



OAKLAND POLICE COMMISSION SPECIAL MEETING MINUTES - DRAFT

January 9, 2020

5:30 PM

City Council Chamber, 3rd Floor
1 Frank H. Ogawa Plaza, Oakland, CA 94612

I. Call to Order

Vice Chair Ginale Harris

The meeting started at 5:37 pm.

II. Roll Call and Determination of Quorum

Vice Chair Ginale Harris

Commissioners Present: Tara Anderson, José Dorado, Henry Gage, III, Ginale Harris, and Edwin Prather.

Alternate Commissioners Present: David Jordan

Commissioners Excused: Regina Jackson and Thomas Lloyd Smith

Alternate Commissioners Absent: Chris Brown (*arrived during item VI*)

Counsel for this meeting: Conor Kennedy

III. Public Comment on Closed Session Items

No public comments were provided on this item.

The Commission adjourned to closed session in City Hall Building Bridges room. The open session section of the meeting commenced at 6:52 pm.

IV. Closed Session

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - Gov't Code § 54957(b)

V. Determinations of Closed Session

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - Gov't Code § 54957(b)

There were no reportable actions on this item.

VI. Welcome, Purpose, and Open Forum

Comments were provided by the following public speakers:

Michele Lazaneo

Paula Hawthorne

Saleem Bey

John Bey

Assata Olugbala

The Commission took a five minute recess during Open Forum. The meeting resumed at 7:40 pm.

VII. Vote to Approve Release of RFP for Closed Captioning Services

The Commission reviewed a draft Request for Proposals (RFP) for closed captioning services.

Comments were provided by the following public speakers:

Elise Bernstein

Assata Olugbala

A motion was made by José Dorado, seconded by Tara Anderson, to table this item and conduct more research on the issue. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0

VIII. OPD Update on Oakland Black Officers Association (OBOA) Internal Affairs (IA) Investigation

Deputy Chief LeRonne Armstrong provided an update on the status of the IA investigation into the claims of the OBOA.

Comments were provided by the following public speakers:

Saleem Bey

John Bey

Lorelei Bosserman

Assata Olugbala

No action was taken on this item.

IX. Vote to Approve Release of RFP for an Investigator for the OBOA Case

The Commission discussed issuing an RFP for investigation services regarding the OBOA allegations and voted to release an RFP.

No public comments were provided on this item.

A motion was made by José Dorado, seconded by Henry Gage, III, to approve the release of an RFP. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0

X. Use of Force Working Group

The Use of Force Working Group presented its revised draft report and a draft of the Oakland Police Department Use of Force Policy, Department General Order (DGO) K-03. The Commission voted to approve the revised DGO K-03 policy.

Comments were provided by the following public speakers:

Rashidah Grinage
Cat Brooks
Pamela Price
Saleem Bey
John Bey
Assata Olugbala

A motion was made by Henry Gage, III, seconded by José Dorado, to insert the following sentence between the second and third sentences of section I(A): “Members shall attempt to control an incident through sound tactics, including the use of time, distance, communications, tactical repositioning, and available resources, in an effort to reduce or avoid the need to use force whenever it is safe, feasible, and reasonable to do so.” The insertion of this sentence between the second and third sentences of section I(A) would require striking out the current section III. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather
No: 0

A second motion was made by Henry Gage, III, seconded by José Dorado, to approve DGO K-03 with the amendment listed in the prior motion. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather
No: 0

XI. Presentation by National Institute for Criminal Justice Reform (NICJR) of Proposed Pilot Juvenile Diversion Program

David Muhammad of NICJR delivered a presentation on the Neighborhood Opportunity and Accountability Board (NOAB) which will be a community based, restorative, youth diversion initiative in Oakland.

Comments were provided by the following public speakers:

Oscar Fuentes
John Bey
Saleem Bey
Lorelei Bosserman
Assata Olugbala
Elise Bernstein

A motion was made by Edwin Prather, seconded by Henry Gage, III, to write a letter on behalf of the Commission in support of the NOAB program. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0

XII. Edits to Resolution 19-01

On October 24, 2019 the Commission approved Resolution 19-01 to engage the services of Knox & Ross Law Group to investigate if there is enough evidence to reopen the CPRA cases 07-0538, 13-1062, and 16-0147, for an amount not-to-exceed \$49,999, with all work to be conducted by licensed investigators. Knox & Ross Law Group requested edits to the resolution. The Commission reviewed the suggested edits and voted to approve the inclusion of those edits in an amended resolution.

No public comments were provided on this item.

A motion was made by Edwin Prather, seconded by José Dorado, to adopt resolution 19-01 as drafted by Mr. Alden. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0

XIII. Meeting Minutes Approval

The Commission voted to approve minutes from July 25, August 22, and September 12, 2019.

A motion was made by Edwin Prather, seconded by Henry Gage, III to approve the minutes of July 25, 2019. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0

A second motion was made by José Dorado, seconded by Henry Gage, III to approve the minutes of August 22, 2019. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0

A third motion was made by Edwin Prather, seconded by Henry Gage, III to approve the minutes of September 12, 2019. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, and Prather

No: 0

Abstain: Harris

XIV. Committee/Liaison/Other Commissioner Reports

José Dorado noted that he is working on securing United for Success as a location for a community meeting in the Spring. Ginale Harris reported that in her role as the

Commission's liaison for the Jonathan Bandabaila case she participated in recent outreach efforts.

No public comments were provided on this item.

No action was taken on this item.

XV. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission engaged in a working session to discuss and determine agenda items for the upcoming Commission meeting: a closed session; strategic plan update from off-site retreat; an update on the City Auditor's report; the Independent Monitor's 65th report; CPRA outreach options; and a letter of support for the NOAB program..

No public comments were provided on this item.

No action was taken on this item.

XVI. Adjournment

A motion was made by Edwin Prather, seconded by Henry Gage, III, to adjourn the meeting at 10:47pm. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Prather

No: 0