurisdiction exists. Another thing is Amber alert's policy says that the police department has to contact highway patrol, and they authorize Amber alerts. I don't know if that can be changed or how that works still, but that happened a couple of years ago when that three-year-old was missing here in Oakland, and Amber alert fail to happen, 30 hours. I called the police and they told me it had to be authorized by highway patrol. I'm like, this is crazy. The challenge is a lack of sense of urgency and the fact that we are playing catch up is giving Jonathan less of a chance to be where he needs to be, and that's at home with his parents.

Speaker 14: Thank you.

Speaker 16: I'm going to demonstrate on two things. Two things I want to require to talk about. I'm going to look at you. I can see lies in you, I can see lies in you. There's a point and direction I'm saying it. I'm not no fool. When we are governmental lying under an oath and taking the devil's oath, because we've coveted with money. We steal these children and put them in a box or we use them as sex slaves. I've seen it when I went to, what was it? I went to the jail cell recently, for the unjust. I'm pregnant. I've suffered in a jail cell. An epilepsy seizure and many other things. I forgave this nation and I'm still pregnant with my child. My child was peered with [inaudible 02:32:50] because people had stuck something in the womb and made my child bleed inside of a jail cell.

Speaker 16: No, don't have remorse. You have a heart. God bless you, in Jesus name. You don't know what's going on. The government running under lies, but you take an oath to go with the government, to sell people, to kill people, but you do it with the oath of different countries because you think that we're built on a foundation that makes us strong. To get in with China or any other country that has killed this nation, hurting nation of children, and then they go overseas and they're hiding them and all these things. A government man could go on prophecy watchers and say one thing, I'm trying to get these people back. I knew he was the government. God knows everything. The fact that you can't find these children and you're not there to help these children, but you are slaving your own people, whether they're the white, blacks, Mexican, or Chinese. You guys were supposed to do something a long time ago.

Speaker 16: Berkeley woman went to jail with me. She says she was raped, kicked out of her household. She 32 years old. She suffered because of her husband. No, remorse in it. I don't need you shaking your head. I'm telling you guys something, god's wrath is real. That man's over there suffering. He's from another country, came over here to live in this country. This is a ruined country. One nation under God, but you're not looking at it. You look at your house so that how much you can benefit off of money. The government has lied to these people over years, to society through lies, to coveting this, to begging people and killing them all. You use that when I went across the United States of America and when I was about

to be blasted off by AK-47 by two men, because they were using operations. I told that white man, I said one thing brother, don't do it because I know you have one in your bag.

Speaker 16: When I get off the bus in Atlanta, you're going to bust a chop in me? No. Then they put me in the subject in the cell mental facility. You can't say I'm lethargic and crazy if I'm speaking something of truth. When they did it back in the day with Martin Luther King. When somebody tells the truth, you go over there and you try to cover it up, just like that man just said. They could use the church and operation, but they blind. Can blind lead the blind? With dark shadow eyes you can't lead nobody. When this woman's speaking over here for truth and she has children at home, she's scared to walk outside because of her children. What do we lead? I lead with armor of god? Wake up, America. Wake up men, because you're becoming women under snake skin. Wake up women. Tell the truth, the shame they dump on you. If you went to the Joshua generation, they have a heart. I'm done.

Speaker 14: Thank you. Does that complete the public speakers for this item? Good night. Get home safely.

Mr. Ruse: I have a card for Ann Janks on this item.

Speaker 14: She's waving you off. We're moving to item number eight which is the update on the city auditor's report. This'll be brief. I spoke with Courtney Ruby two days ago. What she expressed to me was that this is an awful lot of work that they've been trying to call through for both the CPRA, as well as the Oakland Police Commission. This report was called for a measure LL, and it's a two-year report. What she told me was that she expected to have a draft mid to late February. We will come back to you once we've received and reviewed that draft. That's the only update I have at this point. Are there any questions? Public comment?

Mr. Ruse: We have three speakers on this item. I have Mary Vale, Rashida Grenage, and Asada Olabala.

Speaker 14: Ms. Rashida waved. Mary Vale? she's not here. Does nobody want to speak on this item? Thank you very much. We'll move on to item nine. I'm sorry.

Speaker 11: Auditor's report, yes. Love life. Jonathan should be home. I'm concerned about anything that has to do with an auditor's report. That concern is based on auditor's reports that have been produced by our city auditor in the fact that those reports sometimes lacked sufficiency. All I want to say is this, the report, if you can submit what you're concerned about to the auditor so those areas are covered to the point where you get the information you're interested in. I made a request for an auditor's report, but instead of a report, it became an investigation which greatly reduced the amount of investigation she did. I just want to tell you, you need to stay on board with this, follow it, and make sure it meets your needs as you feel it should be.

Speaker 14: Thank you very much. I've been writing this since December. We will do that. Now we're going to move forward to item nine, letter of support from The Commission for the National Institute for Criminal Justice Reforms proposed Pilot Juvenile Diversion Program. There was a presentation at the last meeting. I unfortunately missed it, but I know David Muhammad's work, so happy to hear from whomever wants to report. Commissioner Harris.

Ginale Harris: Mr. Mohammad came and he let us know about the program, and he also let us know that the Chief of Police supported the program. However, there was just a stop out of nowhere to move forward with the program. I am very much a cheerleader for youth services. Commissioner Prather suggested that we write a letter of support. I also extended myself to Mr. Mohammad in any kind of way that he could use me as a liaison, or whatever he needs to do to push this project forward. Commissioner Prather did emphasize that--

PART 5 OF 10 ENDS [02:40:04]

Ginale Harris: Commissioner Prather did emphasize that, other than the letter, that he wanted to take action. And we all agreed. That, what can we do to make this thing move? So, maybe that's a question for the chief. Our chief Kirkpatrick. Because she did provide a letter that said she was in support of the program, but she was not here last commission meeting. So, maybe if we can get her to stand at the podium and just give us her John Hancock on her letter.

Speaker 14: So, Chief Kirkpatrick, would you please come forward? It might be helpful to know what other kinds of support you might be able to extend to Mr. Mohammad in terms of this program.

Kirkpatrick: I'd be- one, two, three. You can hear me? Absolutely be happy to send a letter as well, or something along those lines. Because I certainly, and we certainly support this. So, we're happy to do that.

Speaker 14: Okay. I'm going to sit with Mr. Mohammad, I think it's next week.

Kirkpatrick: Okay.

Speaker 14: So, in terms of, it seems to me like programs, they usually need money to go. And so letters are helpful but-

Kirkpatrick: Sure.

Speaker 14: There may be an opportunity to create a role for the Oakland Police Department as a part of his program. I'm not sure. I'm not trying to commit you to anything, but I will provide some in depth information or additional kinds of requests that might be coming forth.

Kirkpatrick: Absolutely. And I'm happy to participate in any way I can, because we do support this.

Speaker 14: Yes.

Kirkpatrick: Okay.

Speaker 14: Commissioner Harris?

Ginale Harris: Thank you chief. So, I know you submitted a letter on September fourth 2018. OPD has agreed to partner with the Noab, including the training of officers and having a juvenile intake division refer youth to the initiative. OPD looks forward to working with Noab. And we highly recommend and encourage funders to support this strategy. So, Mr. Mohammed's not here to give us our next steps. But I would like to facilitate where we sit down with Mr. Mohammed and see how to move forward with this process. That way, we're not just sending letters.

Kirkpatrick: Absolutely. Excuse me.

Edwin Prather: If I could.

Kirkpatrick: Yes please. Do.

Speaker 14: And to that point in terms of the specifics that are delineated, have we moved forward on that?

Edwin Prather: Yes. So I want to say the chief was out of town for the last meeting, so I just want to make sure we committed to... Deputy chief Lindsey was here. It falls under her division. She agreed to be the point person along with Lieutenant Bier. They have since then met with Nomad and had meetings and discussions, and have agreed to move forward on the things that we can already take on. The issue was some of the larger, more serious cases we needed support from the probation department as well as a DA's office. That was the meeting that they had last week to begin that process of coordinating that. So we are prepared to move on, move forward. The department has moved forward. It's just that those particular issues that were still out there needed to be resolved with those two partners and I think that's where they've begun discussion about how that looks moving forward.

Speaker 14: So based upon those meetings, is it possible for you to provide an update report maybe for the next meeting?

Edwin Prather: Yes.

Speaker 14: So that they can know what that really looks like?

Edwin Prather: Yes.

Kirkpatrick: And again, I'm happy to write a letter because of money. Since sometimes they need those records and a 2018 letter probably needs refreshing.

Speaker 14: Absolutely.

Kirkpatrick: Yes madam.

Speaker 14: So we'll look for the refresh of the letter as well as the update in the February 13th agenda.

Kirkpatrick: Yes madam.

Speaker 14: Okay.

Kirkpatrick: Happy to do that.

Speaker 14: Terrific.

Kirkpatrick: Okay.

Speaker 14: Thank you.

Speaker 14: You're getting promoted over here commissioner Anderson.

Tara Anderson: Thank you. Thank you, chair. I had a question about the specifics that are currently question for DC Armstrong. I believe the areas of the law that kind of are in question currently, it's my understanding it's the components of the welfare and institutions code 602 and 707B which highlight certain offenses to be under the jurisdiction of the juvenile court. And so that's why the perception is only juvenile probation or probation entity can be a referral source to this type of program. So I'd be really curious about how those discussions are going or how you anticipate being able to have a referral stream for those higher level offenses that we want to see diverted.

Edwin Prather: Yeah, so we obviously we had to reach out to the district attorney's office to get their feedback. Nomad and Mr Muhammad have also met with them. Eileen Mick Andrews, who is Assistant DA for the juvenile division, was the representative. They were still working through what it looks like for us to... Because there's some other issues that come into play around the victim and their cooperation in that process. And so I think the probation department along with the DA's office is still seeing how feasible it is and what case, how violent. So there's some nuance things that need to be discussed about what would actually qualify. And so I think that's the conversation that we were still having.

Edwin Prather: Do we enter that information into the juvenile system? And so there's some serious issues around. Because the program means that we don't do an actual

entry into our databases at all. So the DA's office obviously wants more conversations about how do we capture this in case it continues. So there's still some process issues that we needed to work through that is beyond the police department, but we're at the table as to what the DA's office would like us to do along with probation. So I think that's where we find ourselves at this point.

Speaker 14: Commissioner Harris?

Ginale Harris: So I see this letter from the chief was dated back in 2018, right? We're in 2020. So timelines, right? This is commissioner Anderson's favorite thing to do. It's timelines. Can we get a timeline on when this thing will be wrapped up from the District Attorney? Or should we have a representative come from the District Attorney's office and give us a timeline?

Edwin Prather: I think having Mr. Mohammed might be a good idea just to coordinate with Mr Mohammad to get an update on how those meetings are going. To see what progress we're making on those things I think would be appropriate. We're at the table with those meetings, but I think he might be the best to respond to that. And then the chief said, just nodded her head, that that turnaround for the letter could be really quick. And we can get that turned around in about a week.

Tara Anderson: Okay. Thank you.

Ginale Harris: Thank you. Thank you.

Speaker 14: Are there any other questions for the commissioners on this item? Mr. Rouse?

Mr. Rouse: We have free public comments as on this item. Jane Cramer, Rashida Gran ash, and Asada [inaudible 02:47:19]

Jane Cramer: Jane Cramer.

Jane Cramer: This officer was very correct. There is all kinds of impinging circumstances on which kids find themselves in fault and partitioned off from society due to not all their doing. A judge doesn't know where to put the kid because nobody claims him. There's nobody to talk to. So they end up in the criminal system to begin with or in a mental institution, because parents don't want to deal with their crummy upbringing of their kid, et cetera. So I'm trying to be very positive here. When you look at the program, look at all of, or as many of the surrounding agencies as you can in terms of providing for this kid. Sometimes out of frustration, the kid is incarcerated in the staff, we let him run away, which sounds may be an immediate frustration, but the kid is out there with no support, et cetera. So all I'm saying is be as very subtle as you can in terms of deciding what the responsibilities and the options of the police department are.

Speaker 14: Thank you.

Jane Cramer: By the way, I've been in and out of a lot of prisons. That was my focus.

Speaker 14: Thank you.

Jane Cramer: This is a "Hurry up and wait" game. So there's no reason that the lower level offenses cannot proceed immediately. There's no reason to hold the entire rollout of this program up until the higher level offenses get resolved. So let's be clear about that. That is not a reason to not move forward. Beyond that, I think Mr. Mohammad addressed the issue in his presentation when he said that there was a legal opinion that he had. Suggesting that this matter is not within the purview of the probation. It is entirely within the purview of the police department. So we need to start putting out some of these small fires and get some hoses on this situation and move forward. This has been a long time in the making and it's time to launch. Thank you.

Speaker 14: Thank you.

Ms. Asada: Love life. And I'd love to see Jonathan home. When I saw this, I really was very excited about it and think it's a tremendous idea. And the thing that I've wanted to do is to find where you can get some money and because that's, that's crucial. Money for resources and services and staff is important. So I'm suggesting that you look into the Oakland Fund For Children and Youth. One of their goals is to prevent and reduce violent crime and gang involvement and to help you transition to productive adulthood. So this program comes, comes under that and they have a budget of \$20 million. Currently they serve 79 agencies and I went through the 79 and I didn't see this listing because it's not really in place yet. So the Oakland Fund For Children and Youth and the second one is, the money that is used for Measure Z.

Ms. Asada: Measure Z's goal is crime prevention. And they have... I can't remember the budget, but it's a budget and they are in the process of looking at funding, but it's coming up for putting it back on the ballot. And I'm strongly suggesting that the money be considered for reallocation. And that's so much money going into the police department. And of the \$22.3 million, \$12.something Million goes to the police for the CROs CPOs and that's a waste to me. But anyway, just figuring out how we can find money for the program and those two sources. So the Measure Z committee is meeting this Monday and I will go to the meeting and I will mention this program and see if we could start a process of them looking at it. And I suggest if you, you're writing letters, why don't you send one to that Measure Z committee to take under consideration.

Speaker 14: Excellent point Ms. Asada. I also want to say that the OFCY is just now being reauthorized but it usually funds in series of three years and so it's about halfway through so it'll take a minute for them to be able to apply for that. But I appreciate you mentioning the Monday meeting for Z. Yes.

Jane Cramer: Can I...

Speaker 14: Sure.

Jane Cramer: I guess one of the things, excuse me, I want to emphasize is.

Speaker 14: Yes Doris.

Jane Cramer: In putting together a program for kids who are at a disadvantage for whatever reason and they screw up, can you provide or make provision for the judge?

Ms. Asada: No.

Jane Cramer: And therefore the police force to have options other than incarceration. You've got a lot of kids who are runaways from one institution or family or another. And my experience is, if you have out in the community, for instance, volunteers who put together a place where a runaway can come and get counseling. And have some kind of instituted dialogue and process between police department, the judge and whomever else. This kid is going to be a lot better off than being incarcerated. I'm sure that most policemen and judges don't want to incarcerate a kid because he runs away from home because it's folks won't listen to what he has to say.

Speaker 14: Thank you. Some judges are very well aware of supportive organizations and can refer, but in general they get to make their own decisions. So thank you for your thoughtfulness. I also have a letter that was drafted or comments drafted by former commissioner Maureen Benson and support of this program. She said "Full support for juvenile diversion program, FYI, outside of the ABTP offices a few months ago we witnessed six youth, some as young as eight and 10 years old, be detained and then inconsistently identified by witnesses as confirmed by the Sergeant on the scene. The Sergeant literally said one witness said yes to some and no to others and the other witness said the opposite. We were baffled that this warranted an arrest. We reached out to the mother of two of the boys who we arrested and attempted to get her a lift to get to the scene, but the police took the children to seventh street before we could get the mom there for the release on the scene."

Speaker 14: "We were assured by the Sergeant on a scene that they would be released if they had no record, but we later learned they were held for 72 hours. Babies. We must have alternatives for youth than taking them to jail and I'd also request an investigation on how something like this could have happened when the witness identification we observed and filmed was deeply flawed and inconclusive."

Speaker 14: I sent an email back to Ms. Benson asking for more specifics so that if an investigation could happen that we would be able to give the information to the police to give us a report back. I have not yet heard, but that was just a few hours ago. Commissioner Harrison.

Ginale Harris: So I would encourage the public to get this on the agenda for the public safety meeting. I remember some time ago I went and they were discussing funds that they had just released for violence prevention programs for youth. And this is one of them. This is where the money should go. My expertise is in programs and Oakland doesn't have any, not like they should. Not for this population. Not like they should. They don't... We have youth court in San Francisco and we should be modeling that. Right? We should be modeling that. Giving people and young people opportunities to fix the mistakes that they've made so it doesn't hurt them when they become adults. So I know there was like \$2 million. I'm still trying to find where they're spending it. So I would encourage the public to bring this to public safety because this is a public safety issue. So, yeah.

Speaker 14: Thank you. I appreciate that Ms. Asada. So if there are no more comments or questions on that item, then we will move ahead to item 10, the 65th Independent Monitor's Report dated December 19th, 2019.

Speaker 14: If you haven't read the reports, they are quite illuminating. They are quite frustrating and disappointing. And so I know that, certainly some of us have some questions to follow up on as it relates to the report. So I'm not sure who should come to the podium. If the police chief is still here, that might be helpful. Is anybody still there? Okay. Great. Thank you. So thank you very much. Some of the questions that I have, have to do with... let's see, I took some notes myself. So on page four, it says that 20% of the officers failed to activate or activate late their PDRD. And I'm concerned because that's a lot of people. And I get that maybe in the spur of the moment they made, activate late. But I'm concerned about what the discipline is for lack of activation. Because we recognize that that's a problem.

Kirkpatrick: Right. I've been administering some fairly strict discipline. But one thing that... The reports, just for your information and framing, they date back to months ago, is what the time period... They're looking at like April or March. So in August we implemented a new technology associated with our cameras, which are buffering. So there's a 32nd buffering to eliminate that problem. So the late activation was manual and so now we moved it by putting the buffering on there so that it captures that. So we implemented that in August to correct that problem.

Speaker 14: Excellent. Now, between the April and August.

Mr. Rouse: Sorry.

Speaker 14: Yes. I'm not finished with questions.

Mr. Rouse: I'm sorry.

Speaker 14: Okay.

Speaker 14: I'd like to understand how many people were disciplined. I'm not asking who and what the range of discipline was.

Kirkpatrick: I can come back with the aggregate numbers and happy to do so. With respect to how many numbers I can tell you that I've given the range up to and including, I believe a 60 day suspension.

Mr. Rousse: 30 seconds [inaudible 00:21:00].

Speaker 14: Okay. Six- so that's...

Kirkpatrick: I know that that's one of my highest ones.

Speaker 14: Okay.

Kirkpatrick: And it was...

Speaker 14: Okay, that's good.

Kirkpatrick: But I will come back with aggregates.

Speaker 14: Yes. I would love to have you come back February 13th with the numbers of people because 20% is a lot.

Kirkpatrick: Right.

Speaker 14: And I would imagine that you probably have seen some difference since August.

Kirkpatrick: We're we are trying to measure that. So as I said the reports that chief Warshaw produces are pretty historical. They're pretty... Six months time period is what they're looking at with their data. Maybe not that long, but in that type of time period. So we try to make corrections when the issue was brought to our attention. So that's why we implemented that buffering and we should see a decline in that percentage. And I do understand. The officers appreciate your acknowledging they get active and they forget to turn it on. However it's still a requirement. And so that's why there is discipline and pretty strict discipline with it.

Speaker 14: Good. I think enforcement is absolutely critical. Second question and then I'll let other people ask, because I've got a bunch. I also saw this use of profanity.

Kirkpatrick: Yes.

Speaker 14: I don't know when this is ever appropriate. As a matter of fact, I know, from working in the hood, that when you use profanity and very aggressive behaviors, what it really does is say to other people that you're scared. So it's

kind of [crosstalk 03:02:48] it really works against you. So again, what is the discipline for profanity?

Kirkpatrick: I can bring you arrange a, I'm happy to do that and come back because we use metric scales where there's a range from counseling to five days suspension, and that's just an example. And then we take an individual officers how many times have they been engaged in this or attempted be corrected and it can move up the scale based on prior experience of the officer, their discipline record. So that makes sense. So not every officer would end up with an identical discipline because there is a range and a first time offender might get this and a two time offenders going to get this. So we do work with the matrices, but I'll be happy to provide that for you.

Speaker 14: Okay. We'd love to have you come back with that. And then my next question has to do... And I don't know is this has been consistent but I seem to see a consistency in holding supervisors responsible but not holding officers responsible. If you've got a child who has done a bad act then and you hold the parent responsible.

Kirkpatrick: Right?

Speaker 14: But there's nothing for the child. And I'm not saying police officers or children.

Kirkpatrick: No, I understand.

Speaker 14: It doesn't comport when you hold a supervisor responsible, but there is no culpability on the part of the officer. So I'm trying to understand where that comes from.

Kirkpatrick: Sure.

Speaker 14: Because it doesn't make sense to me.

Kirkpatrick: I'm happy as well, that when I come back with these aggregate numbers for you to bring that type of data, like how many times are supervisors held accountable. And we do look at the supervisors when we do have an event of a sustained misconduct. We do look at supervision with that. And I'm happy... And it's probably a good time to be bringing... I think I tried to address some of our aggregate discipline numbers maybe six months ago. So it was probably a good time to come back to the table with that.

Speaker 14: Okay. Well I'll be very interested in seeing what the progress has been from August.

Kirkpatrick: Sure.

Speaker 14: Are there other questions on the monitor's report? Commissioner Harris.

Ginale Harris: Thank you, chair. Hello, chief.

Kirkpatrick: Hello.

Ginale Harris: So on page three of 16 of the report, I think the most thing that stood out to me and that was concerning, was the total breakdown for the force used on 64 persons as follows, the breakdown was African-American 52%, Latino 24%, white 14%, Asian or other 10%. these percentages are similar to those reported in our 63rd status report. This is the 65th. We noted in our review for this report that there were several incidents that involved multiple suspects, prolonged incidents and barricaded subjects in which resulted in numerous OPD personnel being involved. In the 74 instances, the breakdown is as follows, African American 52%, Latino 24%, white 14%, Asian and other 10%.

Ginale Harris: This is again generally consistent with the percentages reported in our 63rd status report. So I think that stood out to me the most because it seems that there's no change. Nothing has changed and on the news, I just saw a report that said violence overall has gone down and I kind of shrugged my face like what does that mean? Right? I wasn't clear on the message that was being sent. So, if you can help me understand that I would appreciate it.

Kirkpatrick: Sure. Again, if you'll look at the top, page seven, you'll see that this report covered April. So what we did for that particular status we have engaged in a contract with Dr. Everhart, to come in and look at, and study the factors behind why an officer uses force and does race impact that decision. And so, just like she came in to help us with our bias issues and raising that mirror to our face, we are looking forward to her coming in and working with us on this issue so that we can remove these numbers. We too recognize it. We are working at correcting it and we have, as I said, gone out to Dr. Everhart. We've entered into a contract with her to address this very core. The very core. Why the use of force events on more people of color, and the correlations associated with that.

Ginale Harris: So the second part to my question is that I know that the federal monitor gave recommendations in the report. So can you tell us... I know you probably don't have it off the top of your head, but if you can get this for us, I'd appreciate it. Which recommendations were implemented?

Kirkpatrick: Sure. I'd be happy to come back with a more fulsome report for you with all of the other questions that you wanted.

Ginale Harris: Okay, thank you.

Speaker 14: Thank you. Commissioner Smith. And then Christie. Okay.

Thomas Smith: Hi Chief. I had a couple of questions. The first one was a simple one. You mentioned the buffering of 30 seconds that we now have for officers if they forget to turn on their body cameras. And I think that could be a solution. But

I'm curious why only 30 seconds? Because if they forget to turn it on and then they don't remember within 30 seconds, then you still miss particularly the beginning of the incident. Right? What caused it to transpire? So my question on that point is why 30 seconds? And is there an opportunity to do something that would buffer.

Kirkpatrick: For a longer time?

Thomas Smith: For a more extended period so that you know if they remember more than 30 seconds later, you still the beginning of the incident, which is often the important part because then that tells you, what happened when they showed up? What was their impact?

Kirkpatrick: Right. I cannot answer the question. Simply because I do also have people who are experts within our department, who work on the technology issues. But I can come back with answers to that. I will say that there has been a mantra that we have been trying to instill in the thinking, which is the very first thing that we should see when we look at a PDRD, a body worn camera, is the steering wheel. In other words, they're in route. We want to see that steering wheel. We do have some sergeants who were very clever, who have been giving these little plastic arm bands people were with little stains on it that says PDRD, to remember it there. If you come into our department, which we would hope you come in. It's your department. You'll see little postings everywhere. Turn on your PDRD. Turn on your PDRD. So we're doing what we can to instill it in the thinking. We are administering some pretty strict discipline. And then lastly, we'll look at that. So I'll get back with you on that specific question about the 30 seconds and the longer periods. I just can't answer that.

Thomas Smith: I think it would probably even further increase the compliance rates. And it probably also, then really even more so, if somebody forgot, a minute in, two minutes in or whatever, the discipline could probably be even stronger. I mean because the percentages would be much smaller as well you would expect. And then the other one is another technical question. I noticed in the report they said that vision has been more successful than prime, but vision still has a way to go because of dashboards that are incomplete. And so I wanted to get from you just the most current information on how that adaptation is going.

Kirkpatrick: Its going...

Thomas Smith: Implementation, is going.

Kirkpatrick: It's going pretty well. I know that they have been migrating the data from prime into vision. And I'm looking at chief Armstrong. Do you have some current numbers I think?

PART 6 OF 10 ENDS [03:12:04]

Kirkpatrick: Armstrong, do you have some current numbers, I think?

Edwin Prather: Yeah, we'll be getting a presentation next week from the vendor who is creating those dashboards. We've been given actual reviews of the dashboards, the data is just migrating into the dashboards, and so because we went over to Vision, all of the data that was in Prime needed to be moved over into Vision so that they could populate the dashboards.

Edwin Prather: That transition of data from one system to another is almost complete. So, every month that we have the IMT, to monitor in town, Slalom, the vendor, comes in and tells us how close we are to actually get live slides. But we actually can see the slides as they continue to improve with the data being migrated. So they have shown us some early data analysis stuff, but it's just not completely migrated over. So,

Kirkpatrick: And every officer has already gone through the training.

Speaker 18: Okay.

Kirkpatrick: So we had mandatory training for it as well. So that's complete and that's kind of where we're at. But it's coming along well.

Speaker 18: Okay. Thank you.

Speaker 17: Thank you. Alternate Commissioner Brown. And then Commissioner Anderson then Dorado.

Chris Brown: Thank you chair and thank you, chief. Welcome.

Kirkpatrick: Thank you.

Chris Brown: I also had a question about the buffering issue because I think I understand what they're doing and I think that affects the battery life of the PDRDs. Have you made changes to the process where you swap PDRDs, so officers do not have them running out of batteries?

Kirkpatrick: Again, Chief Armstrong, can you help me with that? Because I, the PRDs are assigned to the officer, but go ahead.

Edwin Prather: Yes, what we've done is at each station at the PAB as well as Eastmont, we've put a bank of PDRDs that's available for officers to actually come in and swap out if they needed to. If the officers fully charge their PDRD, it will last the entire shift. So most of it is a user issue, making sure that they followed up.

Edwin Prather: The other issue, I think you asked about the buffering. What the chief was able to do was because the cameras that we had already previously purchased had a 30 second buffering included in it that we weren't using. So the chief went to

the union and asked could we use the 30 second buffering because our problem was not so much that they weren't activating, they just were activating late. Which goes to the point that the chief said you need to see the steering wheel, which means that you activate it prior to exiting the vehicle.

- Edwin Prather: The 30 seconds helps us get to that point where we can go back 30 seconds. Because usually what happens is the officer exits the car, then he makes contact and then he goes, "Oh, let me turn it on." It's been a late activation, not as much as just not activating that all. We rarely see a complete not activated. Right. The buffering is helping, but our new technology, which we're working on to get our new cameras, will come with automatic. It will come with automatic activation and it will also activate cameras around it. Right.
- Kirkpatrick: So I don't, because of the new technologies, I...
- Thomas Smith: Chief did you know the answer to my question. If you can go back more than 30 seconds on the buffering?
- Kirkpatrick: And that's where because we're getting new cameras. Okay, I don't know the answer about the technology of that. Is that...
- Speaker 19: Not the current model?
- Thomas Smith: Not the current model.
- Kirkpatrick: Not the current. That's why we only did the 30 but we are getting new cameras that would activate.
- Speaker 17: Do you know when you're getting them?
- Kirkpatrick: They're in the process because we purchased them in banks.
- Edwin Prather: Yeah. So it was the process that we initially went to them to buy new cameras. And now they've also supported us with the additional technology that the chief requested, which is cameras that will also activate, will capture our pulling up the firearm. So there are several contractual things that we're negotiating with them right now.
- Kirkpatrick: So I'm working toward every time an officer unholsters, we would know, okay, so these are the types of things we're working towards. So they become identified a year back. But we've been working toward these interventions when they come up. So there's always that delay between then the implementation of the new strategies and you see the fruit of it. It's like a sewing of field, you've got to take everything out, weed it, seed it, then you get your crop. So that's why you see some delays.

Speaker 17: So do we think maybe we'll have those by the end of the year given the contractual [crosstalk 03:16:45]

Kirkpatrick: Yes. Are we have already entered some of the contracts associated with the new camera systems and then working on the technology of the camera activating when the gun is unholstered and that's not complete. So I need to emphasize that's not completed. We're working toward that.

Speaker 17: Commissioner Anderson.

Tara Anderson: Thank you chair. I want to go back and reemphasize the summary data that we have on use of force and recognize that it's for an older time period, but also reemphasize that it's consistent. And I think something that is a common mistake is thinking that more information is going to lead to better decision making and the fact that this is a consistent bias that we're seeing in our data represented through our data. I want to know, okay, so Vision gets fully implemented, the dashboards are working, they're functioning, they're giving this information in more real time. How is that actually going to lead to better decision making and less bias?

Kirkpatrick: Yep, exactly why? That's exactly to the heart again of Dr. Eberhardt's work coming in with us. How do we have better making, raising our understanding, our biases as to when are we using force and when are we not. We're trying to get to that core mindset and that's what we're going to use a Dr. Eberhardt to help us with that. And she's done great things with this already, but we're working toward that too.

Tara Anderson: And you had mentioned you've reached out and you're working toward that with her, is it because you're in a contracting process and so you're not able to give us more specific information.

Kirkpatrick: Chief Armstrong's our number one liaison with dr Eberhardt, so go right head.

Edwin Prather: So we've completed that contracting process already with Dr. Eberhart. And in this case it was actually an unusual thing that Dr. Eberhardt secured the grant funding and Stanford's actually paying for this study. So we didn't have to come back to council in order to get the funding to support this study. Because to the chief's point, we want to better understand is there something that intersects when force happens, particularly with minorities.

Edwin Prather: And so we want to be able to examine all of these encounters, these force encounters and see is there some commonality when force is used. And so she'll be studying that, she'll be able to tell us that, Hey, maybe a policy change here or a directive clear on this might help reduce the amount of force that you use against African Americans in particular.

Tara Anderson: Okay.

Kirkpatrick: And what I was doing, well I was pulling up a compliance monitors report that we turn in every two weeks. And so this will be our first year that we will be able to do apples to apples comparison on use of force. Because if you recall at the end of 2018 I changed a directive and said everybody's going to report every form of force.

Kirkpatrick: And that's why you saw these huge jumps what we call the level four use of force. Now we're going to have apples to apples and under the new directive. And even last week's comparison we had for instance, because we're dealing with small numbers, but we still had a drop, so we had a drop in our level four for the same time period as we did the year before. But now we're able to look at the apple to apple comparison.

Speaker 17: That's great. So chief, I would like to propose that after each monitor's report, I don't know, 25 30 days after it's released, that you come and speak to that for us so that we can continually understand the progress hopefully that's being made.

Kirkpatrick: Sure. Be happy to I think. I think that would be good for everyone to know that.

Speaker 17: Great. Thank you very much.

Jose Dorado: Madam chair, can I add a little bit about the 30 second loop?

Speaker 17: Yes, go ahead.

Jose Dorado: Yeah, so just to follow on to the conversation we're having earlier about the 30 second loops. It's been my experience that a lot of vendors of body-worn cameras now are offering specifically a 30 second. And one reason it's not longer, or at least from vendor presentations I've heard in the past, is the concern that Commissioner Brown mentioned about battery life.

Jose Dorado: Generally, you'll see that those 30 second periods that are constantly looping and therefore available before the camera is activated don't include audio also for this same reasons. And so when we're seeing those PDRDs, we can still tell exactly when the officer activated the camera because now moving forward there is always 30 seconds of silence but video and then when we hear the audio come on, we know that's when the officer activated the camera. Plus it's always at the 30 second Mark.

Speaker 17: Yes.

Jose Dorado: And so another thought process that a lot of the vendors have pushed forward about this is that sometimes when an officer is in the field, surprising things occur such that they wouldn't foresee they need to turn on the camera. Now when we're looking at cases at CPRA, one of our concerns is when the officer

say, is summoned to a call or starts interacting with someone and then doesn't activate the camera until a few minutes in.

Jose Dorado: Right. That's a much greater concern than if, say, there is a traffic collision that happens in front of the officer and then they activate the camera cause they probably wouldn't have foreseen that coming and known to activate the camera.

Jose Dorado: So the 30 second loop is very helpful in capturing things that surprise the officer, but it still leaves us with a solid diagnostic to figure out when the officer activated the camera and we're finding that's very helpful because it being able to know exactly when the officer activated, lets us know what their thought process is.

Jose Dorado: With some officers, the challenges is that they're new and so something dramatic occurs like they're called to a higher priority, call for service. And honestly it slips their mind when they're in their first year or two of training. Then normally we expect to see that behavior improving over time as the officer's had the camera longer and become more experienced, which is another reason that different officers get different levels of discipline.

Jose Dorado: If they've had a camera for a while and should know how to use it well then they're going to get more discipline for fire to activate. And the amount of time that passed between when the event occurred and when they turned on the camera is a very substantial factor. Cause that lets us get some insight into whether it's inadvertent or actually trying to conceal or just not caring about documenting the interaction.

Speaker 17: Thank you. Commissioner Smith.

Thomas Smith: Yeah. And so my followup was quick. It was when you see people activating it late, is 30 seconds, generally enough or are you finding that you know a substantial proportion of the officers, even with the 30 second loop, you're missing what happened at the beginning of the end of the incident?

Jose Dorado: If the late activation is genuinely inadvertent, the 30 second window usually is sufficient for us to capture whatever happened just before that. If it's not, that's usually then a sign that there really was some true thoughtlessness either intentional or you might say beyond just merely careless but negligent and not turning it on. So it is helpful.

Jose Dorado: I'd also say that it's been my experience that it's, it's an industry standard package. Kind of like back in the day you'd go get a car and either you got air conditioning or you didn't, you didn't have multiple levels of air conditioning. Either they put the compressor in or they didn't. And this product appears from my experience to be the same across platforms.

Jose Dorado: Everyone's offering 30 seconds right now and someday in the future maybe there'll be other options. But that seems to be the only option that's out there in the market.

Speaker 17: Thank you. Commissioner Dorado.

Jose Dorado: Chief, I have more of observation than a question because in going through this, there was one word that jumped out at me and that was cultural. And in page 10, talked about how officers failed to identify themselves. And in some cases physical force may have been decreased or eliminated had they done so and that this is a cultural issue.

Jose Dorado: And so it struck me the use of the word by the federal monitor, especially since when I read further, the report talked about a scenario that we've seen play out before in terms of the reconvening of that case that involved the, the beanbag and the chair deciding after the disagreement from the federal monitor reconvene this hearing, I guess you could say.

Jose Dorado: My point is that, reading from the report, it said that they, meaning the people, the OPD folks in the group, in the meeting, question the timing of the use of the force. In essence, they questioned the need for the force to be used when it was used, but they lack the will to act on the concerns if it meant determining a use of force was out of compliance.

Jose Dorado: So that to me also speaks to cultural issues. Not just the identification that you're a police officer, but it struck me both the use by of that word, by the federal monitor as well as his calling out the lack of will by OPD higher ups in this specific instance and he mentioned it, that we've seen this before. So as I've mentioned before, the culture in OPD doesn't need to be reformed, it needs to be destroyed and rebuilt from the bottom up, long ago. And that's your charge chief and has been. Thank you.

Kirkpatrick: Thank you.

Speaker 17: Okay, if there are no more comments, we can go to public comment, more questions. Mr Rouse.

Mr. Rouse: There are nine speakers on this item. We have Oscar Fuentes, Bruce Schmiechen, Jane Cramer, Mary Vale, Rashida Granash, Celine Bay, Asada [inaudible 00:03:27:08], Jean Hazard and Lorelai Bosserman.

Celine Bay: Celine Bay for the record. Don't know where to start. There's so much BS that just came across there that it was just crazy. But let's start with just the facts. We know that over four or five years ago, professor Eberhart came in and said the exact same thing to this department before she walked in. She called it implicit bias. It's racism, its discrimination, its racial profiling, it's everything.

- Celine Bay: Last year the same monitor came back and said that racial profiling and violations of DGO, M 19 which is racial profiling, we're slipping backwards. This is the 65th report. What was the first report that she was under? 59, 60? And every time she comes up here and goes, "Oh, you know what, thanks for telling me about that. As soon as you pointed this out to me, we're going to get right on this."
- Celine Bay: Racism been a part of OPD before she was hired. Racism was an issue when she was hired. Discrimination has always been a problem. It doesn't take professor Eberhart, who over two years ago came back and said that the police department, OPD police department has an issue with speaking disrespectfully to black people. When they stop them.
- Celine Bay: In 2014 the percentage of stops was 59% for black people and the exact same percentages for white Mexicans. Everything that you just said, so this was 2014 all the way to 2020 we're hearing the exact same thing. She's been here for three years. Nothing has changed. Every single report that she's had, has been at the top a D minus. She's failed.
- Celine Bay: How is it that you can keep coming up here and saying, "Oh, you know what, this report that you read and this is from three months ago, we're okay now." You've been here for three years. None of these things are new. And dovetail one thing. The very last item, there's \$15 million of overtime that nobody's counting, that the police come up and say, at the end of the year we got, we need 15 million more dollars out of the budget, but you can't find a couple of thousand dollars for our program that's going to help all of Oakland reduce crime?
- Celine Bay: And we've talked, Oh, let me get some dough. I'll give you a letter of support. Give us some of that overtime money. Don't give us no letter. Get up off your tail.
- Celine Bay: And on top of that, disrespect of black people isn't new. You don't need a fake black. Faced a professor from Stanford who's over a team of white undergraduate Stanford students to come in to Oakland and tell us that discrimination still happens. Oh, but after she told us, discrimination still happens, she just told them, we going to rehire professor Eberhart to come and tell us why it's still happening.
- Celine Bay: The buck supposed to stop there. It isn't supposed to keep coming back and go, "Oh another report? We're right on that. Guess what? I'll get you a report in a couple of weeks with the aggregator that can't tell you nothing, but I'm going to tell you all about how much I'm on top. I sent somebody home for 60 days."
- Celine Bay: That don't mean nothing. People are still getting cracked in the head. Black people are still being stopped at double the rate of their percentile population in this city for the last three years. It hasn't gone down. Fire her.

Celine Bay: Any other CEO come up with a D minus F report card for all of the monitors. Reports would be fired. Only the police department gets this magical pass where they keep saying, "Yeah, no, we messed up. We've been messing up for the last 50 years, but this time give us a chance. We'll get it together." Stop fire her.

Mary Vale: Mary Vale. What you are doing tonight was done a couple of weeks ago in front of public safety. And the plaintiff's attorney in the NSA gave a report and said very clearly since this chief has come in, we've gone from being out of compliance or full compliance, gone from three to eight.

Mary Vale: And at the last hearing that we had last fall, the judge queried the chief about the compliance problems and or her challenges. And she said the biggest challenge was the critical narrative of the department. We weren't getting how wonderful things were and the media wasn't.

Mary Vale: And it's so frustrating and it's really appalling. I don't know whether you missed it, but I remember reading when this report first came out, the most recent one, a week later, there's a report that the police chief and her buddy, the city attorney filed a motion in opposition to the new criticisms of monitor ad a disagreeing with a monitor.

Mary Vale: I mean it's not going to be... When she comes back, we ask what was the basis of the opposition? Why did you do it? Who was consulted in the city? It's a step backward into the horrible place we're in. The cameras, the history back in 13 14 when they first got them and officers, some of them were saying, "Oh, it wasn't working that day or they forgot or whatever," and there was an agreement between the union, the leadership of the department and the monitor. They went around to every shift and said it stops. If your camera's broken and you don't report it right away, you're going to be disciplined if your camera's off when it's supposed to be on your be disciplined.

Mary Vale: And so I'm very untrusting when a year reports of backsliding on the cameras and she says, Oh, everything's great and we're keeping statistics and we're working on it and giving people wristband reminders and stuff.

Mary Vale: This stuff is an example of another problem cited in the monitor's report and he was talking about camera use and proper assessments of use of force, properly reporting, use of force. And he was saying, and supervisor accountability. These are pretty disturbing things to be happening when you're in your 15th your 16th and 17th year of court oversight. And these benchmarks and requirements have been in place from the beginning.

Mary Vale: I see as a member of the public, a department with a resistant culture, they're not going to change, they move the statistics around on the table, they talk about all, "We're bonding with the professor. Again, we're giving you another contract."

Mary Vale: But the numbers on profiling stay the same. So this is disturbing. I've urged public safety to keep the following up. You're not in the main lane with the administration and the court and the monitor, but you in the city council public safety committee or in a secondary one and you need to be able to keep doing within your lane everything to keep you from being bystanders to what is basically a disaster, and open like world war two style resistance to the Nazis is this department.

Mary Vale: There's still too many people in the department that are resisting compliance and making the deep cultural change and you don't have a person at the top that whoever wants to discipline anybody.

Tara Anderson: Thanks Mary Vale.

Mary Vale: And lastly, just one more point. Their performance under the NSA is closely related to the resistance where again, they have allies in the city attorney's office and the admitted city to implementing measure LL and to the attacks on Commissioner Harris. They don't want this, they don't want you guys to be the successor of the monitoring team. They don't want to make the changes under the NSA. It's really, really clear.

Tara Anderson: Thank you.

Bruce Schmieche: Bruce Schmiechen, Coalition for Police Accountability Faith in Action, East Bay. And I'm always stunned when I first look at these things, the number on the front page, this is 65 and in particular one thing stuck out to me.

Bruce Schmieche: A lot of the things that have been noted I agree with, but on page three as noted in our assessment of task 25.3 in our 61st and 63rd reports, we again identified incidents in our reviews where we believe that additional verbal communications and explanation with persons who were contacted might result in the reduction in the need to use physical force in incidents were OPD failed to identify themselves as police officers when contacting subjects and it goes on.

Bruce Schmieche: We encourage OPD to consider whether additional training is needed for personnel and how to approach and when necessary to detain persons they encounter. So in the current use of force order, even in the upgraded one, the short fix, deescalation is mentioned. I think it appears literally as a word, not a policy, maybe twice.

Bruce Schmieche: It was once in the original one and this points out as we move forward in changing this policy, really completely taking this policy from the root and rewriting it completely in major ways, not every piece of it but in may major sections, we need to prioritize deescalation. It has to be mandated prior to any discussion of use of force whenever deescalation is possible. It has to be an extensive discussion and policy, there has to be commitment to discipline to it when it's clear that it was reasonable and possible to use deescalation tactics, it

has to be delineated. Other departments have examples of this that are actually quite impressive. We need to prioritize deescalation prior to use of force.

Speaker 17: Thank you.

Lorelai Bosserm: Hi, Lorelai Bosserman. I just wanted to make a suggestion that you might want to request that the chief of police bring you numbers on late activations of PDRDs and, failing to activate at all separately. Because they were lumped together and if possible, how late the late activations were. Thanks.

Speaker 17: Good point. Thank you.

Speaker 17: Hello.

Speaker 20: Ann Jenks, speaking only for myself. The idea of yet another study, even if Stanford's paying for it, it was really kind of amazing, almost as amazing as the idea of giving police officers little plastic bands to remind them of things. So if I'm suggesting we take the study money and we make some little plastic bands for them.

Speaker 20: No, he doesn't fit the description, don't rape minors, black lives matter, deescalate. Other people can come and they can just wear little plastic bands and we won't need federal monitorship anymore. But no more studies and maybe no more plastic bands. Thank you.

Oscar Fuentes: Hi there. I have two comments. First is a question. I really don't understand the buffering, how that's going to influence police officers to turn their cameras on. I just didn't get that and it seemed like the people on the dais seem to understand it or maybe they were humoring the police chief, but I don't understand it.

Oscar Fuentes: I would appreciate an explanation for the public about how buffering will prevent police officers from turning their camera on after they have already started hitting somebody.

Speaker 17: DC Armstrong.

Oscar Fuentes: And then let me just finish my session.

Speaker 17: Sure, no problem.

Oscar Fuentes: I think that the police commission should ban, prevent the police department from commissioning Eberhardt for a study and to look at the statistics and just make the logical conclusion about what it means. And not bring in Eberhardt to confuse the issue and make it take a year and a half to do anything about.

Oscar Fuentes: I just think it's a bad example. It's rewarding bad behavior and you should all just tell them to go ahead and just... If 50% are black people and they are not 50% of the population, but almost half of that, then that's racism and that's the problem. Thank you.

Speaker 17: Thank you. DC Armstrong, if you can clarify the buffering description. So Mr. Fuentes can follow.

Edwin Prather: Yes. So the camera has a buffering system that records 30 seconds prior to the officer actually physically activating the camera. So the camera is consistently recording and then once the officer activates it we can capture 30 seconds prior to his activation, I think to director Aldean's point. But it does not include audio. We get video but not the actual audio. The audio does not come on until the actual camera is activated.

Edwin Prather: So in the instance of if someone didn't activate their camera on time, we could go back and capture the actual video of the 30 seconds prior to their activation.

Speaker 17: Is that clear for you sir?

Edwin Prather: I don't see how [inaudible 00:29:26].

Speaker 17: Okay.

Speaker 17: Permission to [crosstalk 03:41:33]

Thomas Smith: So I think the idea is that some percentage of the officers who are activating... Some percentage of the officers activate the camera late but eventually do do it. If they activate within 30 seconds, then the buffering captures 30 seconds before they actually push the button, which means the whole incident from the time 30 seconds before they actually push the button would be captured.

Thomas Smith: Your question, Mr. Fuentes, you said, well if they intentionally did not activate the camera then buffering wouldn't help. Right? If they just never activated it at all, the 30 second loop would go away. But if they forgot to activate on time and then activated within that 30 second window, and that's why we were having a conversation with Mr Alden. We were saying how many of these people are actually forgetting but they activate, but it's just late.

Thomas Smith: And apparently a lot of them do that or you know like 20% of them do. That is what we heard so if they capture, if they remember within 30 seconds then we've got the that 30 second window.

Thomas Smith: If the window were longer, but that's not the case. If the window were longer than they might be able to go even longer and then remember and push the button. But the idea is as, long as they remember within 30 seconds, even if

they're late, we can get that 30 seconds of footage before. The only thing missing is that footage won't have audio for the 30 seconds.

Jose Dorado: Yes.

Thomas Smith: Yeah.

Speaker 17: Is that more clear Mr. Fuentes?

Edwin Prather: I think for the department it addresses the underlying issue that we've seen which is late activations, meaning the officers are exiting their vehicles and then just prior to contact they are activating the cameras and by the time the camera's activated they're already engaged.

Edwin Prather: What we are trying to instill and we've been working on is officer's activating prior to exiting the car. Before you get out of the vehicle, you should activate the camera. And that's what we've been pushing internally so that we can capture the entire incident. Failure to activate at all would be a significant misconduct issue.

Speaker 17: Very good. Thank you. Miss Granash.

Rashida Granash: So the next step would be to get.

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Regina Jackson: Thank you. Ms. [inaudible 03:44:02]

Rashida Granash: So the next step would be to get the camera synchronized to the lock on the car door. So that the car door won't open until the camera is turned on. How about that? So technology, that's the answer to everything. In addition to Stanford professors who are also the answer to everything. So we'll do whatever we need to do to offload the problem. To offload the problem to either technology, or to a professor, or collect data, or whatever. Or offload it to the commission. Who are all of course volunteers and don't get paid a couple of hundred thousand a year plus over time. Let's look at this because it's a pattern. It's a pattern of the police department offloading responsibility. Offloading. Keep your eye on it because it keeps coming up over and over again. The same with the social media policy. The suggestion was, well, you guys create something. Really? I mean we're paying almost half of the general fund for this police department, but volunteers are supposed to do the work. Really? That's really what we heard? Let's get real, people.

Regina Jackson: Thank you.

Mr. Hazard: For the record [inaudible 03:45:47]. I'm a little confused. A point of clarification.

Regina Jackson: Deputy chief you wanted to... Okay, go ahead.

Mr. Alden: A point of clarification.

Regina Jackson: Just one moment Mr. Hazard.

Mr. Alden: A point of clarification, the study being done by Stanford, was that the request of the plaintiff's attorneys. The plaintiff's attorneys made the request for that study to be done by Stanford. The department was responsive to that request and initially, funding was a concern and that funding issue was rectified by Stanford.

Rashida Granash: Yeah, I think it was when they asked for it. Yeah, that makes sense.

Regina Jackson: Thank you. Mr Hazard.

Mr. Hazard: Yes. To the Chair. Has anybody ever seen Dr Everhart?

Regina Jackson: Yeah,.

Mr. Hazard: Has she ever been in these chambers?

Rashida Granash: Not in front of us.

Mr. Hazard: Well, I think it's critically important because her name keeps coming up and she seems like a ghost. Only certain folks have seen her. She needs to come before this body. The city continues to give her all these dollars and then somebody is interpreting what she claims to have said. So I think this body needs to make a further request that she comes before this body sometime soon.

Regina Jackson: That's a good point. Commissioner Harris?

Comm. Harris: Yes. So to that end, we already are in works on meeting Dr Everhart and requesting that she come give some information to the public.

Mr. Hazard: Thank you. So I can-

Comm. Harris: One step ahead.

Mr. Hazard: Thank you. So I could get my 45 seconds back because I-

Comm. Harris: Right.

Regina Jackson: Yes sir.

Mr. Hazard: The other point I would like to make, when police officers come on duty, the first thing I believe they check when they go to their cars, is to check to see if

their guns are all in check and they got bullets in their guns or whatever. So but when it comes to cameras, we have this problem in terms of checking the cameras.

Mr. Hazard: To the chair, to the chief. What's the battery life for the cameras? I'll get that after I finished. Okay.

Regina Jackson: Yes sir.

Mr. Hazard: Also, on the report from the chief and the discipline, she has suggested that she has imposed on those folks who have violated this. Let us know how many years of those individuals who have been derelict and turning the cameras on because see, you may understand a new recruit, but then somebody that has been on the force for a long time.

Regina Jackson: Right.

Mr. Hazard: So they should have no excuse about... So that's intentional for them not to turn on their cameras. I could excuse somebody just coming on the force, but what about the repeat offenders? She indicated that some have been disciplined for 60 days, but if that same individual is repeating the same kind of thing, does that go to 120 days or do they get fired of what? So when that report comes back, it should include the length of time. Those officers that have been on the force and how many times they have violated the camera thing. So to the Chair, how long does those cameras last and why can't they turn them off when they come on?

Regina Jackson: Yes. Can you address that for us please?

Mr. Alden: Yes. On a full charge, the cameras will last between 13 and 14 hours.

Mr. Hazard: That means, they could turn these cameras on as soon as they come on the force because if they're working eight hours and you got to a battery life of 14 hours, then there should be no excuse. And so we don't have to worry about the buffer. They turn them on as soon as they get inside the car.

Regina Jackson: Thank you very much.

Speaker 21: Love life. Love Jonathan. What caught my attention? Reading the report was page six, "Recent OIG audit on the use of force." Have you all seen that document? Okay. Then what is the boiler plate language in use of force reports? Then, oh that people of color stuff... You all are going to drive me crazy with this. I'm not a person of color. My race is black. My ethnicity is African American. If you're going to use the term Latino, it is ethnic. You're mixing ethnic and race together. Now what some people do when they put it together, they put white, non Hispanic. They put Latino, non white to make clarity. So we're going to give data. I want specificity on black people, and what's going on.

So the other thing was, use of force when person claims injury is a dynamic that I've never seen reported in terms of numbers. It's in the report and I wonder if we want to look at that data at some point.

Speaker 21: The other thing was on one of the statements, it's critical that supervisors review prior work performance before determining how to handle deficiency they identify. And I've seen many reports where they reference the supervisors need to be on board in some form of fashion or the supervisor didn't follow up on offices and it just caught my attention. And lastly to save time, I found a lot of stuff. Just to save time, several incidents where incident could have been decreased or eliminated, had officers identified themselves or provided some additional verbal explanation. So the report is informative. I think it's a good idea to have it on a regular basis because we can see what's going on with our police department.

Regina Jackson: Thank you.

Rashida Granash: Humbug. Police go to the gym three times a week. If I'm correct, they go to the practice gun range regularly. They have hawk eyes. Why can't they turn on a monitor? When I was 16 years old, I learned how to drive a car. And you learn how to put on the brake and you learn how to do your directionals, et cetera. And when you're ready you go for a test drive. And either you pass it or you don't.

Regina Jackson: Thank you. So I have one more statement from former commissioner. Moreen Benson and it's regarding page 13, one of four, force review boards. I'll jump to her comments around the ad hoc committee on mental health alternatives. And she says that as Commissioner Dorado share the four of the eight calls, he observed on his ride along with OPD, people were struggling with mental health issues. And we're looking to learn more about the percentage of calls that OPD received that do not warrant a badge and a gun, but a mental health worker. More on that soon, but it is not shocking that we see a lack of accountability for officers' use of force as it relates to those suffering from mental health issues. Did you know that more than 50% of officer involved shootings in this country are those in the middle of a mental health crisis?

Regina Jackson: We have some exciting ideas that the first convening of this ad hoc, and I look forward to more work on this soon. In the meantime, I'm deeply troubled but not shocked that the independent monitor illuminated this internal protection. I'm left wondering, did CPRA reach the same conclusion and if so, what does Mr Alden have to say about that?

Mr. Alden: The same conclusion about the review of use of force? I'm not quite sure I understood the question.

Regina Jackson: Well, I'm not sure either. But I think it has more to do with the fact that the mental health crisis that are being responded to, are not being responded to by

people who know how to respond to them. Or that the proportionate calls that OPD receives are really more about mental health crisis intervention. But we'll talk later.

Mr. Alden: I think that's a great question, but that one, the CPRA is suited to answer. That'd be a great question for an inspector general when we get one on.

Regina Jackson: Well, okay. Thank you. Sorry. We're now able to move to item 11. Report on and review of CPR pending cases, completed investigation, staffing and recent activities. Mr Alden.

Mr. Alden: So we definitely have some good news, some mixed news and bad news. One of the things that is unfortunate for us as we discussed at our most recent meeting [inaudible 03:56:32] passed away. We don't have a replacement for her yet and that does create a hole in our operations so things are moving a little bit slower because we're down a person. The good news there, is that we have put in to have that position reclassified. We expect that hiring process to move forward pretty quickly. We have a couple of options from the city as to filling that position on a temporary basis. While that permanent changes going forward, I would like to have that temporary person on as soon as possible. Last I had heard through HR, they were very close to being able to present us some names and some lists of options so we could compare and contrast.

Mr. Alden: As you can see from our report, our number of pending cases is coming down. We're now down to just over a hundred. I'd like to see us even lower than that. We are continuing to close cases a little bit faster. That progress has been slow because we have a significant backlog, but now we're generally closing cases about a month out from the 3304s deadlines instead of a week out. So that is at least something, right? It's definitely making everyone in the office a little more comfortable. Thank you. Our goal is to be completing cases within 180 days of receiving the complaints. That's six months out. If we were presenting to you a list of cases in which all of our cases we're looking to meet that deadline, our case load would probably be closer to 60 cases than a hundred. So that gives you some idea of the progress we're making. We're, getting there. We close a lot of cases since we reported to you last. So the beginning of attachment 11 shows the closed cases. There are 25 completed cases in there.

Mr. Alden: There were some questions earlier about how often the PDRD or body worn camera violation shows up. You can see it several times in these statistics. There are three or four cases in there, and we try to flag those separately. So people have some idea of how common those are. We have not in the past, tracked them in a way that one of the speakers suggested. That is, to divide them up into cases in which the camera was not activated at all, and cases in which the camera is activated late. And that's a great idea. We'll look into that.

Mr. Alden: We continue to make some progress on the database. In fact, just this week, a substantial leap forward was that we figured out that the database had been designed to link to several OPD databases to import data and some of those

went away. So we had to renovate those links and so we're hoping next week we're going to see even more utility out of the system. So there's a lot of work like that that continues. We're getting pretty close to being able to generate some of the reports that you're seeing here automatically through the database and when we get to that point that's actually going to save us a lot of staff time. It is quite a bit of work to have all of our folks double-checking Excel spreadsheets about their cases instead of being able to just print that out of the database.

Mr. Alden: Another positive note that I think the commissioner will be receptive to is that we've been having some conversations with the city administrator's office, about where your one staffer, Ms. Love, is housed. And we've reached agreement to move her over to the CPRA offices. I don't have a date for that yet. Thank you. We're looking at making sure we have a space set up and taking care of other paperwork and the like. So, that also means that instead of reporting to a supervisor over there she'll be reporting to me, at least on a day to day basis. She's, of course your staffer not mine or not CPRA's, but she at least physically be in a space where I can interact with her regularly. And so to the extent you have things you'd like her to be doing in concert with me, that should be easier. So I think that'll be a positive for us.

Mr. Alden: We also realized we had a little bit of a hang up over the last couple of months with fiscal regarding the add delete we had mentioned earlier about moving one of the complaint investigator two positions up to complaint investigator three. We did get that resolved. I know people in the audience are probably not expecting this but I have to give a word of thank you to the city attorney's office for very promptly and expeditiously handling that. And helping us with a resolution that I thought was appropriate and helped us get the staff we needed. So thanks where thanks is due. Right?

Mr. Alden: We are looking forward the next time we report to you in February, having even a lower case load because some of our newer investigators are now starting to crank out cases. They are about three months into training and so that's coming along a lot better and they're able to produce a lot more. So I'm cautiously optimistic that we remain on track, that over the course of this calendar year we're going to see our case loads at a manageable place. And so then maybe by the end of the year we can start having some conversations about things like what sort of cases would the commission like CPRA to look at beyond just the mandated cases in the chart? And other conversations of that sort. So things are moving along nicely.

Regina Jackson: I think that's outstanding. First obviously Ms. Verdine has been missed by so many, particularly in CPRA. It's a real void and it won't just be replaced with a new body. So, my condolences. As it relates to the cases, and getting out in front of the 33 or 4, it just again speaks to how smart we were to hire you.

Mr. Alden: it's always nice to hear. Thank you.

Regina Jackson: I don't know if the commission has any questions. Yeah. Okay. Commissioner Harris.

Comm. Harris: So this is one of my favorite parts of the meeting. I just want to say thank you, thank you, thank you. This is very clear, concise data that is accurate. I know it's accurate. I have noticed, I'm able to pull things out. 18 of the 25 cases are use of force, right? That stands out to me. Just plain and clear. And I think this is something that is factual documentation. Factual and 18 of the 25 cases are not sustained. 18 of the 25. So I'm just saying, it's a start, but I'm extremely happy with these reports because they're consistent. It's clear. There's no question. So the only question I have is the million dollar one. Are these cases being investigated properly? Meaning, are they going out into the community? Are they asking witnesses for information? I know that we had some conversation about our staff not being trained really in investigations, but we need them to be like this, we really need them to be. This is good work and I give all praises to your staff for the work. However, I just want to make sure that these cases are being investigated properly.

Mr. Alden: That's a great question. I would say a couple things about that. I hear what you're saying about the sustained rate. So seven out of 25 would give us about a 28% sustained rate. That's close to twice the sustained rate you typically see in the industry, which is usually around 15%. I think some of that is just because of the nature of civilian oversight. In my opinion, it's hard to quantify. Civilian oversight tends to lead to higher sustained rates. And I think part of that is that when one has the independence of not working closely with the same police officer that you're investigating all the time, you tend to be a little bit more independent and more likely to be willing to sustain. So I think that's a good thing about our system.

Mr. Alden: I do think that one of the challenges that we still have is that our case load is high enough, that it's hard to get out and do as much investigation as we'd like and to do it as early as we'd like. And so, one of the many reasons we need to get to the 180 day goal is because if we're looking at cases that are only a few months old, instead of almost a year old, we're much more likely to be out in the community. Finding witnesses close in time to the events.

Mr. Alden: We're doing a couple things, specific things to make sure that our investigators are getting out and talking to the witnesses they need to. One is, we're developing an internal culture of being more assertive about doing interviews and identifying who we think the investigators should interview at an early stage. So over the last couple of months, we've moved away from a past practice of investigator getting a series of cases and then picking up each one only when it's the next one that's due, and then reading it for the first time at that point and figuring out what to do with it, finishing it, and then going to the next one in the stack.

Mr. Alden: Instead of that, the process we're going through now is to have each investigator, when they get new cases, put together an investigative plan in the

first five days that they have the file. Review that with a supervisor, talk about whether they think this case should now be a higher priority than the other ones in the stack. Figure out who in that case should be interviewed right now because we might lose them or their memory might get faded. And which items in the case could we be put off until later if we're really swamped. And I think that's leading to higher quality investigation and it's also pushing investigators to think proactively about their investigative plan at an earlier stage.

Mr. Alden: We're also moving forward very proactively with the department, about figuring out solutions to the Santa Ana problem that you've heard about before in some of our previous meetings. And that's this issue about how do second interviews go? And see Perry interview someone who's an officer and ID interviews them too. Is there an order of operations? And I think we're coming up with some good solutions to that issue that will increase the quality of our investigations. So those are some specific things we're doing to try to increase quality. We do need the caseload to come down a lot before we have the bandwidth to get the quality where I want it to be. But I see it coming along and I see a lot of commitment from people inside the agency who really want to do a high quality job and are interested in having the resources to do that well and for people who are new or learning how to do it well.

Speaker 21: Thank you John. One more thing I just want to point out and I want the police department staff to please listen and take notice to what I'm about to say. [inaudible 04:08:11] Okay. Okay. [inaudible 04:08:15] Okay. So on the investigation sheet there is something that is very, very, very concerning to me. It's "improper dissemination of computer information." This is PII, which is very, very, very confidential information that is being utilized for, I don't know what. They don't tell us on this report, but this is information that is only supposed to be accessed for law enforcement reasons. Right? So this complaint was put on because they felt that an officer was using the information or looking up the information improperly. And so I just want the department to take notice of that because this is more than a beyond...

Speaker 21: This is beyond a training discipline. This is fireable offense. When you do things, right? It's a crime actually. It's a crime. It's a felony crime. So I just want you to take notice of that because these cases are really, really serious. Like really, and the police department needs to understand that our agency is going to investigate. And there are computers you can track anything, right? If you log on, you have got to log on as somebody. But these are fireable offenses and they're felonies. And they will be prosecuted if found guilty.

Regina Jackson: Is there any other questions for Mr. Alden? Okay. Mr Rouse?

Mr. Rouse: Three speakers on this item, and Jean Hazard, [inaudible 04:09:58]

Mr. Hazard: For the record Jean Hazard, to Commissioner Harris' last point then through the chair. I think you need to send a letter to the department, to the chief noting what you just stated. Yeah. Where credit is due. Mr Alden, even if it's the city

attorney's office, then I'm all for that but that's a rare situation. But we respect the acknowledgement of when they do something good. With regards to the investigation staff, and you've got cases that have been a year old. How is that determined who gets to do those cases versus the more recent cases?

Mr. Alden: Through the chair... That's a good question [crosstalk 04:11:15]

Mr. Alden: We try to distribute the cases fairly evenly across investigators, so that each investigator has some cases that are fairly new and some that are older and one reason for that is that if they're spread out a little bit, then each investigator has the ability to look through those cases and see which ones really the most serious and needs the most attention. Ideally we'd like everyone to have cases that are less than six months old, but we also try to... When we assign them, think about the current case load investigator has. If they have several cases that are pretty close to hitting that one year deadline, then we probably aren't going to give them a case that's also got a looming deadline. We might give them a case that has six or eight months left on it. And we also try to do a variety of other things. Like if someone has real expertise in a certain issue, we try to assign them those kinds of cases, and that sort of thing.

Mr. Hazard: I really want to stress going back to them cameras. You got 13 hours of battery life, so we shouldn't be in any discussion about the buffer zone. If it's 13 hours, that even takes in their over time that they're getting on top of that. So any officer that even thinks about not turning it on, when they get in the car, it automatically comes on. Unless they don't have a battery in that camera, there should not be any excuse for turning it on. So to placate them by this buffer, and this discussion they had on that, I thought it was a little bit ridiculous. Particularly when they have the battery life of 13 hours. There's no excuse. So you need to emphasize that Madam Chair, in that discussion around when they turn their cameras on, as soon as they get in that car.

Regina Jackson: My followup tomorrow will delineate all the points that we want them to report on.

Mr. Hazard: Yeah. And just finally, with regards to the investigation completed on the black officers. And if that's completed, then there should be no reason why this body should not get the findings of that investigation. I can understand when the investigation is going on, they're not going to give you anything. But when it's completed, that's what happens with all investigations. Nothing. And this is not sacred. And this is not a personnel matter. This is a discrimination against a department of black officers. So stay on them and getting that... Even if you have to file a lawsuit to get it. Thank you.

Regina Jackson: Thank you.

Rashida Granash: Oh, it's a tale of two cities. It's a tale of the previous Shipra director and the current one. Because on the closed cases we have seven blown 3304s. It's seven

cases where discipline could not be imposed even if the allegations were sustained. So, that's the inheritance. It's not obviously the responsibility of the current director, but it only goes to show how important it is that we have a new director. I did want to ask through the chair about the unknown officer. It's at the bottom of page one of 10. We've had this problem before with the CPRB, where they could not investigate because they couldn't identify the subject officer. I find that unacceptable. There is no way in the world that a department cannot identify the officer who was at a certain location at a certain time. I really just simply can't understand how that is possible. And if there's any kind of corroboration that it wasn't...

PART 8 OF 10 ENDS [04:16:04]

Speaker 22: If there's any kind of corroboration that it was an OPD officer at all, then I think there needs to be a complaint with the department as a whole, that they are unable to identify their own personnel. I don't know if Mr Alden can comment on that.

Regina Jackson: But we can have him try.

Mr. Alden: Sure. Through the Chair, I should clarify that while one will sometimes notice that the completion date is more than a year after the incident date on the closed case report, all of these cases were completed within the 3304. And in some of those cases they were tolling provisions, so it allowed us to go past a year. So all of these were timely. Now that said, a lot of them were just barely timely because that's the situation we inherited. So I don't want to leave you with the thought that any of these expired on us. I've been trying to be careful about that. Now in some of these, I wish I'd had more time and didn't because we have a backlog.

Mr. Alden: Second issue about the no officer, sometimes there are scenarios in which it really is difficult to identify them. We, for example, sometimes have a complainant describe the officer, but they didn't take a picture of the officer or get the officer's star number or get their name. And so they'll say, "I was in such and such place in the officer was," and then provide a general description. Sometimes we have a pretty good idea of who that officer is, but sometimes we'll do a photo lineup process with such a complainant and they won't be able to identify any of the officers. So sometimes we end up being just not sure who the officer was. That's unfortunate. I hate those cases, but it happens.

Speaker 22: Excuse me, but I don't think it's the responsibility of the complainant. It's the responsibility of the department.

Mr. Alden: I hear what you're saying, but somehow we have to identify the officer. So if the complainant can't tell us who the officer was and the records we have from the police department don't allow us to figure out who the officer is, there's just... It is actually not uncommon that we just can't figure out who the officer was.

Speaker 22: Okay. I think that is something that has to be looked into because I don't see how an officer can be on duty or how there can be area captains and the area captain not know who's where and when.

Mr. Alden: Because sometimes complainants will come to us and say, "Two months ago the following happened, I'm not sure what day it was. It was on Broadway and I didn't like the way the officer talked to me. They were discourteous." And then at that point it just too much time has passed.

Speaker 22: If it's that generic I can understand it.

Mr. Alden: Those actually do come in. There's also another factor that sometimes occurs, and again, I'm never happy about these cases, but a number of the complaints we get are from people who were in mental health crisis at the time that the events occurred. And sometimes the version of events that they recount to us, doesn't match well with the records we can find from the incident, which is an unfortunate side effect of the experience they're having. And then that creates ambiguity such that we're not able to figure out who is who. I don't like those cases either. They're very troubling, but they do happen. So I agree with you though. There is certainly an obligation on the part of the police department to be providing us at CPRA, the kind of information we need to identify police officers.

Speaker 22: I would think so.

Mr. Alden: Yep. That's absolutely right.

Speaker 22: I guess the other outstanding question is, once again, are looking at the pending cases. The length of time it takes you to receive the complaint from IAD. I'm still upset about that. It's still against policy and it still isn't being addressed. Maybe that's because Dr Eberhardt can't be brought into the picture to solve the problem.

Speaker 22: However, all of kidding aside, is there a reason technologically that any call that comes into IAD cannot be simultaneously routed to your office? Can't there be some kind of telephone sharing situation, where every call that comes in to that department, to IAD, can be instantly transmitted to you? I mean with Vision and all that, you think that there would be some technology, such that you're not waiting on IAD to send you a complaint. Because it can save you in some cases up to a week or two weeks of work.

Mr. Alden: I think that's an interesting question. I hadn't thought about that. Another factor that's complicated for us is that, OPD is taking complaints 24 hours a day, right. So if someone makes a complaint in the field to a Sergeant on a Friday night, we won't get it until at least the following Monday.

Speaker 22: But the Sergeant is going to relay it to IAD.

Mr. Alden: Well, that's exactly right. It's so-

Speaker 22: So he relays it to IAD, it should also go to you.

Mr. Alden: Yes, I agree.

Speaker 22: Simultaneously.

Mr. Alden: I absolutely agree about that. I do think that, until we get to a point at CPRA, where we have sufficient staffing for call out for certain kinds of cases, there are certain ones we won't get within 24 hours of the event. But I absolutely agree with you that if IAD has it, there's no reason the CPRA should not.

Speaker 22: You should call [crosstalk 04:21:27] respond to it.

Regina Jackson: But this is a system. This is a system situation. Much like Rashida met with Bart, and was able to see the kind of turnkey, everybody got access. It wasn't about handing over, our technology. I don't even know with Vision, if it's designed for this and that's the way it should be designed.

Mr. Alden: It does not. And that would be absolutely improved and it should.

Regina Jackson: Right. My point. Correct. So I will be meeting with the head guy I want to say next week. So I'm going to ask about, what adjustments can be made. Because it's just like you talk about buying a Cadillac and you want the air conditioning, you want the radio and you want all these things. I mean is there something that can be added onto it or is bought [crosstalk 04:22:18]

Speaker 22: Even if it's just a simple call forwarding.

Regina Jackson: How about that? Yeah. Thank you. Ms Asada.

Ms Asada: The number of cases that were sustained, how many of those cases involved use of force?

Ms Asada: Okay. And then my other point-

Regina Jackson: Just one moment while we look up.

Ms Asada: Okay. Then my other point is, I do not feel comfortable with a degree of satisfaction, around 20 something percent cases sustained out of the total number. I want all cases that have the probability of being found sustainable, proven to be that. And a percentage is not acceptable. Okay. It's just like the police department tried to say we went from 11,000 African-American stops to 8,000 and that was supposed to have some significance. It's still very problematic. The other thing is for a number of years I've been trying to pursue the fact that once the investigation is ended, the notification to the complainant

and what that is at this point is it's been sustained, unfounded and no detail. And so to develop a level of detail to the complainant to understand how the case came to a conclusion. Give you an example, it came to the collusion of unfounded because of lack of credible witnesses. It came to a conclusion of unfounded because we were unable to review the officers recording, whatever.

Ms Asada: But to have people just get a little one line and no detail and I think the former director was attempting to work on that, but the police department didn't want it to happen for whatever reason. So out of respect to people to understand, what they had been involved with and how it came to a conclusion is important.

Regina Jackson: Oh, it's like an exit interview. I get that. So Mr Alden, in terms of the way in which we close out investigations, do you have a process that can speak to something like that? And I guess what I'm really looking at is, once you establish the way it ought to go, to them, the alignment for OPD to follow suit, would be a nice compliment, so that we're both doing it the same way.

Mr. Alden: I haven't seen anyone in California come up with a lawful way to do that with respect to most cases. Because of Penal Code, section 832.7, and some of the companion sections, 832.1 through to 832.8. Which explicitly allow us to tell a complainant if their complaint was sustained or not sustained. That doesn't allow us to tell them anything else. So, that is a limit that we have from state law. Now there is an exception in cases where SB-1421 applies. So fatal uses of force, sustained allegations of sexual misconduct, sustained cases of lying. We can because that information can go to the public, so it can go to the complainant to. And one of the things we're working on internally right now is trying to figure out how those two notices might be different, because 1421 allows us to say more than we used to. And we'd like to have a notice to complainants, that gives them a lot more information if not just the whole file that the public would get on the 1421 cases. We don't quite have that all worked out yet, but we're working on it.

Regina Jackson: Okay.

Ms Asada: Point of application.

Regina Jackson: Yes.

Ms Asada: When you read the Officer's Bill of Rights, that officer has a right to see his file and have full opportunity to understand everything that went on related to the investigation around him, but the citizen who files a complaint can't get nothing.

Regina Jackson: Thank you. Well, for SB-1421, we probably should go ahead and take those steps to contact and say here is the result, as opposed to just email or whatever. From a customer service perspective.

Mr. Alden: Absolutely. And I should note that, that is a very small percentage of the cases, so comparatively speaking, it's rare.

Speaker 23: If, I may, Ma'am Chair.

Regina Jackson: Yes.

Speaker 23: Then maybe this issue should be brought before one of our state legislative person-

Regina Jackson: That's what it sounds like.

Speaker 23: And move on behalf of the complainant. Because in use the scaler the police officers [inaudible 04:27:28]. If they can have it, why can't the complaint and have it? I think this is something that [inaudible 04:27:35] Skinner, Wiener, any one of them who are talking about being on side of the community, should visit. This is a real issue that could be undertaken, should be undertaken.

Regina Jackson: Absolutely. I can make that outreach.

Ginale Harris: Ms Asada. So I have the answers to your questions.

Regina Jackson: Okay. Go ahead commissioner Harris.

Ginale Harris: There were two sustained for use force, out of the 25 cases and there was one sustained for improper dissemination of computer information. Which is a felony.

Ms Asada: And I accept because the most frequent complain, is use of force.

Ginale Harris: Right.

Ms Asada: Thank you.

Regina Jackson: Thank you. If there are no more questions. We're moving to item 12, Outreach Services. The time is now 10 o'clock. I suggest that if we can't get past the strategic plan that we table the rest of the items for the next meeting, but let's see how we can move ahead on the outreach services. I'm not sure, Commissioner Dorado, are you lead on that or? Are you the...?

Mr. Alden: I've got that one that you don't mind.

Regina Jackson: That's you I'm sorry. It says the commission will discuss, I'm sorry.

Mr. Alden: Sure. I asked to have this item added to the agenda and I appreciate that it's on tonight because we got an unusual offer from a leader of Nationally and Police Oversight, GA Orlando. She's a member of the [inaudible 04:29:20] board of

directors. She's originally from Oakland, studied at Berkeley. And for the last 20 years or so, has been doing outreach in a variety of ways, but since 2006, she has been doing that in Denver. And since 2013 she's been working for the office of the independent monitor there in Denver, which is very similar to CPRA here or Bart's Oversight Board. And she's now looking to be back here in Oakland and has been talking to the folks at Bart also about helping them with some of their outreach around Civilian Oversight, which seemed like a fortuitous opportunity to maybe take advantage of some of her expertise.

Mr. Alden: So she came to us with a suggested project modeled on a conversation she's been having with Bart and I think they're very excited to bring her on for the same work. And basically the idea was that there are a set of outreach tools that require one to sort of set them up once and then keep monitoring them over time. Since we don't have anyone to do outreach right now at CPRA. Having someone come in and do these one time tasks struck us as a great idea. And as I've mentioned before, we're going to be asking the city at the end of this fiscal year to give us a full time position for outreach. So Mr Orlando's pitch is the material that you see at attachment 12. And I would summarize this briefly by saying that each of the things that pointed out here are our outreach tools that she would set up and get started for us.

Mr. Alden: So that way by the time we get to round late in the calendar year and hopefully fingers crossed, we have a full time outreach person on board. That person can then take on these projects and just continue to keep them running after Ms Orlando has set them up. I'm particularly interested in the first few parts of her plan, regarding branding and rebranding of the CPRA, public facing materials that we already have, but need to be renovated, updated to reflect CPRA's role and the commission's role instead of the former CPRB language that's in there.

Mr. Alden: Social media development, right now we have very limited web presence of any kind and I think we could do a better job of making ourselves available online. And also putting together some communication plans and regular outreach tools that we use to let local electives, for example, and local community groups know about what's going on with with our work. She suggested these could be completed over the course of a few months between now and the end of our fiscal year. That strikes me as an unusual opportunity and I wanted to check in with the commission and see if that's something the commission might be interested in doing as a sole source. Obviously less than \$50,000. I'm sure a fair bit less than that or-

Regina Jackson: So wait a minute. Excuse me, sorry.

Mr. Alden: Of course.

Regina Jackson: This looks very well put together, but I'm always suspect of things that don't have numbers at the end. What are we talking about here?

Mr. Alden: I think we could arrange to have all of this done for 40,000 or less. But I know there's been some questions from some of the commissioners about whether some projects should go forward by way of RFP. Now if we did that in this case, I think by the time we got an RFP done and selected a vendor and the like, we'd probably be getting close in time to hiring someone permanent anyways. So from my perspective, I'd respectfully suggest that, I don't think the RFP is the way to go on this particular project.

Regina Jackson: Well you know that, that's for [crosstalk 04:32:55]

Mr. Alden: But I know that's a touchy question. So I want to talk to the commission and see what the commission thinks about that issue on this project.

Regina Jackson: So I guess I'd like to see a mapping out of what can be done by, when you said a couple of months, but I'm not sure which things. So in terms of understanding what the capacity will be, particularly for staff who have not had this kind of skill set before. Because I'm assuming that what you wanted to do is build a structure and then walk away so that you all can put it to use. So I guess I'd like to see a graph or a chart or something that says, this is by this time, this is by that time.

Regina Jackson: And that way if this adds up to \$50,000, maybe we can pick and choose what we want. But I do get the importance of the expertise since teaching somebody to do it, especially as it relates to CPRA, if you already have that acute inflammation and you're already doing it in a high level yes, you're right. Probably much more efficient.

Mr. Alden: I can give you some detail and then maybe I'll need to come back with more information. But Ms Orlando understood that we'd want to have this done before the end of the fiscal year. If we're going to go forward with a contract because I don't know what funding we'll have for contracts next fiscal year.

Regina Jackson: Sure.

Mr. Alden: So certainly her pitch [inaudible 04:34:22] she would have it completed by the end of our fiscal year. Right. So this summer.

Ginale Harris: This July.

Mr. Alden: And then a question from there is-

Regina Jackson: 10:30.

Mr. Alden: I think she suggested July, 31, [inaudible 04:34:32]. I think that could be June, 31, as well if we wanted that to be. And that would mostly be work she would be doing remotely, that she would have visits to our office for multiple days at a stretch of February, March and May. Now I think also we'd probably want to

talk to her a little bit in the following fiscal year, about providing a little bit of training and support to a new outreach person should we be successful in getting at that position. But I think that's for next fiscal year.

Ginale Harris: So-

Regina Jackson: Go ahead commissioner Harris.

Ginale Harris: Thank you. So some of the things she would be doing is the branding of the CPRA. Right? And so I think this falls in line with the reorganization of the CPRA, which I think it's a good time to do. This would include the development logo, social media, she would set up all of our social media pages. So who would man those pages? Who would, man... What is it?

Regina Jackson: Man or woman.

Ginale Harris: I mean, you know what I-

Mr. Alden: Staff. Who would staff them?

Ginale Harris: I mean we can get it up and going but there needs to be a dedicated individual. Right, like an office person?

Mr. Alden: Absolutely. I would say in the short term probably two people, to the extent that some of this material would be for the Commission as opposed to CPRA. I think it'd be appropriate to get Ms. Love familiar with that and have her manage some of that for you. I think that's a fair part of her portfolio. As for some of the things that are more CPRA related, like taking complaints and the like, I would anticipate by the time that we're getting towards the end of our fiscal year, we'll at least have Ms Class A's former position filled. And that individual I'm hoping would be an administrative analyst too and that person would definitely have the skill set to be able to then pick up these tasks and manage them. At least for a period of time.

Ginale Harris: Well, the only concern I have with that is because Ms Love's position doesn't have the skill sets currently. And so I think development of-

Regina Jackson: The average quarterly position.

Ginale Harris: Quarterly reports, monthly reports, I think that's a higher, a little higher level skillset. But I think it's just something for you to think about on who is best qualified in your office to Mann it or be responsible for it until this person comes on. Because this is a lot of stuff.

Regina Jackson: And quite frankly to commissioner Harris's point, I'd like to see some customer service protocol in here. So for example, I don't know if when somebody files a complaint, once it's assigned to somebody that there is an automatic, thank you

for your complaint, it is number X, Y, Z, QPA and is being attended to by this person. And so that, that is just a process.

Mr. Alden: That we already have.

Regina Jackson: You already have all that?

Mr. Alden: The database generates that. I'm not entirely satisfied with the particular product that's coming out of there. But our complaint investigators and intake techs, I've been working on with me and thinking about some ideas to improve that. So we do have a series of systems who are providing this notifications, I don't think they're great. And I would like for the intake technicians and the complaint investigators to be invested in those communications because mostly they name those individuals as the points of contact. Right? So I want them to know that those are going out and be involved in how those go out and be notified when they go out. So they're prepared to then take field calls. So I think you make an excellent point.

Regina Jackson: Is this the same kind of touch that Mr Sato was talking about-

Mr. Alden: Absolutely.

Regina Jackson: Particularly when you close out. And that should be an automatic thing it doesn't really need a button pushed or a person? Are there other questions?

Ginale Harris: I have one more.

Regina Jackson: Go a head commissioner Harris.

Ginale Harris: So when should we need to decide? You said that she's coming to Oakland, but when do we really need to have a yay or nay on this?

Mr. Alden: Well, I think the sooner the better. If we want to take advantage of the funding we have this fiscal year, because we're now in late January and we have until the end of June on this fiscal year. So it happened that she was here a few weeks ago. She had an opportunity to meet some people in the community and chat with me a fair bit, while she was in town. She's planning on being here again in February.

Mr. Alden: Last I talked to her. So I think strike while the iron is hot, I'd like to move as quickly as possible. If the commission's okay with me putting together a with Ms Orlando, I could start working on that straight away. If you'd like me to come back at your next commission meeting with more detail about what that would look like, say for example, to the Chairs point price points for each of the separate items in here so the commission could decide which ones you'd like. I could ask her to create that detail and then bring that back to you and then you

could give me direction as to how you'd like the contract to proceed and then we can execute [crosstalk 04:40:11]

Ginale Harris: Well where can we find her work at? Because I don't know her and so I want to know what kind of work has she done? Has she done anything else? Does she have Yelp reviews? I mean you never know. Right.

Mr. Alden: Well for the last few years she has been working at the office of the independent monitor in Denver, which as I mentioned is parallel to us. She has a very good reputation there. One of the projects she's worked on there is a mediation program they have. And that's been getting positive reviews. So, that seems like a strong selling point. If the commission were interested in say other references, we could ask Ms Orlando to provide those to whomever on the commission's interested. If you want to follow up with them.

Regina Jackson: I think that will be a good idea. And I don't know how the rest of you all feel, but I feel we need to know what the cost is going to be and if it is more than we expect, then you're right that we could pick and choose some of the things that we really think are important or have Mr Alden identify what he would recommend. Yes. Commissioner Dorado.

Jose Dorado: One of the things that excites me about this potential program is that.... I sound like a broken record, but the Neighborhood Councils are a ready made network that's not been utilized to any real great degree by the city. And in fact I'd like to see her investigate the Community Policing Neighborhood Council structure and incorporate the use of that structure, that potential network in this sort of way to dispense not only information in general with specific to the Police Commission. Talking about storefront and community feedback, talking to about the community leader and partner organization outreach and events. That's Neighborhood Councils, and so we have already made but hardly utilized citywide network. That would really bend out everybody, it'd be a win win to utilize that network in this sort of a way.

Regina Jackson: Any other questions? Yes, commissioner Jordan? Sorry.

David Jordan: Thank you. From my perspective, so Community Outreach is sort of what I do professionally. And I've worked with a number of consultants, some of them who work on a sort of nationwide scale, providing this kind of support at different environments. And I think somebody who has the track record that you're describing, I would love to see their materials. It sounds like you can already sort of provide us some, at least URLs for websites and other things that she's taking part in and that is great. I also think that if we're looking to hire somebody permanently starting next fiscal year, having a lot of this groundwork done around things that are sort of one time, like developing collateral and that stuff, I think it's an amazing idea to have that groundwork done for a new person coming in, so that they can just get started. Because, those elements are important, but a big part of Community Outreach is actually like legwork. If a

new person can come in and step into legwork immediately without having to do a lot of this background, I think that gives them a great advantage.

David Jordan: So from my perspective, it sounds like something we should definitely look into pending sort of costs. Additionally, I want to sort of, because it feels like we're probably not going to get to this agenda item, commissioner Dorado and I met recently around community engagement for the commission. And we would like to sort of take a more of a leadership role in the things that we are... the collaborations and the consultants that we're hiring out. To have a little more oversight from a commission perspective on methodology and metrics. And so I think that the Community Engagement Committee or Community Outreach Committee, would like to definitely take part in some of the things discussed here. Around looking at what this person has already produced. I mean including other things like Dorado and some of the other things as well. We can discuss those later.

Regina Jackson: So commissioner Jordan, are you offering your services to help support Mr Alden-

David Jordan: Yes.

Regina Jackson: And in helping us identify if this is a person we should go with?

David Jordan: Of course, yes.

Regina Jackson: Wonderful. Thank you. So I think we're all kind of the mind that we're going to give alternate commissioner Jordan and opportunity to work with Mr Alden, do the background check, identify what the tools and all look like and bring it back to us on February 13th at the meeting and then we can make a decision then? Is that okay? All right.

David Jordan: Sounds get. Thank you.

Regina Jackson: Excellent. Okay. So great Mr Rus.

Mr. Rus: We have two speaker cards on this topic. Lorelei Bosserman and Rashida Ganache.

Mr. Alden: And really quickly through the chair. It's 10:15 so I just figured I'd give you the heads up that at some point your discretion if you'd like to vote to extend time.

Regina Jackson: Thank you. Come on down.

Lorelei B.: Hi, it's me, Lorelei Bosserman. I want to say two things. One is that, this sounds really worthwhile and the other is, I'm not sure if this would include anything pertaining to the Police Commission Website, but if that's a possibility, boy howdy, does it need work. Two weeks ago or so I was trying to find something

out and I've been to your website repeatedly over the last two years, you know me, you know this. I was trying to find something and I finally gave up. I'm like, it might be here I don't know. If you're trying to get the minutes or the video or the agenda, they've got two different lists. The list for 2017, and the list for 2018, I'm not even sure, but you can find one list and still not be able to find the other list anyway. Yes, it's a mess. If it could be cleaned up that would be great. Don't know if that would be part of this, but this also sounds worthwhile. Go team. Thank you all for your work.

Regina Jackson: Thank you. I was going to ask. So John, is there a portion of the outline that could also include commission? Because I mean we need some branding too.

John: Absolutely. I let's make sure that's what we bring back to you on the 13th.

Regina Jackson: Okay. Sounds great. Rashida, did you want to speak? Nope. Okay. Thank you. All right, so I think we had the discussion number 13 to authorize the CPRA director to enter into contracts for services and outreach meetings and set budget for the same.

Ginale Harris: That was last week.

Regina Jackson: Yes. And it was not voted. It was voted down, right. It wasn't that for the AV stuff.

Ginale Harris: So this is for or so like.

PART 9 OF 10 ENDS [04:48:04]

Regina Jackson: So this is for, so like how we have use of force, the use of force ad hoc. What I'd like to do is use or use some of the monies for community outreach to have town hall meetings and I want the community to help set these up in different locations and that way we have money to do so.

Regina Jackson: Oh, okay. All right. It doesn't quite read as clearly as that. So I know that you've talked about this use of force like working group and then we've talked about youth forums and other ways in which to engage the community. Is there a budget here or are we asking him to design one? Have you?

Regina Jackson: John.

Mr. Alden: I suggest based on the experience that we've had thus far in setting up meetings that at least between now and your next couple of commission meetings, I'd like to have authorization to have at least a \$10,000 budget for setting up meetings. So that way if over the course of the next couple of use of force meetings and say, the next couple of weeks we identify locations and dates and the like, we can go ahead and start securing contracts for the modest amount of services that would be needed. I think that's more than enough for the next foreseeable

future. And if for some reason we needed more than that, we'd probably also then have time to have a further conversation about it. I'd rather have that security of knowing the commission's okay with that expenditure and then I can be in touch with the chair progressively as dates and AB needs and expenses are identified and we can have conversation about bringing those back to the commission if they're expensive if we need to.

Regina Jackson: So I have a comment. Okay. Excuse me. Thank you. So I have a comment as it relates to the \$10,000 I'm totally comfortable with that, but I know that we also, when we're getting ready to talk about the retreat, which you may need to extend a meeting for 10 minutes to finish that about having a second retreat and it's arguably something that we want to have before June. So I'm wondering if people feel comfortable doubling that amount in order for us to begin to plan for the next retreat because we got down the road really well, but we've got a lot further to go. What are your thoughts about that? I'm looking at nodding. Okay. Yes. Okay. All right. So I'll make a motion that we approve a \$20,000 expenditure to authorize the CPRA director to enter into contracts for services for outreach meetings and retreat.

Jose Dorado: Second. Okay. It's been properly moved and seconded. We need public comments. Sorry, Mr Rouse?

Speaker 24: Yeah, I don't think so. It's under 50,000

Mr. Alden: We only have one speaker card on this item, it's Jane Cramer.

Speaker 25: It's getting late. Are we still on 13 or did we brew grids to 14?

Regina Jackson: Were on 13.

Speaker 25: Okay. This seems to me to be the beginning of the great opportunity to let the community, the various communities not only enter into a discussion of the police force, but to deal with their fears that they find roundabout ways of expressing so that we can begin to build some healthy communities and healthy communities and the police force dovetail because one change is the complexities and the culture of the other. It's kind of a mutual admiration society.

Regina Jackson: Thank you. So back to the motion. It has been properly moved and seconded. We've taken public comment. Are we ready to vote? Okay. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Anderson?

Tara Anderson: Aye.

Regina Jackson: Harris.

Ginale Harris: Aye.

Regina Jackson: I for myself. Smith?

Thomas Smith: Yes.

Regina Jackson: Okay. And motion passes. Happy Mr Alden? Excellent. Okay, so it is now 10:23.

Tara Anderson: Question.

Regina Jackson: Question.

Tara Anderson: Does this motion, does this need a resolution?

Regina Jackson: For the expenditure of 20,000 I don't think we're working with specific-

Jose Dorado: Strictly speaking, I don't think so.

Regina Jackson: When, when you want to enter into the contract, that's when it comes back for resolution.

Jose Dorado: I think if we have perhaps our next meeting we should have a con conversation about when we'll need resolutions and not, but I don't think we need anything tonight.

Regina Jackson: Do you have discretion in this area?

Jose Dorado: Yeah. Yes. I think that I've been talking to a couple of different people in the city to make sure we fully understand how to use the ordinance that this commission now has for creating contracts. And one thing that I think we now have all come to consensus about inside the city is that if there's going to be a contract of less than 50,000 and the commission has at least voted to authorize the nature of the expenditure and a budget, then beyond that, no further authorization is needed from the commission to give me the permission to enter into the contract on your behalf.

Regina Jackson: Okay.

Jose Dorado: Now I might still want to have some conversation with you to make sure we're on the same page about it, but in terms of meeting the letter, the law, I think that's sufficient and we've had a, this was properly noticed tonight. We had a motion, had the specifics about purpose and dollar amount. So I think we're good.

Regina Jackson: Excellent. Okay. So we're going to move on to item 14. It is now 10:24. I would like to ask for a 10 minute extension so that we can finish the retreat. 15 okay. 15 okay. Yes. In the future, 13 items. Can I get somebody to move that we extend the meeting 15 minutes.

Thomas Smith: I move we extend the meeting 15 minutes.

Regina Jackson: A second. We don't have any public comment for that one. Do we? Okay, so let's vote. Commissioner Durado.

Jose Dorado: Aye.

Regina Jackson: Anderson.

Tara Anderson: Aye.

Regina Jackson: Harris?

Ginale Harris: No.

Regina Jackson: Come on now. I for myself-

Mr. Alden: Ginale take my vote, so I'll say yes.

Regina Jackson: Okay. Very good. Motion passes. We will be here until 10:45 I'm really, really delighted to be able to report out about the strategic plan update from the offsite retreat. Although I don't think the consultants have been paid yet. That's probably the only downside. Do we have information on that? Okay. That will be a no.

Jose Dorado: I do. Okay. They're working on it.

Regina Jackson: Okay, that's fine.

Jose Dorado: By which I mean the consultants, not the city.

Regina Jackson: Sir. Okay.

Ginale Harris: No one is ever going to work for it. We don't get paid.

Regina Jackson: I'm sorry, commissioner Brown, you have a question.

Chris Brown: When you say the consultants were paid, are you also referring to the recording or the transposition of the speaker?

Regina Jackson: I don't understand any of that.

Tara Anderson: Can you repeat the question?

Chris Brown: We had asked to have the speaker's comments transposed, transcript of their comments and we've had trouble getting that transcript.

Mr. Alden: An overall challenge we had with that vendor in that retreat was that we move forward on the retreat before they had an approved contract. There is a lot of paperwork that's required for that. Some vendors find that difficult. The set of vendors have found that process difficult, not because of anything about the city, but because their situation was, it's been very difficult for them to produce all the paperwork the city requires for them to get paid.

Mr. Alden: So we've been trying to provide them with the highest level of customer service we can. Folks at contracts compliance have been extremely nice and very helpful and very transparent, but some people do find all that paperwork kind of complicated to complete. And so I'm hoping can get that done quickly because I certainly would like the vendor that helped us with this retreat to actually get paid. But moving forward, it is a reminder that when we're putting together events like these planning in advance is really helpful and making sure that we get these contracts completed well in advance of the event is definitely better.

Regina Jackson: Yeah. So, but the good thing about when a vendor does go through all this voluminous paperwork then they're a vendor. They don't ever have to do that again cause they're already a vendor unless they have to recertify correct?

Mr. Alden: Oh right. Sometimes they need to just update to show that say their insurance is still current and that kind of thing. But it does become easier after one's done it the first time for sure.

Regina Jackson: So help me understand why we need a transcript from the retreat.

Mr. Alden: That was one of the things we've talked about at the retreat to have all that memorialized.

Regina Jackson: To have what?

Mr. Alden: The bet, if the commission doesn't want that done then we won't do that.

Regina Jackson: I don't think we need it. I mean we were, we were all there, felt pretty good about what we did and have now a document that provides us a bit of a snapshot on where-

Tara Anderson: I think we did it for the public. With the public lack of transcript.

Regina Jackson: Okay. Really? Okay.

Tara Anderson: She just said yes. So let's get a transcript.

Regina Jackson: All right. So I don't know, one of the things that obviously I'd like to see is for us to come back and do another retreat which builds upon this. And we kind of got to the point where we were doing a lot of frameworks on the outside and we really need to now build our internal. So for example, we just heard commissioner alternate, commissioner Jordan talk about the fact that that was his expertise. I think I was a little surprised by that, my bad.

Regina Jackson: But, but the point is that we don't necessarily have a matrix of sorts to identify what our individual expertise is our, we've been kind of learning as we go and the same thing with, and so that's kind of the SWOT analysis. Actually Marine Benson sent a suggestion or two about it as well. So being able to do something like that moving forward. But if you all want to talk about any highlights for yourself on the retreat, I just thought it was really very well done from the food to the guest speaker Latifa Simon put it down. We had some cute games that helped us learn more about each other and our challenge or our task. And of course now that it was like back in October, I'm having to remember some stuff. So does anybody else have any comments? I was really delighted that everybody was able to come, including commissioners who were not commissioners at the time to invest in that weekend. I saw commissioner Dorado.

Jose Dorado: I just wanted to comment on, I don't use the word warmth often, but it was without trying to be sappy about it. It was a comfortable meeting where people smoke, think spoke candidly and I was really happy to be there and hear some of the openness and feel some of the warmth that was in the room. So I just wanted to mention that aspect of it.

Regina Jackson: Wonderful. And I know that we had actually some, some of the folks that are in the audience today were at the retreat. I don't know if you will want to say something in the open remarks. If we don't have more words to say, that's fine. Go ahead. Alternate commissioner Jordan.

David Jordan: I thought it was a worthwhile, especially for me because I didn't know any of you and it really helped with the learning curve for me. That said if we do have another retreat, I would really like it to be a little more intensive towards like workflow and developing their, we did a lot of sort of culture building and sort of that kind of thing, which is great and would want to take away from the importance of that. But I do feel like the fact that we rarely get through our agendas speaks to the fact that our workflow could use some adjustment and I really like to focus heavily on that next time.

Regina Jackson: I think you're absolutely correct and the fact that this retreat was really about a year and a half later than maybe it should have been, we needed to do a lot of that groundwork. But moving forward I think that we absolutely can go into kind of hyper gear. Now we've been on committees, we've worked on policies, we've been at forums, so I think that makes really good sense. And you can be one of

the folks to help us design the retreat agenda. Go ahead commissioner Henderson.

Tara Anderson: Thank you chair. I want to make sure that this document doesn't just now sit on a shelf or become a part of something that can never be found. That's on search on the website and so having, I think especially what is page 50 and the packet which the header is the key goal areas, timing and responsibility that the best we can use this as a guide to help plan out what we're going to do for the course of the year. So taking an opportunity to revisit it. I think some of this has changed. I hope that we're still on track for this for 2020 goal around use of force policy and we intend to be in all the planning efforts are headed in that direction but we may to and I think off the dice, work with the chair and vice chair to identify like are we still on track towards these?

Tara Anderson: Some people haven't even been identified. I am going to say it. The ladies on this commission have taken on quite a bit of responsibility as it comes to the commission as a whole and our subcommittees. So really needing to see other commissioners step up where possible. I understand we all have different life circumstances and flexibility and this is a huge commitment even coming on the Thursdays that we are here as a full commission. So with all that being said, I think there's an opportunity to use this last page in particular to help set our goals but also help within a construct as a structure of being able to achieve these.

Regina Jackson: Thank you very much for mentioning that. What I'm going to do is break this out and send it to everybody via email. There are definitely some updates already and then we can ask you all to identify a space where you think that you could make a contribution even if it's not exceedingly clear what the time commitment and all that looks like. We can at least begin to identify where we've got some man women power and then move forward. So if that's cool with folks, then I'll try to get this out Monday or Tuesday and then we can move forward.

Regina Jackson: I'd be very interested to have David. You put together maybe a paragraph around the internal workflow processes that you're interested in and then any suggestions because obviously yeah, it took a minute to put this together and I want to thank Walker and associates because they had all the creativity and the resource. But right now, I mean we're almost in February if we're going to do this like in May or June, we got to start planning now. Okay. All right. Well if there are no other comments we can, Mr Ruse, do we have public comment? No, we don't.

Mr Rouse: We are remaining public comment.

Regina Jackson: Okay. Okay, well very good. It being 10:35 I think we can take this final time too just finish. Okay, let's run through. Okay. Okay. Well you got a lot of minutes though. Okay. So we're on item 15 meeting minutes approval. If anybody wants

to move for acceptance or if you have comments or questions. Commissioner Dorado.

Jose Dorado: I move, we approve the minutes of October 10th 2019.

Regina Jackson: Okay. I second. Do we have any comment on the meeting minutes, Mr Rouse? Okay, so let's take a vote to approve the minutes. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Anderson.

Tara Anderson: Aye.

Regina Jackson: Harris.

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Mr. Smith.

Thomas Smith: Aye.

Regina Jackson: Okay. And the motion passes. So minutes of October 10th approved.

Jose Dorado: I move we approve the minutes of October 24th, 2019.

Regina Jackson: Second. So we'll vote on that. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Anderson.

Tara Anderson: Aye.

Regina Jackson: Harris.

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Smith.

Thomas Smith: Epstein.

Regina Jackson: Okay. Motion still approved.

Mr Rouse: I move we approve the minutes for November 14th, 2019.

Regina Jackson: I will second. Go ahead.

Mr Rouse: Aye.

Regina Jackson: Anderson.

Tara Anderson: Aye.

Regina Jackson: Harris.

Ginale Harris: Abstain.

Regina Jackson: Aye for myself. Smith.

Thomas Smith: Aye.

Regina Jackson: Okay. And motion approved. Okay.

Mr Rouse: I move we approve the minutes of December 12th, 2019.

Regina Jackson: Second notes folk.

Mr Rouse: Aye.

Regina Jackson: Anderson.

Tara Anderson: Aye.

Regina Jackson: Harris.

Ginale Harris: Abstain?

Regina Jackson: Aye for myself. Smith.

Ginale Harris: Abstain.

Regina Jackson: Oh shoot. Okay. We're going to have to hold that back over.

Speaker 26: I wasn't here.

Regina Jackson: No, no, I know, I know. But we had two people that weren't, so that's only three so that motion, we'll have to put that back over and vote on it again December 12th but we are rolling. Thank you very much. So let's move to committee liaison. Other commission reports. That's item 16th commissioner Dorado.

Jose Dorado: Real quickly the task force will be meeting soon. I'll be getting in touch again with the the CPAB committee policing advisory board and the measure Z folks. There's a committee of six, two from each entity including ourselves so that we identify our common areas and begin to bend to move forward in terms of our

working together and certainly a big part of that is how we can utilize each other in terms of outreach of our respective areas. So that's one. The second is that there's this site called Facila Tron facilit Tron that has to do with the reservation of Oak unified school district facilities.

Jose Dorado: Looking at the United for success auditorium. They have a price of 80 bucks an hour for the use of the facility. But I've I need some dates to put into the website. So my ideal suggestion or timeframe would be after April 15th as some in that 32nd, that 30 day window, April 15th to May 15th I would suggest that with the approval of the commission that I go with something in late April to go ahead and fill this out now that we've got some money appropriated so we can move forward on that offsite and community meeting.

Regina Jackson: Would you send us all the link to facilitate Ron, is that what it is?

Jose Dorado: Yeah, that's the site.

Regina Jackson: Yeah. Okay.

Jose Dorado: Okay. I can send that out to everybody. Okay. Can I do that through you John? Can I do that through you? Okay.

Regina Jackson: Okay, great. And then we can begin to fare it out like retreat dates and some of the outreach dates as well. Commissioner Jordan.

David Jordan: Yeah, sort of connected to that and sort of as I mentioned before, I think part of what commissioner Dorado and I discussed was potentially speeding up our workflow or making our workflow more efficient by putting more work into committees. And to that end we really hoped to take over more oversight when things that intersected with community outreach and so I just wanted to make sure that people were comfortable with us sort of reaching out to say the gentleman from Raheem, I know that other people have sort of preexisting relationships with them or help set that process up and I wouldn't want to step on anyone's toes by sort of taking that.

Regina Jackson: We are happy for you to go ahead and lead. You got two people here with use of force. All three of us are on personnel committee. We know outreach needs support so please go for that. And anybody else that wants to jump on board.

Tara Anderson: The only thing I would say, I think it's just important for us to be in the communication loop together on it because Raheem's contract is as specific to informing the use of force policy and there are certain elements to that and then we're also working with CPRA to make sure they get the data that they requested. So just making sure that it's all kind of flowing to the not in conflict with each other, but no. Yeah, yeah. Just-

Regina Jackson: Okay. And to that-

Tara Anderson: No toes to be stepped on.

Regina Jackson: To that I'd also like to know who is interested in working on the ad hoc policy for missing and the social media. I will definitely work on it, but I'm looking for some other warm bodies from outside of the others that are already committed. Okay. Jordan.

Ginale Harris: I'm going to work.

Regina Jackson: Okay. So it's going to be alternate commissioner Jordan, commissioner Harris and myself. That's great. The next thing I want to talk about is training. We are woefully behind for our newer members and our alternate. We really need to maximize time for training, which is why they want to get three people together. Whether that's evening, morning or weekend, I need for you all to take the lead on this. So if Chris and David and Tara and Henry and that's an odd number. I mean it's an even number. So if you guys can merge with one thing or another, all you have to do is go to Chrissy and say, here's my flexibilities.

Regina Jackson: And then she'll try and match it up and put you in the slot for the trainings. And I know that we all have some job restrictions. There may be some requests that they can facilitate for Saturdays. Not that you want to give up the Saturdays, but we've all been there. It was a long haul, but they're going to be some other discipline committees that come up and you know, we've lost several members who were fully trained so we have to have, yeah. Lovely. So that's my last, so anybody else have anything on reports? Okay.

Ginale Harris: I have a quick one.

Regina Jackson: Okay.

Ginale Harris: In regards to the Mr Bay case, it was not on this agenda and I was just hoping to get a report back in regards to the resolution.

Regina Jackson: I was talking about the attorney's holding it up.

Ginale Harris: That happened and it was supposed to be on this one but it didn't get there.

Regina Jackson: Is that something you can look into?

Mr. Alden: I can. I wasn't aware it was supposed to be back on this one because I thought that we had resolved the resolution at our last meeting and so now we need to get the attorneys.

Ginale Harris: But wasn't approved by the, because we haven't got the copy of the approved resolution back because remember the wording was supposed to be changed.

Mr. Alden: Right and the commission voted to approve it and so then we wouldn't bring it back to you because the final form was approved at the last meeting. I can certainly distribute to any of the commissioners who are interested a copy of the final if that's interesting.

Ginale Harris: I think what I'm asking is the investigation moving forward now that the resolution is done? That's what I'm asking.

Mr. Alden: My understanding from the Knox and Ross firm was that after we had that last meeting they were going to start moving forward on finalizing their contract. I haven't heard back from them since that last meeting. So I can contact them again and see how they're doing.

Ginale Harris: If you can just look into it just to see where we're, where we're at with that. Because I would like to start subpoenaing, asking this commission to start subpoenaing. I'm tired. I'm evidence that we can just hold on to until they start the investigation.

Regina Jackson: Okay. Sounds good.

Ginale Harris: I just really want to get this going.

Regina Jackson: Okay. So in terms of agenda setting, we have are several items that, yeah. So you and I work together there. Any other pressing items that we're trying to bring to bear other than the report followups that we've already talked here? I think the next meeting is actually voting for president and vice president. Or excuse me, chair and vice chair. There's another thing that was on the tip of my tongue.

Ginale Harris: The militarized equipment ordinance.

Regina Jackson: Yes. I will think of it. Anyway, I, I'm happy to accept a motion to adjourn now.

Ginale Harris: Motion to adjourn.

Regina Jackson: Is there a second?

Ginale Harris: Second.

Regina Jackson: Okay. Can we say adjourn? Okay. All in favor say aye.

Ginale Harris: Aye.

Mr. Alden: Aye.

Tara Anderson: Aye.

Mr. Alden: And we're done. Thank you. Good night.

PART 10 OF 10 ENDS [05:16:20]