



**CITY OF OAKLAND
OAKLAND POLICE COMMISSION**

Meeting Transcript

Thursday, October 10, 2019

6:30 PM

City Hall, Council Chambers

1 Frank H. Ogawa Plaza, Oakland, California 94612

Regina Jackson: [crosstalk 00:04:27] Can everyone take their seats please? Okay. It is now 6:34, I'm sorry, we're a few minutes late. Welcome to the Oakland Police Commission meeting. I'd like to call this meeting to order and take roll call and determine quorum. Commissioner Ahmad?

Ahmad Mubarrak: Present.

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: Commissioner Prather?

Edwin Prather: Here.

Regina Jackson: Thank you. We have determined the quorum.

Thomas Smith: And just for the record can you confirm there's no reportable action-

Regina Jackson: I was getting to that. I just wanted to call us to order first. And coming out of closed session we had no reportable action. Thank you. We are sorting through all of the speaker cards. If you can just give us a moment.

Speaker 1: Some of them don't have numbers on them.

Regina Jackson: Okay. [inaudible 00:05:44].

Speaker 1: Open forum. I'm assuming open forum. [inaudible 00:06:13] So, open forum. Open forum.

Regina Jackson: Thank you. So before we get started with speaker card [inaudible 00:06:47] and forum, I just wanted to acknowledge the service of Commissioner Mubarak Ahmad. This will be his last meeting as his term has expired, and I want to thank him for his service. I don't know if there are any other commissioners that want to chime in. Yes.

Regina Jackson: Commissioner Ahmad. We are a little behind on getting the beautiful plaques that we have provided other commissioners. They typically get it after they've rolled off. So we hope that we can invite you in the future to present it appropriately to you. Any other comments from the commissioners? Okay, we will go to open forum. Bear with me. I have Sonya Tuma, Mary Vale, John Lindsay Poland, Richard Ali, Michelle Yvonne Lazano, and again, forgive me if I'm misenunciating your name. Charge it to my head, not my heart. Zarina Ahmad, Kat Brooks and Alejandro Monzenaris. Hope I got close, and Henry Gage, in what ever order you all like.

Speaker 2: [inaudible 00:08:36]

Regina Jackson: Can you hold it up to your... Thanks.

Speaker 1: No.

Regina Jackson: No. Oh, Mr. Ruce, can you help with that?

Richard Ali: Okay. My name is Richard Ali. Is that too loud now? Okay. Name is Rich Ali. I'm the owner of the New Caribbean City, a restaurant and nightclub in downtown Oakland. I'm also the owner of the Level 13 nightclub, which was formerly Maxwell's. And I'm here today to bring light of a situation that's currently happening with me. I'll try to be brief as possible and make a request in the end, as far as possibly trying to receive some sort of assistance from you guys.

Richard Ali: So long story short. There was a complaint filed against my business saying that it was a nuisance and it was creating a lot of issues that wasn't stemming from the club but was outside my venue. And the police captain at the time, Captain Hookfin recommended that I have to pay for nine police officers between the hours of one and 5:00 AM in the morning. And so they will not let me open my business unless I agree to it. Unfortunately I had to agree to it and I'm agreeing to do it on a temporary basis.

Richard Ali: But just moving forward, I would like to bring light to a situation that if these nine officers are at my area and we don't need them, just be able to reduce those numbers and talk to the right people to make sure that the numbers are

appropriate. And I'm willing to pay for my part of it. I really feel like it's not necessary. They claim it's a public safety issue. I don't necessarily believe that, because I've met with Captain Hookfin monthly, at our nightclub meetings and not once has it ever been brought to my attention that there were any issues. So I just feel like I would need some help with it, and so to keep my business going and to keep black entertainment in the downtown area.

Regina Jackson: Oh, please don't leave. I have a clarifying question. So the assertion is that people are hanging out in front of your club, and they're just not moving on and that, in fact, is a public nuisance?

Richard Ali: No, it's more so the car break ins in the area. I've complained about it before. People walk into their cars, and they may get robbed going to their cars. Most of the instances is stuff like that. It's never from a fight breaking out in the club that's spilling onto the streets, as basically, when people are coming to and from the venue, the issues that are happening. Yeah. I thought the same thing too.

Regina Jackson: Okay. Thank you. Does any of that... Do you all have any questions?

Ginale Harris: I have a question.

Regina Jackson: Okay, Commissioner Harris.

Ginale Harris: So you mentioned that it was from a specific officer that gave you the directive to hire nine police officers?

Richard Ali: Yes. Yes. It was Captain Bobby Hookfin. He stated that during the time when I'm operating, there are nine officers that are stationed by my venue, and that I should have to pay for that. I've never seen nine officers at my venue, at no point ever.

Ginale Harris: Did they give you something in writing?

Richard Ali: Yes. They filed a complaint with the city administrator, and the city administrator pulled my permits and I've lost my after hours permit for over eight months now, and I finally agreed to pay for the nine officers. But with a condition that it's going to be up for discussion. If I can prove to them that I did, I don't need to pay for it.

Ginale Harris: Can they provide us with the complaint?

Richard Ali: Yes.

Ginale Harris: Okay. Thank you.

Regina Jackson: Thank you. I am totally bewildered. Miss Brooks.

Kat Brooks: So for the record, my name is Kat Brooks. I'm here in support of Richard Ali. I've been going to New Caribbean City off and on for 13 years. It is a place where community comes, where black people can come to enjoy soca, we can enjoy reggae, concerts that we can't get anywhere else. What I'm seeing here is pattern and practice for what is happening around the city. We saw it happen with the car club that used to be at First Fridays, and then crimes would happen two, three hours after the car clubs were gone. But somehow the black and brown car owners were the problem and they were pushed out of first Friday. Same thing. Richard's bars are surrounded by white bars that are also there very, very late. But nobody else is being told that they are responsible for the crime. It's just the black bar that apparently is responsible for the crime.

Kat Brooks: The total price that they're telling Mr. Ali that he has to pay for these nine police officers, is \$250,000 a year. Somebody explain to me how a small business owner is supposed to come up with that kind of money to pay for nine police officers? Additionally, Mr. Ali has security and you all know [inaudible 00:14:09] Urban Shield, they're also willing to work with him. But there's never been an issue. There's never been a problem there. And this is just a continuance of the gentrification and the push out of black and brown people and people of color from the city of Oakland.

Kat Brooks: And quite honestly, it sounds to me like extortion. And so I'm hoping that this body can help look into this and we can preserve this business, because what's going to happen? Richard is not going to be able to pay the fee. He's going to be pushed out. A white person is going to open that building, it's going to be another white bar, and no shade to white people, but where do we go? Where is there left for us to go in the city where we can be... and have our culture and our music and our fellowship?

Ginale Harris: I have a question.

Regina Jackson: So, Commissioner Harris.

Ginale Harris: So, the money that you're expected to pay, are these police officers on duty? So you're paying their salary?

Richard Ali: Yes ma'am.

Ginale Harris: So I think we should find out if... So we just came from a meeting with the city administrators, so it sounds like we'll be back soon. As soon as you can get us a copy of the complaint. Any other documentation, so we can speak intelligently? I think at this five minutes we have enough to begin the conversation, but for all the windows that have been smashed downtown or on my street, I've never heard of any one individual being held responsible for that. So we will look into it. Trust and believe. We just need to make sure that we have the information that you can provide to us.

Richard Ali: I'm being told that if my business wasn't [inaudible 00:15:46] car windows wouldn't be broken.

Ginale Harris: Say that again.

Regina Jackson: Repeat it please.

Richard Ali: I've been told if my business wasn't there the car windows wouldn't be getting broken into. People would be getting robbed, none of that stuff. So, basically, I'm bringing the people, and because they're coming to downtown, that's the reason why.

Regina Jackson: I reject that. Not that you didn't get told that, but that that could at all be the fault of your club or you. That is ridiculous. Wow.

Kat Brooks: Commissioner Jackson, would you like us to... And Commissioner Harris, would you like us to scan and email it to you with emails that I already have?

Regina Jackson: Yes, please.

Kat Brooks: Okay. Will do. Thank you very much.

Regina Jackson: I'm sorry. I'm trying to take a breath. Am I supposed to respond to you? Oh, are there... [inaudible 00:16:44] Okay. So yes, I am asking you a question, deputy police chief, hold on Mr. Bay. Can you provide any insight into this complaint or can you look into it and come back to us, so that we can sit down and try and resolve this as soon as possible?

Leronne Armstro: Leronne Armstrong, deputy for police. Yes, we can provide you an informational report. We're very familiar with this location and so we could definitely provide an informational report.

Regina Jackson: Okay. What does that mean, that you're very familiar with the location?

Leronne Armstro: We'll be able to provide an informational report about all of the interactions that the police department has had with this particular venue, as well as any requests for police officers to be secured, any permits that have been requested or special events requests and things of that nature. We'll be able to look into all of those things.

Regina Jackson: Okay. And will you also be able to provide information as it relates to the other businesses that surround his business, or that are around that? I just... I'm very concerned that the assertion that a individual club, because of their music or because of their clientele, somehow makes this city less safe. Or that area less safe.

Leronne Armstro: We will complete a com-

Regina Jackson: You will get back to us?

Leronne Armstro: Yes, we will complete a comprehensive report that gives a historic perspective.

Regina Jackson: Thank you. And is it customary inside the city of Oakland to recommend that people independently hire police officers, who arguably are there on city time?

Leronne Armstro: Yes, and I will come back and present to you specifically on the special events requirements. When you exceed a certain number of people, or you have a certain event that is going to attract a large number of people, that will require additional security or staff depending on what that event is. Special events might request that police officers are present for that permit to be actually given. So yes, but but we'll be able to give you the specific policies related to the special events approval process.

Regina Jackson: Okay. Thank you. Commissioner Harris, did you still have a question?

Ginale Harris: I do. Can you give me the block radius of the report you're going to give us, just so we can narrow it down? Like what we would be looking at? Because I would like to go out myself and see the club and the club owners that are in that area. I know that it's up and coming, so I just want to know that, that's one. And then has the crime that this club is being accused of creating, has it gone down since the nine officers have been there?

Leronne Armstro: In the report...

Ginale Harris: Okay.

Leronne Armstro: Commissioner Harris, we'll seek to cover all of those things.

Ginale Harris: Fair enough.

Leronne Armstro: We'll extend there is a downtown club association of all of the club owners in that area that frequently meet along with OPD. So we'll spell out that as well.

Regina Jackson: So, will we be able to get this report for the next commission meeting?

Leronne Armstro: In two weeks is a pretty short turnaround, because like I said, there is a lot of reports that'll be attached to this particular report. If you could give us until the following meeting, the first meeting in November, that'll give us about a month to put that report together.

Regina Jackson: Okay. And in between that time perhaps vice chair or myself can meet directly with you in order to understand-

Leronne Armstro: Yes.

Regina Jackson: -What we are seeing.

Leronne Armstro: And deputy Chief [inaudible 00:20:50] is here as well. It falls within bureau to field operations, one which is under his command. So I'll also have him as a part of that conversation.

Regina Jackson: Okay. And Commissioner Harris has another question.

Ginale Harris: So one more quick question. Does the... You said there's an association?

Leronne Armstro: Yes, there's a-

Ginale Harris: A club owner association? What is it called?

Leronne Armstro: Yes, it's... I can't think of the exact name, but there is a night time club association, bar and club association.

Ginale Harris: Now, are these complaints stemmed from this association?

Leronne Armstro: No, no. The association was created to be able to address issues in the downtown as a collective group.

Ginale Harris: And is our club owner that came to the podium part of that association?

Leronne Armstro: I wouldn't be able to answer that, but we'll look into who has [inaudible 00:21:40] in those meetings.

Ginale Harris: Excuse me, Mr. Bay, can I just ask the owner one question?

Regina Jackson: I'm so sorry.

Ginale Harris: Are you part of this association, sir? What is it called?

Richard Ali: We don't have an official name. I'm part of that association. I've been to those meetings and not once was that issue ever brought up, that my club was an issue.

Ginale Harris: Thank you.

Regina Jackson: Commissioner Ahmad.

Ahmad Mubarrak: Well, I just wanted to ask, since we're going to have to wait a month for an answer to come back, could the payments that Richard's making stop, for the protection, and he be able to operate his club until we get all the answers?

Leronne Armstro: So again, chair, this wasn't an agenda as item and so I can't speak to what he's paid or not paid, and how many staff is being assigned to that particular location. But that'll be included in the report when we look into that.

Regina Jackson: Okay. So hopefully, in a sit down, we can get some sense before the report comes back, as to whether or not this man can operate the way in which he wants to? Hopefully.

Leronne Armstro: Yeah. Yes we can do that.

Regina Jackson: And, I think the other thing I'd like to understand is, I'm still trying to understand precedents. I mean, this is not a block party that you pay for because you know that all these other people are going to come around and out. I'm trying to understand, is it that the population... I mean is it like a fire hazard? There's too many people inside the building, and outside the building? [inaudible 00:23:32] And well I realize you're saying discretion. I'm not trying to put you on the spot right now, but I'm really, really... It hits such a nerve for me in terms of how gentrification is pushing our people out. And I can tell you the number of clubs that used to be in Oakland, and I'm not even a clubber, but we got like two. And it's just sad. So we're going to have to figure some stuff out. I can't even call your name. Commissioner Durado.

Jose Dorado: Now one of those clubs is Sweet Jimmies and I'm wondering if there's any parallels between the closing of Sweet Jimmy's and this, the situation-

Regina Jackson: I think that one is closed.

Jose Dorado: So if there is any, I would hope to see that those parallels included in the report.

Regina Jackson: Oh, okay. We're going to let you go. We're going to be on the phone hopefully tomorrow with a overall and then figure out what your steps forward are, but to have a real candid conversation about any and all recommendations you have.

Leronne Armstro: Yes. Okay.

Regina Jackson: Yes, thank you. You're good, right? I mean, I'm going to follow up with you. Yes. Okay. Mr. Bay. Appreciate your patience.

Mr. Bay: My pleasure. Salin Bay. So I would like to add some historical perspective to what just went back and forth between you and the police. Back in 2007 black reporter Chauncey Bailey, when I went to him and gave him evidence of corruption and OPD, told me that he was also working on a story about black club owners being extorted downtown. He was working with Jeffrey Pete at the time. And also there was clubs down there, I believe, like Ivy's and some different clubs down there. 10 years, I mean, well 12 years ago right now, and that it started with the police going down to the black club owners. And this was the beginning of the gentrification process. And there were... He was working

on a story about OPD doing exactly what we just heard in 2019, coming to the black club owners and extorting them out of money to pay overtime, I believe, is what they were saying at the time. That the police's overtime was being covered by the black club owners.

Mr. Bay: So, at the time of his murder, Chauncey Bailey was writing a story about this, and how the police were being used by the city, Jerry Brown and his... The people who supported him at the time, to gentrify Oakland with the police, and how they were attacking black businesses all across Oakland. And that's what Chauncey Bailey was working on at the time of his murder. As a matter of fact, one of the officers that he was writing about, his name was Coziki, and when Chauncey Bailey was murdered, he was murdered because the police secretly changed the date of the raid to the day after his assassination. It was supposed to happen the day before, on eight one and the police lied and changed it to eight three and let Chauncey Bailey be murdered on a two.

Mr. Bay: After 15 months of lying they were caught and said that, no, there was another date for the raid that could have saved black journalist, Chauncey Bailey's life. It was the day before, but they had lied. And they said that the reason why they had lied is because they wanted to allow Officer Coziki, who was on a backpacking vacation, to get back so that they could then use 200 officers to raid these little youngsters who had been killing all these people. Turns out though, with all the documents that we've just got, Officer Coziki was in town speaking to the chief at the time that they decided to raid. So that will come out. That the police officer that was being investigated by Chauncey Bailey for extorting black club owners, is the second lie that they told for allowing Chauncey Bailey to be murdered. 12 years ago.

Regina Jackson: Thank you, Mr. Bay. Mary Vale.

Mary Vale: I'm stunned but not surprised about the prior presentations. OPD has an over time problem and this to me seems like some sort of a scam to get officers extra overtime, in addition to harassing African American business people and neighborhoods. All the time and the effort being devoted to this, when folks in my neighborhood, which is partially the diverse but has a lot of white people, we're fighting to get real community policing, to get response and getting investigations of crimes that occur in our neighborhood. And then the police are choosing what work they're going to do or who they're going to go after? It's appalling.

Mary Vale: To transition to the topic that I was going to speak to tonight. We wouldn't be having this hearing or having police brass have to answer questions from the commission, if LL hadn't passed in 2016. Today, Council President Kaplan introduced her original document to do the 2020 fixes to measure LL. And it's really important. Some of the stuff relates to the obstruction and the staffing issues, and you basically having the independence to do your work. There's some other things that have come up, that community organizations want, that you'll be carrying, but you need to weigh in thoroughly and united. I know the

council is going to be wanting to hear from you about this ballot measure, which we're hoping to get on the March, 2020 ballot. Thank you very much.

Regina Jackson: Yeah.

Michelle Lazano: Good evening council. My name is Michelle Lazano. I'm here to support the Bandabaila family regarding Jonathan, but these are all things that I have come to know about the Oakland police department from my own little person investigation for this one case. So Mayor Libby Shaft said she chose Chief Kirkpatrick to lead the cultural change that OPD needs. February 25th, 2017 Chief Kirkpatrick is quoted in a San Francisco Examiner articles saying that she 'wants to lead a transformation, but that too much transformation can destabilize an agency.' She also said that she wants OPD to be the, quote, 'model agency in everything we do.' Chief Kirkpatrick was sworn in on February 27, 2017 and as OPDs chief of police. After two and a half years let's examine her results. OPD has 151 department general orders. You can go on the city of Oakland website and read them all yourself.

Michelle Lazano: That's what I did. The oldest department general order is 25 years old. 25 years old. Only 26 of the 151 department general orders are dated within the last five years. 82.78% of OPDs department general orders are extremely old and outdated. I am no expert. I'm an average citizen and in only one hour I was able to review all of these department general orders in the city of Oakland, on the city of Oakland's website, and determine that they are extremely outdated.

Michelle Lazano: So my question is, why hasn't Chief Kirkpatrick updated any of these DGOs in two and a half years? This is Chief Kirkpatrick's record and this is not a good one. Transformation of police departments, their role and relationship to the community, requires a change in culture, accountability, training policies and practices. It also requires strong leadership and transparency. Transformation needs to focus on three important factors, personnel, policies and practices, accountability and transparency. In order to hold officers accountable, police departments must create and enforce policies, procedures, and other roles. A department's policy manual outlines what the department expects from its officers. This is the standard for accountability. A policy manual should be a living document.

PART 1 OF 9 ENDS [00:32:04]

Michelle Lazano: ... for accountability. A policy manual should be a living document. Officers will start straying from policies if the policies are out of date, or don't cover new technologies or practices in policing.

Michelle Lazano: It is the responsibility of the department to regularly review and update their policy manual to make sure policies are clear and consistent. That's one failure. 911 calls, May, 2019 OPD provided a chart to the California office of emergency services.

Michelle Lazano: OPD answered 57.5% of 911 calls within 15 seconds. The state and national standard is 95% of 911 calls within 15 seconds. The chart also shows that 72.4% of 911 calls were answered within 40 seconds.

Michelle Lazano: This slow response times have been an issue since 2014. Immediacy is crucial with 911 calls. What has Chief Kirkpatrick done to address this? The Oakland black police officers association wrote a letter to the chief October, 2018 alleging bias and racism by the training department and who they're hiring.

Michelle Lazano: They asked for transparency and a response back from her. What has she done about that? Oakland police officers have no random drug testing even though they're safety sensitive. They have no up-to-date policies and procedures.

Michelle Lazano: We believe they have insufficient staffing in their Special Victims Unit. There's no proof that the evaluations that they're using for accountability measures are actually working. The OPD pages on the city of Oakland's website have issues. I checked all of them today.

Michelle Lazano: The main page offers resources for the community services. When you click on the listed option in the menu for most of the pages, nothing pops up. For the call data. The last update for Oakland Police Department calls was 2018 and when you click on the link it doesn't work. A pop up shows a message saying 404 file or directory not found.

Michelle Lazano: The resource you were looking for might've been removed. I asked you what has Chief Kirkpatrick done in two and a half years and is she really the leader to bring Oakland into a different age? I say no.

Regina Jackson: Thank you.

Zarina Ahmad: Good evening.

Regina Jackson: Evening.

Zarina Ahmad: My name is Zarina Ahmad and I'm a proud citizen of Oakland. I was born and raised here and I've been part of the Oakland community for all of my 57 years. I attended Skyline High School and in fact, during my sophomore year in 1978 at Skyline, my older sister was a freshman at Cal State Hayward and working nights at UPS.

Zarina Ahmad: When she was pulled over by the Oakland police, one late night when she questioned the officer for why he was pulling her over, he dragged her from the car, he beat her up, arrested her and sexually fondled her. She was charged with resisting arrest, assaulting an officer, and disturbing the peace.

Zarina Ahmad: Fortunately, my family got the charges reduced, but our family was traumatized and out of fear, I humbly saw my dad not pursue the police department. Today I

stand here to thank you, to thank all of you for your service on this commission. This work is very important.

Zarina Ahmad: Tonight, I especially want to thank Commissioner Mubarak Ahmad, my husband for over 30 years for your service on the commission for the past two years. As we've raised our six children, five sons and one daughter in Oakland and help raise our nine grandchildren, mostly who live in Oakland, on behalf of our family, I want to thank you.

Zarina Ahmad: Since the commission has been founded, there seems to be a little improvement of the police under the watchful eye of all of you. We still have a lot of work to do, but I applaud you because I know you volunteer your time and you are committed.

Zarina Ahmad: Dear, on your last day as a commissioner, I want to present you with a token of love and appreciation for your courage, for always speaking your truth and for representing.

Regina Jackson: Going out in much style. Thank you.

Speaker 3: Thank you. Thank you.

Regina Jackson: I still have open forum cards for Sonia Tuma. Henry Gage. Yes. Okay. Very good. Thank you.

Henry Gage: Good evening. My name is Henry Gage.

Regina Jackson: Thank you.

Henry Gage: Two items to discuss. The first is I'm very mindful of the recent power outages that have been rolling through the city and I'm particularly grateful that even with these averages going on, we have so many people in attendance this evening. I'm very grateful to all the members of the public who are here tonight and I sincerely hope that everyone present gets home safe tonight.

Henry Gage: Upcoming on your agenda, item number eight is a proposed ordinance. This ordinance would provide for checks and balances with respect to the acquisition and use of what's defined as militarized equipment. I have an apology to make.

Henry Gage: While presenting this via email earlier in the week, I attached the wrong version of this ordinance which is my mistake and my mistake entirely, which means that the version of this that's in the agenda packet is unfortunately for members of the public incorrect.

Henry Gage: I believe commissioners do have the corrected version and I take full responsibility for that error. As a note, our request for this evening is that this updated attachment be brought to the department for review and comment with

direction to return with a written staff report at a date certain proposing 30 days though, open to some sort of reasonable compromise if additional time is required.

Henry Gage: I have to speak to this later during item eight, but for members of the public who may have reviewed this, my apologies and thank you members of the commission who have taken the time to take a look through this document.

Regina Jackson: Mr. Gage?

Henry Gage: Yes.

Regina Jackson: I want to thank you for your comments. I know that the next time we see you, you'll be a commissioner with us, so I especially wanted to appreciate the accountability that you're demonstrating by acknowledging an error. That's a big deal and when we get to that item, I'm thinking that we're going to need to table it anyway because the police haven't had an opportunity to review it, but thank you.

Henry Gage: Of course. Thank you.

John Lindsay-P.: John Lindsay-Poland, American Friends Service Committee. I'll be speaking later about item eight as well. I'm going to be sharing with you some testimony by youth who came to a town hall last week. Some of them did separate interviews about their experience of SWAT teams in Oakland and militarize equipment.

John Lindsay-P.: At the moment, I want to draw your attention to an issue that is a chronic issue with OPD which has to do with their response to public records act requests. In April of this year, so six months ago I submitted a public records act request for a list of BearCat deployments over the last two years.

John Lindsay-P.: At the department's request, it was reduced in scope substantially to include only a list of the deployments, the locations, whether there were arrests and whether there were injuries and yet six months later the department has still not produced any documentation. We've also submitted requests for use policies for different kinds of equipment including flashbang grenades, patrol rifles, launchers of various kinds, sonic weapons, water cannons and battering Rams.

John Lindsay-P.: That was submitted in July and there has not been any response to date. They continue to extend. I think the current date for that is the end of October. We've also submitted one on reports that are submitted quarterly to the deputy chief on the use of patrol rifles by officers that are authorized to carry them and we have yet to receive any response on that.

John Lindsay-P.: It would be a great, if you were able to ask the department tonight what the status of those requests is. The BearCat request is 21-20 the use policies request is 37-37 and the patrol rifles reports is 45-58. Thank you.

Regina Jackson: Thank you Mr. Poldand, Poland, excuse me. If memory serves, when we first refused purchase of the second BearCat, we were told that they had a list of all the deployments. That was several months ago.

Regina Jackson: So Deputy Chief Armstrong, can you give us an update on that public records request that's 21-20 on the deployments?

Leronne Armstro: Yes. In order for us to complete this request, we had to go through a comprehensive search of every time that the BearCat was deployed. That took some time because that required us to go through the past, I believe almost two years of data.

Leronne Armstro: We now... We emailed today and sent an email today to the gentleman referencing that we're about 95% finished with the data collection. And so we believe that in the next couple of weeks we should be able to forward that report. We are nearly complete.

Regina Jackson: Deputy Police Chief, does that mean that he will have the information he's requested by the next commission meeting, which is two weeks if we're 95% there.

Leronne Armstro: Yes, we're working towards that being completed. You'll know if for some reason we're unable to do that, but I feel confident that we should be able to do that.

Regina Jackson: Okay. The second question I have, because I think there's going to be a reoccurring theme of it taking a long time to get things. Can you... Is the system so old that you can't... that this... the law... that what you're looking for just doesn't pop up? Or can you explain to us what it is that you're going through to get this information?

Leronne Armstro: Yeah. This process that we used initially probably about a year ago, we form a lot more of, we were using a more formalized approach where our command staff was providing as written documentation as to the deployment of a BearCat. But previously it came to us in various forms, so we assigned a specific commander to go back and go through every single piece of information that could contain the deployment.

Leronne Armstro: It's a much more report than it was previously and so we had initially spoke to around 150 deployments. When we went back to capture it, we initially weren't able to find all of those deployments, but now after assigning a commander, he was able to actually find documentation to support all of those deployments of the BearCat.

Regina Jackson: If I'm understanding you correctly, the old system is the one that caused the problem. The newer system allows you to almost like a chart of accounts, input what it is you're looking for and then everything pops up. Is that correct?

Leronne Armstro: What happens now is there's a formal process for when it's deployed, a report is generated. Now we have that report and that report is uploaded into a database so we can quickly go in and pull those reports.

Leronne Armstro: Previously that wasn't the practice. And so that's why it took an actual manual process for the commander to go in and try to reconcile when it was actually deployed. And so that was a pretty lengthy process.

Regina Jackson: Okay. For the other two public records requests, 37-37 and 45-55-

Speaker 4: 58.

John Lindsay-P.: 45-58.

Regina Jackson: ... 58 excuse me, since those were done in July-

John Lindsay-P.: One in July one in September.

Regina Jackson: The one in July, when might that be ready or do you need to look it up?

Leronne Armstro: We'll have to look that up. We have over 3000 public records requests that we take in order and so some of them take a lot of time just like this report to complete. We'll look at where we are with those particular two and provide you some followup on that.

Regina Jackson: Okay. Mr. Poland.

John Lindsay-P.: I have something.

Regina Jackson: Ask me the question.

John Lindsay-P.: Oh, I received some different information. I was told yesterday that on the BearCat request, the entire information had been turned over and now it's doing a media and legal review so that it's not that the commander, according to the civilian in the department who was working on the request, the entire information had been turned over. But within the department there was a legal and media review.

Regina Jackson: It sounds like-

John Lindsay-P.: I did not receive any email regarding that request.

Regina Jackson: It sounds like it's going to be eminently turned over to you within the next couple of weeks, which we just heard. I would just say scratch the information you just got there prioritizing this and if we don't have it by the next commission meeting or in advance of, I'll reach out to you. Okay? Thank you.

Regina Jackson: All right, so I'm deputy chief I realized that we are doing these things in order, however I'd like to follow up with you to figure out, given that one thing has taken so long, I mean I'm not trying to get you to leap frog, but if they are somewhat linked in terms of the militarized pieces, it might make sense for us to prioritize this. Thank you.

John Lindsay-P.: Okay.

Regina Jackson: Yes ma'am.

Sonia Tuma: Good evening commissioners, I am Sonia Tuma and I am with the American Friend Service Committee. I am here tonight to support the ordinance on OPD military equipment item number eight in the agenda and wanted to make a couple of statements. The use of military grade equipment by Oakland police creates trauma and fear in the community, especially among young children, but there are no controls on its use. Later you will hear some testimonies about that.

Sonia Tuma: Military equipment contributes to a warrior mentality among officers. Several studies conclude that police departments that acquire military grade equipment are more likely to use violence. One study found the police departments that got more military equipment were significantly more likely to kill civilians than departments that didn't get military equipment.

Sonia Tuma: The Oakland Police Department uses military tactics more in communities of color. It deploys military grade equipment when the SWAT team deploys to serve a warrant.

Sonia Tuma: These affect more families of color than white families. OPD has failed to produce a record of BearCat deployments even for just the last two years as you've just heard, but a record of SWAT deployments in 2014 and 2015 shows that they were concentrated in East Oakland with a smaller concentration in North Oakland.

Sonia Tuma: I would like to support the ordinance and ask that there instead is much more training on community policing and deescalation.

Regina Jackson: Thank you. I believe those were all the open forum speaker cards that I have. If I've missed someone, can you please identify yourself? Yes, and your name? Hi, can you restate your name please?

Heather Appel: Yeah, it's Heather Appel, A-P-P-E-L is the last name. You might have a card that says agenda number eight.

Regina Jackson: Okay.

Heather Appel: But I did want to speak during open forum, so thank you. Just like the last couple of speakers. I'm an Oakland resident. I'm also a member of SURJ, Bay Area showing up for racial justice. We're a group representing thousands of East Bay residents, mostly in Oakland, and I'm here in support of the ordinance to empower the police commission to review and approve requests for military grade police equipment.

Heather Appel: I understand it's pretty similar to the surveillance measure that was passed and that seems to be working well and it does seem like this should be a minimum standard that we would apply if we're going to be sending SWAT teams and military grade equipment into our communities.

Heather Appel: In addition to some of the information that the last speaker shared, we know that the OPD deploys military grade equipment during public protests. We saw that happen in the 2011 Occupy protests when the OPD fired specialty munitions at Scott Olsen and other activists, and he suffered a fractured skull and that prompted a lawsuit that was settled with a four and a half million dollar settlement.

Heather Appel: The use of military grade equipment by civilian law enforcement agencies does not reduce crime or increase police safety. There's a recent study from last September documenting that SWAT deployments have zero or close to zero effect on reducing violent crime or on officer's safety.

Heather Appel: He also found that citizens give less support to police departments with militarized equipment such as armored vehicles. I hope that agenda item eight is heard, but those are some of the thoughts and background information that I wanted to share.

Regina Jackson: Thank you very much.

Heather Appel: Thank you.

Regina Jackson: The next item on our agenda is the Bay case review. That's number four. Vice chair Harris, did you want to lead that discussion?

Ginale Harris: Thank you. In regards, I just want to say a few words before I introduce the next speaker. Thank you Mr. Bay, are you out there? For your diligence and coming. We have found an attorney and slash investigator for your case.

Ginale Harris: I'd like to introduce Knox & Ross Law Group, which is... Jason, if you could please come to the podium.

Attorney Ross: Good evening commissioner and members present.

Ginale Harris: How are you doing attorney Ross? How are you doing?

Attorney Ross: Good, how are you?

Ginale Harris: Thank you so much for... we've had a few conversations in regards to the scope of work that we need your assistance with. In our packet we... In the agenda packet, we provided the letter of interest in the scope of work for the public from Mr. Bass case. So I'd like you to just introduce yourself and give people a little bit of background on what you do.

Attorney Ross: I'm a criminal attorney here in Oakland and in my practice we do... with our clients, we must do a lot of investigations, especially related to criminal cases. I do a lot of work also in the community. I think that the insight that our law firm will bring will definitely give an independent review of the case that will be non-biased and will be from a more strategic approach as far as making sure that it's independent, non-biased, and each side will be looked at as we're going through this critical materials that will be provided to us.

Attorney Ross: The scope, the timeline will be affected by the materials that are given to us. We don't know which... all the materials that we'll be given so it's hard to say how long it's going to take. But once we get a grasp of the materials that we will be reviewing, then we will provide a scope, an actual scope of work that details what we will be doing and the projected timelines in which that we would like to deliver.

Attorney Ross: Our goal is to be able to provide a documentation and report that will be useful, that will be easily decipherable for the people, for the public, for the commission so that you guys can use that report to make whatever findings or whatever. We'll make whatever findings that we have, present those to you and then you can figure out whatever those next steps are based on our independent review.

Regina Jackson: Thank you. Do any of the commissioners have any questions?

Speaker 5: Could you tell us a little bit- Okay. Thank you. Could you tell us a little bit more about your firm? Years of practice background, that kind of-

Attorney Ross: My firm has been in existence for the last seven years. We also have attorneys that work with us who have been in the criminal portion of the legal arena for over 20 years, so we've been pretty ramped up in this field to provide our expertise for this endeavor.

Regina Jackson: Are there any other questions? Commissioner Anderson?

Tara Anderson: Thank you, chair. Thank you. I just want to reiterate the importance of having a qualified representative step forward and take on this work is a testament to one's commitment to the truth. Mr Bay is definitely evidence of that and his ongoing presence here in public comment. Having a champion come forward who is willing to do this is essential. Thank you for being willing to do so.

Tara Anderson: I'm curious not only about the firm's experience as you've described with your lawyers and their practice, but investigative portions. Do you have in-house investigators or how do you anticipate doing that scope of work or is that handled both by attorneys within the office also having investigative responsibilities?

Attorney Ross: Yes, both. Once we get the scope of what we will be charged to do, then we can make a better assessment as to who will be charged to do what in this investigation.

Regina Jackson: Our charge is just... Oh, did you have questions, Commissioner Dorado?

Jose Dorado: Yes. Can I talk a little bit about your actual grassroots community connections and how that would facilitate your investigation in this case?

Attorney Ross: One of the, I work heavily with something called the Barbershop Forum where we work with law enforcement and community. The goal is to bridge the gap between law enforcement and community. We've held numerous town hall meetings, numerous meetings with the community.

Attorney Ross: I'm pretty engaged with the community and making sure that the community does have a voice. But I feel that that is part of what's essential is understanding the community and what community means, what law enforcement and what they're providing to the community. But being able to look at something from an independent perspective and be able to provide something that it's going to benefit both the community as well as law enforcement.

Regina Jackson: Are there any other questions? Okay. Our charge this evening is to decide to approve this proposal potentially as not to exceed a certain amount. And then the follow up next at the next meeting would be to approve a resolution which will be part and parcel of the process to engage a vendor. Did you have question? Okay, so I'd like to take a public comment if there are no other questions. Okay, so Mr. Bay.

Ginale Harris: Thank you. Mr. Ross.

Regina Jackson: Oh yes, thank you. I'm sorry,. Mr. Nino Parker, It looks like that's offered for.

Mr. Bay.: [inaudible 00:58:51] day. I'd just like to reiterate just how important this is. It's not just me. This is justice for people who aren't able to be here. People that I

love, respect. People who are contributing to this community positively, before they were attacked by the Oakland Police Department.

Mr. Bay.: Also wanted to make sure that people understand is that this is not Mayberry, right? This is the Oakland Police Department who for the last 16 years have failed in racial profiling.

Mr. Bay.: Last year, this time, the 56th report came out by the independent monitor. Just to show you that the police chief hasn't done anything. On page 13 it states relevant policy department policies relevant to task 34 include General Order M-19 prohibitions regarding racial profiling and other bias-based policing.

Mr. Bay.: Conclusion, OPD does not fulfill the objective of identifying disparate treatment and or initiating corrective measures when deemed necessary. Page 14 current data raises issues about bias-based policing.

Mr. Bay.: Page 15 this will require the implementation of a consistent intervention strategy to address identified data disparities, abnormalities and or possible bias at the area squad and individual officers level. That came from the independent monitor.

Mr. Bay.: We just heard the young lady speak on how out-of-date the department general orders are. This is General Order M-19 I just said that they're failing on and it's dated effective date, November 15th, 2004. All right? It says that the purpose of this policy is to reaffirm the Oakland Police Department's commitment to providing service and enforcing laws in a fair and equitable manner and to establish a relationship with the community based on trust and respect.

Mr. Bay.: F, F, F, and F on this chief. The California penal code 13519.4E prohibits racial profiling by law enforcement officers. This department's policy explicitly prohibits racial profile and other bias-based policing. It states that it's a California penal code crime to racial profile, but I haven't heard about any police officers being charged with this yet. Independent monitors, Stanford study, people come up here, everything and they're saying were racially profiled.

Mr. Bay.: Well, I'm telling you right here, according to the General Order that that is against the law and that these officers need to be getting charged as they do it. If you're not charging the individual officers, the buck stops up there at the chief's desk and she be arrested or stood down.

Mr. Bay.: The definition of racial profiling, the use of race, ethnicity, or national origin in determining reasonable suspicion, probable cause or the focus or scope of any police action that directly or indirectly imposes on the freedoms or freedom of movement of any person unless they use of race, ethnicity or national origin is used as part of a specific suspect description.

Mr. Bay.: I'm almost done with this right here, and this is just something that we would-

Regina Jackson: Thank you. Can you just begin to wrap it up. Thank you.

Mr. Bay.: ... was just... We're wrapping up like 30 seconds right here. This was released to us. It says that Oakland police officers, along with the ATF and special agents from the FBI, were surveilling your black Muslim bakery of 58 32 San Pablo Avenue. When this surveillance starts, it says three black males BM dressed in suits and bow ties, S and B walked eastbound on 59th street from the corner of San Pablo Avenue to a driveway.

Mr. Bay.: Black female, BF exits, childcare center loads items apparently from the business into an older... There's nothing specific about that. Just that right there shows you that they're breaking the law because if you're surveilling... mere surveilling a whole community based on suits and bow ties, or the fact that they're Muslims and you don't have a specific suspect, which I just read, there's nothing specific about this and there's no specific crimes that were said.

Mr. Bay.: In fact, no crimes in four pages. The only four pages that we have is surveillance. That just shows that Oakland Police Department, racially and religiously profile. But didn't say anything about religious profiling in this thing that's dated 15 years ago. Can we get an update?

Regina Jackson: Thank you, Mr. Bay. Mr. Parker.

Nino Parker: Good evening. Nino Parker, Homeless Green Team, like Merritt Black I have a kid homeless ever but might as well as hoping to be on this commission one day.

Regina Jackson: Can you hold that mic up?

Nino Parker: Sure.

Regina Jackson: Thank you.

Nino Parker: If you to go with Mr. Merrit, may you have a good time... good life, wherever your head...

PART 2 OF 9 ENDS [01:04:04]

Speaker 6: You have a good life wherever you head. I'm here just once again to reiterate the diligence of Mr. Bay. I'm just so impressed that the motivation of having someone in his family, a loss in his family and things that had happened that pushed him to almost call a legal lawyer. I mean he has dug so deeply and has learned so much. It's almost like he's a part of the new law firm coming in to help him. I think they'll have a better go at [inaudible 01:04:36] finding out the information and getting to where they need to get to because of all the work that Mr. Bay's done previously to that. Once again, I just hope that we can learn

by example and other people that run into police issues should probably be as diligent as Mr. Bey was and probably have a better outcome. Thank you.

Regina Jackson: Thank you, Mr. Parker. So we've heard all the public comment. Are we prepared to make a motion? Take action? Okay. Commissioner Harris.

Speaker 7: Thank you, chair. I'd like to make a motion that this commission vote to hire the services of Mr. Jason Ross from Knox and Ross Law Group to investigate if there is enough evidence to reopen cases 070538131062 and 160147 and not to exceed \$50,000.

Regina Jackson: It has been moved. Is there a second?

Jose Dorado: Second.

Regina Jackson: Commissioner Dorado. Okay. It has been moved and seconded. We've taken public comment. Are we ready to vote? Okay. Commissioner Ahmad.

Ahmad Mubarrak: Aye.

Regina Jackson: Commissioner Dorado?

Jose Dorado: Yes.

Regina Jackson: Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris.

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Commissioner Smith.

Thomas Smith: Aye.

Regina Jackson: Unanimous. Okay. Next week, no. In two weeks we will be preparing a resolution for review and signage to accompany the proposal and that way it can go forward into our vending process. Okay. Thank you very much. This has been long awaited, Mr. Bay. Thank you for your work on it, vice chair.

Regina Jackson: Next on the agenda, Raheem. A proposal to gather community feedback to inform use of force policy. Mr. Brandon Anderson, step forward please. I'm sorry. Sergio. No?

Female: Chair.

Regina Jackson: Commissioner Anderson. We were told that Mr. Anderson could provide his presentation from the podium.

Female: Yes.

Regina Jackson: Absolutely.

Male: Great.

Male: I don't mind being here.

Regina Jackson: No, no, no. I think that there's got to be a better viewpoint for you.

Female: That way you can see.

Regina Jackson: Right. Thank you very much.

Male: Thank you.

Female: May I ... [inaudible 01:07:45] say something?

Regina Jackson: Go ahead commissioner Anderson.

Tara Anderson: At our last meeting on September the 12th I had made a commitment to explore the use of technology tools to maximize engagement in the revision of the use of force policy. No matter where or when a hearing is held, food or services or stipends provided, there will always be individuals who never feel comfortable coming. We need to hear those voices. Just appropriately timed a reintroduction to Brandon Anderson provided the opportunity for us to hear about how that could happen. So thank you so much for coming and presenting to us today.

Brandon Anderso: Thank you. Is there a way we could put this to full screen if at all possible?

Regina Jackson: K-top can you make this a full screen? If they can or if they can't, you might as well move forward.

Brandon Anderso: Right.

Regina Jackson: Thank you.

Brandon Anderso: Great. My name is Brandon Anderson. I'm the son of Shirley and John Anderson, two people who have spent their lives together for 34 years teaching me the most I know about forgiveness, accountability, and love. I'm an Oakland resident for a little over a year now. I moved here. I've lived and done this work in more than a dozen cities to include Germany, Seattle, Boulder, Colorado, New York City, Oklahoma City, Tulsa, Augusta, Columbia, and I settled on Oakland

because of one thing. The people of Oakland are some of the most radically imaginative, thoughtful, culturally rich, resilient people I've ever met in my life. And I'm happy to be here with you in this struggle.

Brandon Anderso: Getting killed by police is the sixth leading cause of death for young black men in the United States yet we practically know nothing about how the 250,000 interactions that happened between Oakland residents and Oakland police department shape our lives or the lives of our loved ones until it's too late. I'll tell you a quick story. I fell in love for the first time for when I was 15 years old at this school. I fell in love with this tall, skinny, big headed black boy who I'd first met in third grade English class. Falling in love with him was almost like falling asleep in class. It's something I didn't really mean to do, but I just did. Our loved carried us through just about everything from high school to homelessness. A year later he proposed to me and it was frankly the happiest day of my life. I had never really understood what it meant to marry your high school sweetheart. I only heard about that in a romantic comedies.

Brandon Anderso: One year later in 2007 on his way home from work, I lost my very best friend of 15 years and my lifetime partner, my fiance, to police violence during the routine traffic stop. His love was radical, unapologetic, and it completely changed my life. At the time I was in the US army. My job was to help commanders collect data to influence decision making about conflict in Iraq. So naturally when I left the army, my research at Georgetown examined how we could do this in communities, how community voices could help influence policy decisions about how we move forward regarding public safety. Later, what I learned is that the police officer involved in killing my partner had a history of being physically abusive but no one ever reported him. This is quite frankly not uncommon. In fact, 90% of people who experience police violence do not report it. I spent the two months interviewing Oakland residents, some of them are here, in their home talking to them for hours about how they've been treated by police. So here are the four top things we learned.

Brandon Anderso: Most importantly, first and foremost, people do not know where to go. They don't know how to report police. Many people are afraid to report police. They believe that the police will retaliate against them. Thirdly, many people don't have very much confidence in the process that much will be done because of their reporting. And lastly, some people have trouble understanding that their every day but to them somewhat mundane experiences of racial profiling are not worthy to be complained about.

Brandon Anderso: We've helped about 2,400 people report police in 20 months in the last, excuse me, in 20 States in the last five months. I want to run through exactly what we've been able to learn throughout these last few months. We all know about the police violence that takes place, that police account for more than 10% of all homicides in this country. But what we don't know or what needs to be elevated in the national discussion is about how police violence impacts the

lives of people beyond their physical, but their economics, their psychological abuse as well. These are examples of physical abuse.

Brandon Anderso: This is Linda who is a mother of six and business owner in East Oakland who, as she States, they start beating me, hitting me in my head. Then the motherfuckers had the nerve to hog tie me with my hands and feet together. End quote.

Brandon Anderso: Economic exploitation. This is an example by Michaela who's a beauty influencer in East Oakland. I quote, "The guy gave me the ticket and he was just like, you can try to fight it if you want to, but this is a \$200 ticket." End quote.

Brandon Anderso: Psychological abuse. This is Trevor who's an activist in West Oakland. I quote, "I was going to complain about the officer, but the other officer was like, you better not or your ass will be in here too." End quote.

Brandon Anderso: Neglect. Another form of police violence that is often forgotten. This is Geneva, a mother in West Oakland. "My husband was shot. Instead of her doing stuff, asking legitimate questions, she was like, there's always some black person doing shit." End quote.

Brandon Anderso: Police violence impacts our lives far greater than the killings that we see on TV. They are getting in the way of people living more fully robust lives and that's worth noting in the national conversation. We need the full range of our experiences in order to inform public policies. That's why I'm here today to have those voices inform the public policy regarding use of force.

Brandon Anderso: Raheem is an independent service for reporting police conduct in the United States with the goal of advancing policies that reflect the whole community and to end all forms of police violence. This is the approach that we take. It's proactive. We have targeted digital marketing, street-level canvassing and online surveys. This is extending the reach of the commission into communities by which are not here with us today. It's accessible, it's mobile optimized online reporting and it's open. Reports are public, giving reporters and immediate reason to share and encouraging others to do the same. And then lastly, it's inclusive. The full range of police violence including under reported yet traumatic experiences that might be considered mundane.

Brandon Anderso: This is an example of the report that we gather. It is missing the name and badge number of the police officer but this is because a person did not know the name or badge number of the officer. So here you see we capture the person's age, their gender, what had happened to the person they were harassed by Oakland Police Department. This is a real report on October 1st, 2018 in Oakland, California. And I quote, "I was in my car parked on the wrong side of the street and the police came up as I was leaving. They were harassing me from their loudspeaker. They were calling me by my name and it felt intimidating." We also capture the way people feel after they leave these

experiences with the police officers, which I think we often miss during public comments like this is the way in which these experiences shape our feelings, our thoughts, our expressions, and the way we move freely throughout this world.

Brandon Anderso: We've been able to capture 11% of those reports have names, badge numbers and names of police officers. More than 280 police officers have been named and linked, connected to police violence in more than 20 States. Here's our proposal. This collaboration to us makes sense for three reasons. It's critical for these ... the first being it's critical for these policies to be informed by community and if they are not, it's quite frankly not a policy for community. Secondly, the commission is understaffed, underfunded, and have limited available time to do the work that they would prefer to do and resources to gather the information citywide that could otherwise influence this policy in its robust nature. And lastly, Raheem can extend the commission's reach beyond that of this meeting that happens biweekly so that the policy is informed by a larger group of Oakland residents.

Brandon Anderso: In the three month pilot ... so we are proposing a three month pilot, which is just a test. To the left you'll see the things that Raheem will offer, monthly progress reports. If it's a three month pilot, we will give you three reports with a final report that will include an analysis and detailed findings, policy recommendations based on direct input from residents. You'll also get access to that raw data. I want to pay particular attention to ... we also help people file formal complaints if they would like to do that with the community police review agency.

Brandon Anderso: On the right you see what we would like the commission to provide, the first being assist in getting arrest and stop data from the Oakland Police Department. There was a gentleman who approached the mic earlier who had trouble with this. We have also filed for a four year request dated in early July of 2019 and have yet to receive any of that feedback as of this date. We would also like to get input from key data capture in order to influence this policy and then of course collaboration on the analysis but led by us.

Brandon Anderso: This speaks to the data that we will be collecting. These reports will come from residents who have had recent encounters with police. We are not going from house to house asking every person about what they think regarding the use of force policy. While that might be an informational, while it might be informative, that's not our goal. We speak directly to people who have had engagements and encounters with people directly involved with police. We believe that those people have the most to teach us about what it means to be policed in this city. Information needed to submit a formal complaint with the office of a community police review agency.

Brandon Anderso: We will understand their sentiment of people who have had direct experiences with police. Again, we will understand their desired outcomes, which is something that we often don't ask the person who's been abused in those four

ways what they want. What will it take to make them whole is often a conversation not central to the debate. Lastly, reporter's opinions about use of force policies will center this report.

Brandon Anderso: The timeline and cost. The kickoff we will start on November 1st. The cost is \$40,000. That's a 60% reduction that we've done it in other cities. We will canvas and digital outreach. This will be in partnership with communities that already have been doing this work. Filing formal complaints, analysis and final reporting and project management. We'll present that analysis on the 23rd of January, which is the last meeting in January, a couple of weeks before the use of force policy is either to be drafted or to be thought to be drafted.

Brandon Anderso: This is our team. I don't want to bore you with this, but Ellie is here in the audience. She runs programs and legal. Data and policy is ran by Samuel [Sanaguey 00:17:57]. Aria Matos is ran by marketing. Marketing is ran by Aria Matos and [Nadav 01:22:05] Savio is ran by product. I'll leave it with this quote that not everything that is faced can be changed, but nothing can be changed until it is faced.

Brandon Anderso: I want to say also as I end this, love is what brought me here, right? Love is what brought us here. Love for our parents, love for our children and love for our partners. We all deserve to live in a world that's free of police violence. We deserve to live and love in a world that's free of police violence, a world where a little tall, skinny black boy can sit in the back of that [inaudible 01:22:52] audience and watch me close with this. We are not only fighting for our right to live. Oakland, we are fighting for our right to love. Thank you.

Regina Jackson: Thank you Brandon. Commissioners, are there any questions?

Male: [inaudible 01:23:11] add something?

Regina Jackson: After vice chair Harris. Then Mr. Alden.

Ginale Harris: Thank you Mr. Anderson. Some of the commissioners just recently came from a [NAKO 01:23:29] conference. In New Jersey they have something similar to what you are presenting here today, which I thought was extraordinary. The public has access to all of the data that you would be collecting and it tells who, when, what and how many. I think this information is extremely useful, so thank you.

Brandon Anderso: Thank you.

Regina Jackson: Mr. Alden.

John Alden: I have less a question, more of an appreciation if there's time.

Regina Jackson: Sure.

John Alden: I've had an opportunity to meet with Mr. Anderson twice, once to talk about Raheem in general and second to talk about this particular project and it just knocked my socks off. I'm really impressed with this product. I don't think I've ever seen anything quite like this that goes out and gathers the community experience with use of force to help us shape use of force policy. I can't emphasize enough how brilliant I think that is. So I'm really excited about this idea.

John Alden: I know at some of our last few meetings, we've had conversations about how long it takes to get a contract together and how much money we have for contracts. I know those are challenging but I definitely would put this at the top of the list of ones I hope the commission will strongly consider.

John Alden: One of the challenges we have at CPRA right now is that we'd like to be doing a lot of outreach and because we have a significant backlog with investigative work, it's hard to get to that. This work that Mr. Anderson has suggested through Raheem would really, I think it's a great way to find a contractor who can help us do some of that work while we catch up and get to a point where we have more resources for outreach. I think it's also a great way to help with the policy work that I know the commission is trying to move forward quickly, which is another field where CPRA is having a hard time getting ahead of the backlog so that we can provide you that service. I think it takes care of a lot of needs simultaneously too.

Regina Jackson: Before I go to commissioner Smith, I am clarifying this is the kind of thing that you have a line item budget to support? Is that what I'm hearing?

John Alden: Well yes and no. So one of the things that I think we definitely need to do at our next commission meeting, and we've talked a little bit about this at some previous commission meetings, is look through the line items we have. I do believe that so far since I've come on, I identify more contracts, which if they cost as much as the maximum we've allowed for each contract, those would exceed the line items we have for the kinds of contracts that we're looking at. And so I've been gathering some information how we can learn to move money from some line items to others in order to fund some of these contracts. I have a few theories about why that might be especially appropriate here. And so at our next meeting I'd like to be able to present to the commission with help from staff, from some other departments how much we think the various contracts are that we've identified so far, what line items you could use to pay for them and how we might move some money around or seek authorization to get some of that funding.

John Alden: I would recommend we do that as a package. Many of those changes would require approval from others in the city like the city council. If we collectively decide we want to go to the city council or others to ask for some of our funding to be moved or adjusted, I'd rather do that once.

Regina Jackson: Yes, agreed.

John Alden: This is for me a top shelf item and so I'd like to suggest at our next meeting a couple ideas about how we could allocate funds for it.

Regina Jackson: Okay. Thank you very much. Commissioner Smith. And then Commissioner Harris.

Thomas Smith: Mr. Anderson, I just wanted to say thank you for coming back and for your persistence. I remember you had a few meetings with ... I think a few meetings with our prior executive director and I see you are undeterred. You came back and you've won a fan in our new executive director and you have a fan in me.

Brandon Anderso: Thanks. Thank you.

Regina Jackson: Commissioner Harris.

Ginale Harris: Mr. Alden, in regards to your comment about the money, I'm two steps ahead. I know where the money's at.

John Alden: Okay, great, good, good. Well then it'll be a really easy conversation next time we're here on the 24th right? Good. Great.

Regina Jackson: So you two will get together and we will see this on the next agenda. Okay then thank you very ... oh. Commissioner Dorado.

Jose Dorado: Sorry. You've only been here a year, but I'm sure you've began to see what fertile ground we have in Oakland for doing exactly the type of data research you're talking about. There are any number of organizations. For example, the urban strategies council that have done a lot of work already. One of the things that interested me so much about their Safe Oakland Summit that they had a month and a half, two months ago was that the fellows that they had going out into the community doing the research around these kinds of questions came up with a phrase called re-envisioning the police. It's a source of that phrase, that thinking that interests me the most. I've done a little bit of digging around around that because I want to understand where that came from and what the thought process was behind it.

Jose Dorado: The other comment I had was that I see a lot in terms of community policing and it's a structure I don't know if you're that familiar with, but it should be a network, by now over 20 years in place. It's not anywhere close to what it should be. But the point is that the research can and the data gathering can and should be a reinforcing of that network. And that's what I hope would happen. The last point is really a question. What provisions do you have within your organization to do this kind of research among the Latino community in Espanol?

Regina Jackson: Thank you very much, Commissioner Dorado.

Speaker 7: That was the question.

Brandon Anderso: I was going to say, can I answer that?

Regina Jackson: I'm sorry, please.

Brandon Anderso: Great. Yes. We have two members of our team who speak Spanish. Our ability to translate that, the information, to Spanish is fairly easy. Yes.

Regina Jackson: Commissioner Anderson.

Tara Anderson: I just wanted to clarify my understanding of how we might potentially move forward. I'm sure we'll get some more feedback from the community that we'll incorporate into next steps. But what I'm hearing is that at the next meeting that we're looking towards having a budget proposal including detail on authority. That authority may include what we have discretion to move around ourselves and then set what would require an external approval. If we agree, this is a priority that we would hopefully place in the what we have within our own discretion to move around, especially just given the timeliness of our work on the use of force policy.

Tara Anderson: I just want to emphasize that to my fellow commissioners, making sure that if we choose to do so, we come back with a budget proposal in the way I outlined opportunity to vote to approve the development of a contract and a resolution all in the same meeting. It's unfortunate that as we learn we're having to extend things over a month and a half to get them final approval for individuals who have been before the body as long as it's existed for example. And so I want to expedite this as much as we can based on the information that we have and can gather in between meetings.

Regina Jackson: Thank you, commissioner Anderson.

Male: May I ...

Regina Jackson: We are going to go to public comment now and we have a stack.

Male: Madame chair. Just to follow up on what Commissioner Anderson said, can I just say absolutely yes, we're going to do everything she just said?

Regina Jackson: Briefly.

Male: I would also add to that we've already gotten to Mr. Anderson some of the materials that vendors are usually ask to fill out, which are publicly available but one might not normally see them. So I wanted to give him the opportunity to look those over in advance so that might help speed up the process.

Regina Jackson: Sounds good.

Male: And I really want to give a strong appreciation to Deb Barnes, the director of contracts and compliance, who has really been working very hard with her team to try to expedite all these processes for us. They did take time, but she and her staff have really worked hard to make sure these move as quickly as they can and I very much appreciate her help.

Regina Jackson: Thank you very much. Now we're going to go to public comment. In any order you all like. Henry Gage, Rashida Granage, Nino Parker, Mary Veo, Elise Bernstein, Anne Jenks, [Bruche 01:32:20] Megan, Jane Kramer and [Celine 01:32:23] Bay. First up Celine Bay.

Mr. Bay.: Celine Bay. First in terms of priorities, funding this program is a priority. I mean we've got all kinds of money for the police for overtime, millions of dollars, and then we're asking this person here. I just heard him say something about giving us a discount. Why is he giving us a discount? Right? Y'all need to pay this person. You're not giving any discounts to the police with all the extra money that you throw into them.

Mr. Bay.: The second thing is that I would like for when we talk about use of force, I would like for him to expand what use of force is beyond just a police officer one-on-one reaching for his weapon and doing something. There's lots of uses of force and like as he said there's psychological and everything, but then there's something that really touches home with myself and my family. In a FOIA Freedom of Information Act document that was released from the FBI. This is dated 11/29/68 and this is from the director of the FBI, which was J. Edgar Hoover at the time.

Mr. Bay.: It says counterintelligence program. To people here it is COINTELPRO. Black nationalists. So anytime black people get together and have a black agenda to benefit black people or black community, that becomes a threat and that's a threat to policing. This document says right here re: Los Angeles letter to the Bureau dated 9/25/68. The Los Angeles office is currently preparing an anonymous letter for Bureau approval which will be sent to the Los Angeles Black Panther party supposedly from a member of the us organization in which it will be stated that the youth group of the us organization is aware of the Black Panther party contract to kill Ron Karenga, leader of us.

Mr. Bay.: They, us members, and retaliation have made plans to ambush leaders of the Black Panther party. It is hoped this counter intelligence measure will result in an us and Black Panther party vendetta. That's use of force behind the scenes because what ends up happening is you have two black organizations killing each other when the hidden hand is police operations. This is exactly what happened to us in our family when they were allowing young people to have access to illegal weapons to attack people in the community and then purposely failing to investigate those crimes by those people. Right?

Regina Jackson: Yes.

Male: That's use of force by proxy. Undercover use of force. So that definitely has to be in that. I'll just finish this with it is felt that this type of a letter could cause considerable disruption between the Black Panther party. In order to cause disruption between the Black Panther party of Oakland, California, and the Black Panther party of Los Angeles an envelope is being prepared.

Male: So it also shows that not only were they doing this in Los Angeles, but they were also doing this in Oakland, California and not that it stopped in the 1960s or the 70s with the destruction of the Panthers but continues to this day right here with undercover where they're using illegal weapons in our community as a tactic, tracking these weapons and allowing them to commit crimes and murders in our community. That's use of force. And let's make sure that that's part of the definition of use of force.

Regina Jackson: Thank you. Thank you Mr. Bay.

PART 3 OF 9 ENDS [01:36:04]

Regina Jackson: Somebody is answering the phone. Go ahead, Ms. Pinesh.

Ms. Pinesh: Thank you. I'm glad that the Commission is taking some proactive steps to do outreach in the community and it's very clear that, as Mr. Alden said, you're lacking your own internal capacity at the moment to do that sort of work. So glad to see that that is moving forward.

Ms. Pinesh: I will say, process-wise, we were a little surprised because as far as contracting, typically there's a bid that goes out for an RFP so that other groups, whoever is interested or whoever feels that they may be able to perform those services, has an opportunity to respond. This looks like, you know, it's a pre-determined vendor and we have nothing, no objection to the vendor, but we do want to call to your attention that this is a precedent-setting action that you're considering, and the fact that you did not do any kind of an out public announcement about a contract like this would be available is concerning, and we would like you to think about that.

Ms. Pinesh: A second issue is the timeline because if the report is coming in January, that doesn't give a lot of time after that for you to take that information and work it into the decision-making part of your job, which is to take that and come up with a use-of-force policy. So I'm afraid that the timeline may not permit you to do this as you're required within 120 days of having received it. So I would just like you to focus on those two things. Thank you.

Regina Jackson: Thank you. So Mr. Alden, if anyone has a competing bid as it relates to a program like this for complaints at all, please contact Mr. Alden directly and you can make a presentation at the next commission meeting. Merrivale?

Merrivale: Yes, I would second Rashida's comments and advice to you. It's affected our neighborhood. OUSD, how they do their bidding, and they have a process or whatever has created a lot of problems, financial problems, execution problems. So I really think it's important, even if it delays everything to open up and do an announcement, and see if there are any other bids so that there is a -- not withstanding the exceptional really important work that's being proposed and the apparent qualifications of the organization to do it.

Merrivale: Someday, hopefully, you will have the staff who will do the deep policy analysts, you'll have the staff at the CPRA that can do, and I know Mr. Alden having worked in San Francisco, community outreach and accessibility is really, really important in terms of the complaint process and the issues that were raised about people not knowing what the process is. Fearing retaliation, feeling that going through the process might be futile and that there's a gap between, you know, the seriousness and the willingness to investigate and the public's perception that their complaints will go anywhere. That wouldn't be futile.

Merrivale: And the discussion on that reminds me of the position -- and hopefully the Commission will someday be able to attach how the -- or approach how the policies, the practices of how victims of sexual harassment and sex -- you know, discriminatory law enforcement are treated by our local criminal justice system, including OPD, because the community perceptions in terms of victims of, plus police violence about their redress and how they're treated and their experiences is really, really similar to what sexual assault and sexual harassment at work victims experience. Thank you very much.

Regina Jackson: Thank you. Bruce Schmiechen.

Schmiechen: Yeah. Bruce Schmiechen at Coalition for Police Accountability, Faith in Action East Bay. And this is a -- I think this is a really amazing presentation. Really exciting. I will have to say this though: When I actually looked at the PowerPoint at home and it raised almost as many questions as it answered about methodology, about connect, you know, like how, how certain of these things are actually. What the plan, what the strategy is for actually doing some of these things. So I mean, and went on their website and this kind of took me back a bit, but it's English-only. That's something I think that has to be fixed before, in Oakland, we can create a process for police reporting.

Schmiechen: So I just think, I think this is great, but I do think you need to ask some, you know, some fundamentals just about how, and how many, and you know, just what the strategy is and things like that. Because I felt it was a little thin on that. I think it was, you know, as a PowerPoint -- I understand it was a PowerPoint presentation -- but I would make sure you ask some critical questions to help make it work that, you know, not to like shun it aside. But anyway, but the English-only thing kind of bothered me, frankly. Okay. Thank you.

Regina Jackson: Thank you.

Bernstein: Good evening. I'm Elise Bernstein from the Coalition for Police Accountability. Welcome. Raheem's presentation was impressive and the organization, glad to hear about them in Oakland. Didn't know about them. But I question, similar to what Rashida brought up, the issue of this comes kind of as a surprise and, it's so important that this Commission, which has been working so hard to establish itself, do things right. And so just the comment -- the caution to, in the rush to getting the information which would be so helpful, to do it the right way. Thank you.

Regina Jackson: Thank you. Ms. Kramer.

Kramer: Jane Kramer. Yes. This study sounds very exciting. It can also be, as I think through it in my own experience, very subtle. And this'll be anecdotal. And the issue for me is when can the -- when can the police not use force when they should?

Kramer: I'll give you an example. I'm walking home one night, it's dark. I get off the bus, I turn the corner to go home and two guys with a lot of muscles, take my purse. And I did all those things, you scream and yell and the whole thing. Right? Okay. And the community didn't do anything. So they got my person, I ran around town, you know, putting everything back into order again. I went home, gathered my laundry, started doing it, I'd called the police. The officer came, he was very good at his interview job. We got all through talking and he said, okay, these guys followed you home from the bus. They got off the bus when you did. And he said, do you want to press charges? And I said, no, because if you lock them up, they're going to have off time to think about what they might want to do to me when they get out.

Kramer: I would like to know how this research deals with that kind of an issue? Or do you?

Regina Jackson: Thank you. Oscar Fuentes.

Fuentes: Hello. Just in what some people brought up about the competitive bidding process. My understanding of how that works is if you go to City Council with the properly, you know, created request proposal, you can ask to waive the competitive bidding proposal if it's in the best interest of the city or if there isn't another agency or service like it. So I don't think that's as big a problem as it's being made out to be. And especially in this case. I think they did that with Michael Palmertree who's the -- and I think it's been spoken about here -- and that was obviously a case where it wasn't the case, where obviously there's a ton of mental health professionals out there who could probably do the job also. So I just wanted to say that.

Regina Jackson: Appreciate your suggestions. Mr. Alden will take a look at contracting and we may refer this to legal as well.

Alden: If the, um --

Regina Jackson: Just one moment. Commissioner Harris.

Harris: I'd just like to remind the public that we had a contracts training on September 12th, 2019, and on page six it's contract basics, which is informal competitive solicitation process. Informal solicitation process for services anticipated costs between \$549,999: One, advertising is not required. Two, at least three responsible bids must be solicited. And three, the CPRA Executive Director on behalf of the Commission may request the City Administrator to waive the informal competitive solicitation process up to \$50,000.

Harris: I think Raheem is incredible. For once in the 18 months that I've been sitting on this dais, I see someone who is an expert. Who is an expert. Who knows exactly what he's saying and talking about. So thank you.

Regina Jackson: Thank you very much. Do we have other speakers on this item please?

Henry Gage: [inaudible 01:47:25]. With respect to the proposal itself, I have one comment at this time, and that is with respect to data ownership. I'm concerned that -- I know it's a general contracting provision for the City of Oakland, but it's very important that the city itself own any information or data that's created as a result of this information gathered, especially if you're going to be using public funds to pay for this sort of data analysis and gathering. So please keep that in mind when you're reviewing a scope of work.

Henry Gage: On the issue of process that's been raised. I'm also aware of the contracting requirements cited by Vice Chair Harris. Nonetheless, no bid contracts make me very uncomfortable. Just categorically. There are great reasons why you do it. I understand a lot of these reasons, it makes sense. But you do have to be very explicit about why you're doing it. So I'm hopeful that when this resolution comes forward, there'll be an explicit explanation of why there was no bid, and quite frankly -- it may be just a formality if -- if you can be very easy to satisfy the RFP process by putting out a short term RFP, especially if it's unlikely for there to be any other responsive bids. Simply saying it from the dais, unfortunately, is not really the kind of RFP we need, but if you want to make this happen quickly, a two, three week -- I don't know if there's a minimum, but I'm sure there is -- a short term RFP can easily satisfy the process concerns. If you can't articulate a reason to ask the City Administrator to waive, go either direction.

Henry Gage: Finally, this sounds like a really good idea. Frankly, we need the capacity, we need the extra reporting, we need more eyes on the ground. This sounds great. I'm looking forward to seeing a scope of work because frankly, as I mentioned before, the details for this are going to be very important. Thank you.

Regina Jackson: Thank you. Still have Nino Parker, Anne Janks, and Jack Bryson.

Janks: Anne Janks. I'm not arguing that it's legal as a process issue. I'm just saying that as we urge people in the community, and I talk to a lot of different community organizations that are involved in one way or another on adjacent or overlapping issues, and it would be good for them to think that they could also put forward a suggestion about how to engage on social media or solicit additional -- and if I were them sitting here now being told, well sure, if sends something in, I wouldn't, I wouldn't spend a minute on it now. So I just, it's a matter of how you want to present, I think, to the community and I'm not sure, moving forward the next time, maybe it's worth putting a little bit more upfront on that.

Janks: I'd also urge that the proposal be broadened not to specify so much on use-of-force because honestly, January 23rd, I think a lot of the drafting is going to have to be done in order to meet the 180 day period and I think that that's okay. Reaching out to people and hearing about them beyond use-of-force is fine.

Janks: The data analysis, again, I think that when it comes to issues of arrest and stops, that's the one data analysis that gets analyzed up and down and sideways in this city and there's a lot of other data that I'd love to have Raheem help with. They have an exceptionally well known data analyst person working with them -- probably the wrong term -- Samson Yongway, and I'd urge that the proposal be broadened to look at some other pieces of data such as low level offenses. What are the most common offenses that people are arrested for, what the impact is on, housed residents. It requires going through three different databases, is my understanding and I think that it would really help to inform some of the work of the Commission well beyond use-of-force to look at some of that as well.

Janks: And slowing down or broadening it would also give the opportunity in terms of looking at some of the other communities in Oakland so that it's not just in English, or even not just in English and Spanish, so that it really could reach some of the folks that are clearly not being adequately represented now. Thank you very much.

Regina Jackson: Thank you. Nino, do you not want to? Okay. Jack Bryson? Oh, he was walking around.

Bryson: Okay. Yeah. I'm not going to speak, but the only thing, like, I'm sitting here but it gets kind of frustrated because we keep hearing the word community, community, but I don't see a lot of info-impacted folks from the community here. And then what frustrates me even more is that last year at this time, I said it before, my girlfriend was murdered, I'm in court right now. She was stabbed 38 times and set on fire. So, and then also my two sons were with Oscar Grant when that happened. And then we also lost two men that were murdered.

Bryson: So what bothers me is, yeah, I know we have an issue with law enforcement, but I have not heard one thing about the violence in our community either. No

one's speaking on that. It's like that's got ignored. No disrespect to the young man. But when a young man was saying love, love, love, but he didn't mention one thing about, you know, these young men and women that are in the communities, they deserve the same thing and they're not being killed by police, we are being killed by each other. So we're not going to make this work until we start balancing both. If we're not going to talk about the other, we have to talk about both of them. You just can't talk about one without the other because there's a lot of mothers out there, family members like myself, that when we hear about police things, but then what about the families who don't, who haven't survived that, who, who don't get that support either.

Bryson: So I mean, I'm not trying to be disrespectful, but I just feel that the conversation can't happen if we're not going to talk about both. I didn't mean to bring that up, but it's just like --

Regina Jackson: You're good.

Bryson: You know. And you know you got there saying, "Hey, yeah, this is a great program." But where's the funding to help these young men and women or these communities that are in gun violence? We're not talking about those type of programs either. That's all I wanted to say.

Regina Jackson: Thank you.

Parker: Nino Parker, executive director, Homeless Green Team as well as Lake Merritt, Black advocate, homeless advocate, and hopefully be on the Homeless Commission one day. Rich, good to see you. That's a young man that grew up in the neighborhood where I lived in San Francisco. He's one of the young kids that hung out at the park where I hung out, was one of the older kids. Glad to see he's up here with some good thoughts.

Parker: I have this card here. It says, "I do not wish to speak with you or answer any of your questions or sign any or hand you any documents, based on my Fifth Amendment right. I do not give you permission to enter my home, based on my Fourth Amendment rights. I do not give you -- unless you have a warrant to enter signed by a judge or a magistrate with my name on it to slide under the door."

Parker: So I'm mentioning these facts because I recently challenged this two weeks ago on Wednesday at my campsite, the police came to my tent. I decided to get inside my tent and zip it up and use my rights. I heard the officer out there knocking saying, "I know you're in there." One of the things I was disenchanted with as he pulled up a flap on my tent to look inside, that would be the equivalent of being at someone's door and then going over to their window and looking over their curtain. I don't think he was supposed to do that.

Parker: But nevertheless, what's more important is he said -- he called for backup. And I was still using -- I was in there being quiet, not answering, not saying a word. Hot, sweaty day. But when you call for backup, nine cars, nine police officers came. They blocked off the street at Lucky's on both sides with two cop cars. And I had some advocates out there telling me what was going on so I knew what was going to happen, what was going down.

Parker: The police officer told the advocate that they were going to the DA's office and get a warrant for my arrest. I didn't say a word to anybody still. I stayed in my tent silent. They, they left for a while. Came back maybe like 20 minutes later. Because I had advocates out there telling me what what it looked like out there with the nine officers all looking like SWAT guys over a little old me, 65-year-old Black man.

Parker: Anyway, I see a lot of money wasted on -- as for one thing, but most importantly the officer got very nervous, and that's why he called for the backup because he didn't know who it was. Had he known it was me -- cause I worked with a lot of the homeless officers that closed the encampment -- so he knew who I was but he didn't know it was me. And, and what I saw there was a bunch of nervous officers getting -- surrounding a tent cause of somebody was in there that wasn't answering.

Parker: I just want to say this, I plan on doing some more civil disobedience in some of those kind of acts. And one of the -- the officer also said that he thought I was dead and he was going to zip it open because I -- I want want to let everyone, all the officers know in advance if anyone at camp closures, do not shoot me cause I won't, I will not answer it. I'm not opening the tent when I'm in there, this is what I'm going to do. I'm not violent. I have no warrants. I'm not -- and I'm nonviolent. So I, unless you're going to get the warrant and come back and arrest me, let's just, let's just be really careful because I was very nervous about the fact that they didn't know who I was and getting shot up.

Parker: I really started getting nervous because when I saw all the extra cops come over a tent, you know, and, I mean it's just something we have to look at. I would like to know from the Commission -- and I'll leave with this really quickly -- what is the law when it comes to peeping inside of my tent to see if I'm there when my Amendment, my Amendment was violated by the fact that you have to have a search warrant to even look inside, I'm pretty sure. But he did look in there and I would like to know some clarification because I will be doing some civil disobedience acts in the future and I do not want to get shot or arrested.

Regina Jackson: Thank you. Mr. Parker. Deputy Police Chief, can we talk about this tomorrow? Okay. Can we follow up on this?

Cunningham: Sure.

Regina Jackson: Okay. Thank you. Now I'd like to bring up a special guest. He's not been here before. His name is Frank Taylor. Thank you sir.

Commissioner: Thank you for coming.

Taylor: Thank you. First, I'd like to say thank you for having me --

Commissioner: Speak into the mic. Right here. Yeah, right here.

Regina Jackson: Put it kind of closer to your lips. There you go.

Taylor: I don't want to put my mouth near where --

Regina Jackson: You're doing just fine.

Taylor: But anyway, I'm a recently released prison lifer. You know, I've spent 30 years incarcerated, so I got locked up as a child, basically. What I'm here to talk about is housing for recently released housing for lifers and some use-of-force. Right?

Taylor: Even though, you know, police have a right to search anybody's car place, property, housing, if you're a convicted felon it's extra, you know what I mean? It's like, nobody would know I've been to prison, driving the cars that I drive, unless you take me out of the vehicle. I'm driving vehicles for a car dealership that I work at. I'm insured, everything. But when I'm pulled over, they don't know that until I'm actually out of the vehicle. But once I'm out of the vehicle, it's like before I'm even asked my name, get out of the car, lay face down. You know, I'm this -- I can't say nothing back to these individuals, but don't be so frightened. Don't be worried about the artwork on my neck. I'm not a gang member. Never had been. I just like art. You know? I was told that I look like a gang member. I've never been a gang member, didn't join a gang in prison. You know, I'm pretty fortunate there. You know, I was raised to speak your mind no matter what, even if it mean your death. Right is always going to prevail.

Taylor: Now with the housing thing, I'm in a halfway house. It's about two blocks down the street from here. I was released from prison, but they prepared us for employment, how to do a work resume, how to up your skills. Get on the computer. Anything you can do, landscaping, automotive. I did it. So when I got out of here, unlike some people, I had -- I was pretty fortunate, I was able to get a job with the resume we prepared in prison.

Taylor: Within the last five years, you have put a lot of money and resources into prison for lifers. Not everybody else. We are a specific group of people, very specific, we don't contribute to the recidivism. So my thing with the housing should be, as I was able to get a job, as I was able to get a car, as I was able to get insurance for my car. I have all these things, I can't really complain about "I'm a Black person here and I can't get anything. It's hard." Or "the White man won't give me a break." I have all those things.

Taylor: I had a lot of support, but housing seems to be a serious problem. Within a month, November, I have family, but I don't have my own residence. Because you've been to prison, you don't have credit -- I don't have bad credit. I just had never had credit, so I'm building that now. I pay my car notes, I pay my insurance, I pay my phone bill. You know, I don't break the law. Hey, I was fortunate to meet a lot of military people in prison. They leave the military, they come to prison. That's where I was able to acquire a lot of my schooling from, which makes it kind of easy for me to articulate this. I was just dealing with a California parole board. They had me there five hours before I obtained my release and freedom after 30 years.

Taylor: So I'm here with the housing situation is on -- I would have to apply, I went through what they call a below market rating. It's a BMR. I found out 82,000 is below market in San Francisco, so there's no way I can live there. I'm in Hayward. My concern with this is, when I get housing -- and I think it's unfair -- I go to Hayward or I go to Fremont. I have to change the parole agent I have and start over.

Taylor: See, my last parole agent, he was a jerk. He was in San Francisco. He was coming to my place where I was trying to get a job. They fired me. See what I'm saying? So I was able to get in Oakland. I came out here right down the street at Volunteers of America, West House. I came here, I got a cool PO, her name is Rachel Pennington. Bless her heart. She doesn't do these things deliberately to get me fired.

Taylor: It's hard for me to get employment. I tried to get employment out here at a motor vehicle place. They basically shut the door. I tried to get another place with an Asian person that at least they kept it 100, as we say, they just said we don't want Blacks. So I went to Hayward and got employed. That's where I'm at. I've been employed here. I've been doing great. Those people will always have my respect and loyalty, but I'm afraid when I get out of this halfway house, I would have to go somewhere where I might not get a good PO. I'm trying to get off this parole in the next 13 months. Housing will be a serious problem if the doors keep getting shut on me.

Taylor: You know, I'm a lifer. I haven't did anything wrong. I been stopped twice by the police. They were very, I don't know, they were hands-on. One time they just said, "Okay, you doing all the right things." They let me go. But I had a license, I had insurance, I'm doing all the right things that you supposed to do to get it. Now in November, I don't know what's going to happen once I'm out of there. I mean, am I homeless? Can I go to someone right now? I would like -- I've been looking for places. First, last month, security deposit, all of that's there. But it's like, I haven't gotten any calls.

Commissioner: Frank, how many times have you been pulled over by the police since you're released from prison?

Taylor: Twice. And it was just because I was in a nice car. That's all. Cause I asked him. I didn't get a ticket.

Commissioner: In Oakland?

Taylor: In Oakland and Antioch.

Commissioner: Did they ask you if you were on parole when you stepped out the car?

Taylor: No, they found that out after, when they searched the car. They said we can do it. They searched the car. I was like, I can't argue with them cause you know I can go back to prison. So I let them do their thing. And then they -- one of them started checking me. He said, "What's your name?" "My name is Frank Taylor. Recently released from prison." He started looking at my neck, lifted up my shirt. "Are you a gang member?" I was like, "Absolutely not." Then they came back and they said, "Oh, we got to do a parole search on you." You had already did the search.

Commissioner: So there is a policy that was just passed for parole and probation stops that I will verse you in that just passed for Oakland police officers that they must abide by and if they don't and if they pull you over and they break any of the policies then we have a complaint process that you can go through that is underneath this Commission. And Mr. Alden there is the executive director and you can have a conversation with him about the way that you were treated.

Taylor: Yes, ma'am.

Commissioner: Okay?

Taylor: Okay.

Commissioner: Thank you for coming.

Taylor: All the time. I hope this helps some more people.

Regina Jackson: I appreciate your coming. Thank you.

Regina Jackson: So that's all of the public comment we have on item five? We are going to have Mr. Alden look into some of the options and recommendations, and he will bring them to us at the next Commission meeting.

Alden: Madame Chair, if I may, I think Commissioner Harris made a good point. There are some contractors we've had in this dollar range where we've gotten waivers of the competitive process and others where we did a competitive process. So I'll check with contracts compliance about what their advice is in this particular instance, what they think we should do, and that'll be part of the circle back

next week in addition to whatever other material we might be able to get done that week.

Regina Jackson: Okay. Thank you very much. Okay, so we're going to move to item six: OPD update on missing person, Jonathan Bandabaila and department policy on social media for missing and abducted persons. I know that Vice Chair Harris has been liaison to this item and has been working with both the police and the family. So maybe you'd like to provide an overview.

Harris: First, I just want to acknowledge Mr. Bandabaila and his family and Jonathan's friends. Thank you for coming and thank you so much for all of your help and support. So I just would like to welcome you and yeah. So yeah. Deputy Chief Cunningham, that was for you too.

Commissioner: That right. That's what I'm talking about.

Harris: Okay, so Deputy Chief, want to start?

Cunningham: Yes. Oliver Cunningham, Bureau of Investigation. Madam Chair, Commission. Good evening. I'm here to provide an update into the missing person investigation of Jonathan Bandabaila. We call him Jonathan in the office. It's being investigated by detective Bradley Sides and supervised by Sergeant Bradley Young. I've also reviewed the case as well.

Cunningham: I would like to -- a couple of times I'll do, as I'm speaking, throw out a number that is on the bottom of one of the posters, but I'll say it orally as well for a tip line to help us find Jonathan. It's (510) 238-3641. I'm going to continue to repeat that. This is an opportunity as a public forum to get the word out beyond our last press conference on September 12th. So forgive me, I'm not repeating myself without, without knowledge of that. So with that said, I'll get into --

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Cunningham: ... without knowledge of that. So with that said, I'll get into some of the highlights of the investigation as we know it. It is an open missing person investigation. But we do look at all different avenues whether there's any criminal links, criminal elements, elements of a crime that occurred in here. So, that is open as well. For that reason, I cannot provide a lot of details, but I would like to give the community a little bit of overview. On May 3rd Jonathan left home. His family or portion of his family was there. And he originally told his family he was going to a soccer tournament in Los Angeles. And he was going to return on a Sunday. If they had not heard from him during that time, so they called the Oakland police department and a patrol officer responded to Mr. [Faila 02:08:56] Bandabaila's who reported his son missing.

Cunningham: That was May 7th in the evening hours. Approximately 1800 hours. I'm sorry, 6:00 PM hours. So the officer took the report, and there are standard protocols

of which they do. From broadcasting it on the radio to calling our 24 hour line, which I just put out, put it on the missing persons log. And so that begins the investigation. The following day, which is May 8th the case was assigned to detective Brad [Sides 00:01:29]. Since that time, he has been the lone investigator for this particular investigation. On May 10th we were informed, well let me back up a little bit. At the time that Jonathan was reported missing, we have a description of him, you see a picture there, but I'd be remiss if I did not add a little bit more detail. He was last seen a gray gym type sweatshirt, a sweat suit. He is 19 years old and he's five seven, 175 pounds, athletic, avid soccer player.

Cunningham: So it's just for context, for those that, if you see his picture out there. On May 10th, I'm sorry yeah, the morning of May 10th, we were contacted by the department of justice. They run a database called MUPS, missing persons database. That is, helps us utilize all of our resources in trying to locate Jonathan. At the time he was driving in 1998 silver Honda Accord, but it didn't have any plates. We were advised that morning on May 10th that an outside law enforcement jurisdiction had found the car unoccupied here, well actually, in the Bay area here on the San Mateo bridge. They towed the vehicle and the investigation moved forward at that point.

Cunningham: On that same day, we started making phone calls to all of our different resources, which is standard for missing person investigations, trying to locate Jonathan to no avail. We started getting information the following Monday from, additional information from the family who's been very good about keeping us up to date with some of Jonathan's friends and some of the things that he liked to do. One of the biggest things about a missing person is, we need to find out as much about that person as we can. So the family's been really supportive with that. It was that subsequent week where we began utilizing quite a few outside resources trying to locate Jonathan. It evolved into, on May 23rd the department issued, utilized our public information officer and a unit and put out a press release requesting help to locate Jonathan with the information that we had.

Cunningham: Subsequently, over the next couple of months, the investigation has been extremely expansive. One lead, leads to another one, which leads to another one, all the way up until most recently. And some of those leads that we had up until September 12th, which was the day we had the large press conference at headquarters and the family participated. We were still closing up some leads on some outsourced evidence items that we needed assistance on pursuant to the media release as far as the most recent update. And the family has been aware of ... Was made aware of this. We met with them on October 2nd, that we did receive at least one tip that came in from again 238 (510) 238-3641. And we're currently following up on that particular lead.

Cunningham: At this point, that is an overview of where we are at with the investigation. And we're going to continue to ask for help and search for Jonathan. I will add that

Jonathan is going to turn 20 years old on October 19th, so we continue to keep him in his family and the community in our prayers. And we asked Jonathan just to call home if he's not ready to come home on his own, just at least call and let us know he's okay. And I'm ready for questions. Thank you.

Speaker 8: Commissioner Harris.

Harris: Thank you chair. So without going into detail of the investigation, I myself was going over the missing persons and abducted persons department general order. I believe it's 06?

Cunningham: That's correct.

Harris: On page two of 10, in section B, it says, persons in some cases of the above categories are regarded as being at risk. In need of special attention. And PC section 1421 3B defines those at risk to include missing adults or juveniles who are thought to, and then it itemizes one through five what those categories are. So did not Jonathan fall into any of these categories?

Cunningham: No, he is not at this point, no.

Harris: Okay.

Cunningham: But again, these open active investigations can take turns with anyone lead. So, I can tell you that the amount of work that has gone into this particular investigation, with the more information that we have, it's more or less, even though it does not qualify as at risk. Definitely in the beginning, but as you get more information we start putting more resources and time into it. The type of work that is in detail that is going in to locating Jonathan, would probably qualify under at risk. From a layman's perspective, from an investigator's perspective.

Harris: So looking at the strategic plan from 2017 and 2018, I have found that this department for missing persons, has been severely understaffed for the last two years. Is that correct?

Cunningham: Yes.

Harris: So would it be fair to say that our investigators, that are in this department have well over the amount of cases that they should have to do quality investigation?

Cunningham: I would not say yes or no to that, but I would add some caveats that they are just like no matter what the officer or professional staff is working, we often say that all of our employees are overworked. So it doesn't matter whether it's patrol or our investigations. Yes, they are overworked. However, we like to think that we're producing quality investigations. So I don't want to say, although

detective Sides, I will tell you has a 170 different type cases, most of which are missing person cases on his caseload.

Cunningham: I'd like to think that they're all quality in their approach. Now, sometimes some people, and rightfully so, reasonably so might indicate quality is timely. And so if you can't aggressively investigate every single lead as they come in because of the workload, then that does impact the outcomes. So I do acknowledge that.

Harris: So is there a cap on how many cases each detective can have without being stretched really thin? I mean, I personally think that this department of missing persons is stretched really thin. It has been for some time. And I believe that no one is even looking at it. I mean that's from 2017, 18. Now we're in 19 and we're still severely understaffed, which is an issue because according to the missing person investigation guidelines and curriculum through post, I just ... There's a lot of questions that I have. Probably not appropriate for this forum. However, I think you and I should probably sit down and discuss them because they're quite a few. And it's in regards not ... Not basically in regards to things directly, but the processes that have happened and because you are so short staffed, I believe the case load is really heavy. So how can you even expect quality if the case loads are really that heavy?

Cunningham: I welcome that discussion. And I thank you as well. You had sent me a couple of sample emails to look into, and I did give that to a commander to look at our missing persons policy. Again, it's a general order 06. And it was, I think it was effective in 2009. And it was revised prior to that from 1999. One of the things that are associated with this agenda item is, how social media is used. And that's one of the critical pieces that we'll look at. So I welcome the discussion as well as the experiences of the family. We also talked about getting community input and what they would expect in a missing persons and so we can work on that with Ms. [inaudible 02:19:17] as well as a family or anybody else you recommend.

Harris: I think unfortunately Jonathan's case will be used as the precedent for missing cases or missing persons to come because I just, ... We have a lot of things to work on. We have a lot of policies that are outdated. As Michelle mentioned, out of 151, we only have 26 that are about five years old. And so we have a lot of things that ... And according to this curriculum, the first 48 hours are the most crucial. Just reading based off the reading, and our conversations, I don't know if any of this has been followed. So that's the conversation you and I and Michelle probably should have.

Cunningham: Sure. I'll welcome that.

Speaker 8: Okay. Any other commissioners have any questions?

Speaker 9: How, soon will you to be able to sit down? If I'm able to, I would like to join you. You may remember that initially I sat down and given the fact that you've kept

me updated, there seem to be lots of twists and turns. I'd like to participate if I can.

Harris: That'd be terrific. I will say that the Bandabaila family and Michelle who was acting as the liaison has been very communicative with me and informative. So thank you so much. And we have been working with DC Cunningham really closely. We've had about two meetings. We did have a press conference. One of the concerns of the family was, as you can see, the poster of the little dog that was posted on social media. And this goes hand in hand. I'm not saying that dogs are not important. However, Jonathan is a human being and it's not right. It's not right.

Harris: So my apologies for that on behalf of this commission, and I will say for this department because it's not right. Anything we could do to put more focus on this as you know, and I explained to the family. We have to keep his name alive, right? We have to keep bringing pictures, names. His name, say it a thousand times so people don't forget. Because, people have a tendency to let this go. And we will never let this go until we find him. And you have that commitment from us as the police commission. Do I speak for you deputy chief Cunningham?

Cunningham: Absolutely.

Harris: Thank you. Would you like to say something, Michelle?

Michelle Lazano: Okay. So for the commissioners, the police department employees that are here and the public, do you think it's a reasonable expectation that an officer would act with the same urgency for a 19 year old whose disappeared as a stolen puppy? I think we would all say no. We would all think of a reasonable officer would respond with more urgency for a missing 19 year old young man. This didn't happen for Jonathan Bandabaila. So the question is why. Per OPD's, and a report that the commissioner spoke of, they had been severely understaffed. Per their own Lieutenant in that unit for at least two or three years. And I'm just curious who was evaluating how many more officers or detectives they needed for that division?

Michelle Lazano: So was this detective overburdened with an unmanageable caseload? There were 33 officers in that unit in 2016, 40 officers in 2017, but how many officers do we need for their current caseload? OPDs, DJOs 0-6 missing and abducted persons. We've already discussed this. Severely outdated from December 15, 2009. The post curriculum for all police departments in California that they follow as the Bible, was last written in 2011. So at least 2011, 2013 is when the newest standards have been put out. OPD still has not implemented any social media policy even after paying almost a million dollars in a Celeste squad lawsuit. None. No proposal, none. All the other departments that officers named in that lawsuit immediately came up with a social media policy.

Michelle Lazano: There are no policy or procedures about how OPD should use social media for crime prevention, to disseminate critical information to the public or for crime solving. It appears that the detective working Jonathan's case didn't have access or authorization to post info onto OPD social media. OPD's two public information officers, didn't publish a press release for 16 days after Jonathan went missing. They didn't post anything on their social media for 45 days after Jonathan went missing. But for a stolen puppy, OPD posted pictures and information on their social media sites only two days after the dog was missing.

Michelle Lazano: Why this disparity? Was it lack of staffing? Of current training? Of supervision? Of social media policy? This is still under scrutiny. It's being investigated. We are sure that some mistakes were made, but we are still waiting for a complete investigation to understand how it all was handled. There will be another Jonathan, another family depending on OPD to do their best to find their son, daughter, beloved family member. Please commission, do a complete evaluation of the special victims unit. Of the staffing, the chain of custody, the evidence handling, the towing policy, the training policies, the supervision. If necessary remediate, discipline, make recommendations.

Michelle Lazano: Jonathan's brother Harrison was not comfortable relaying this during our meeting, but he was very upset and wanted to correct a statement that was made by an OPD official during the press conference. Jonathan is not playing soccer in Europe. He is not traveling the world. His passport is at home. He did not have the means to travel. He is missing. This is suspicious. Something happened to him. Jonathan will be 20 on October 19th. We haven't given up looking for him. The reward money is now up to \$4,000. Please share his story until he is found. Prioritize evaluating this unit immediately for the next family that is depending on you.

Harris: Thank you, Michelle. Okay.

Estella: Hello. My name is Estella. And I'm pretty sure some of you guys recognize me from the first time I came. Like you said, we have to keep his name alive. So you will see me here and I will tell you over and over again how important he is to us and why we fight so hard to get answers. Because like I said last time, he is our glue, and he keeps us all together and we need him back home. He is important to us. He keeps us laughing, smiling. I'm a very emotional person, and lately since he's been gone, I haven't felt that side of myself. I feel numb to myself.

Estella: I couldn't even sleep last night knowing that I had to come here again. And we shouldn't have to beg or plead to get help from the people who are supposed to keep us safe. We're supposed to just ask once and they should be ready to leap for us, ready to help us. Because that's what they're here for, to protect and serve us. They're supposed to help us, not just bring us down.

Speaker 8: Thank you.

Harris: Would you like to say something? Mr. Bandabaila?

Mr. Bandabaila: [inaudible 00:19:48].

Harris: Speak into the mic.

Mr. Bandabaila: Thank you [inaudible 00:19:56]. I know, nobody wanted this to happen. But sometimes it has to happen. Nobody knows why. Everything is beyond our control. But somebody out there knows. Somebody out there has seen something. I asked this commission to help me. As you help Jonathan, you will help the other children who are going to be missing tomorrow, today, tonight, or next tomorrow or next year. I know this commission will see, and see that Jonathan had support from friends, from everybody here. Even from the commission.

Mr. Bandabaila: Commissioner Harris, I was so moved when I saw you at the meeting, when I had your voice on the phone. I was moved. And Chief Cunningham, I want you and your department to help me. Let's find Jonathan. Jonathan's out there. I don't know but somebody had seen him. Somewhere in San Leandro. Somewhere in [inaudible 02:29:16]. He is somewhere around there. I thank everyone of you for listening. God bless all you for us. Thank you.

Speaker 8: Thank you.

Speaker 10: Hello, my name is [inaudible 00:21:33]. I just wanted to say for the people that are here today, thank you. And if you guys can please take a picture of this and you post it, it would really mean a lot to us. We need our friend back. And we just [inaudible 02:29:48].

Speaker 9: Sweetheart, I took a few pictures and we'll be posting it on our commission, Twitter and I have personal social media so we'll make sure to expose as much as we can. I'll send it to as many of you people that I have phone numbers for so we can all do it in unison. I want to thank you and I certainly want to thank our vice chair for taking this on as our liaison. We appreciate your cooperation as well. I'm deputy chief Cunningham.

Speaker 10: Thank you.

Speaker 9: Thank you, sweetie.

Harris: I want to say, if K top could please just put the phone number out. There's a poster of Jonathan. Can you hold the poster up please, with the phone number on it? If anybody has any information on Jonathan Bandabeila, please contact the number. You can call deputy chief Cunningham. His number is listed. You can call the Oakland police department and just ask to be transferred to him. Just please, if somebody knows something, just please call anonymously. Anything. Any information. Thank you.

Cunningham: Madam chair. May I?

Speaker 8: Yes.

Cunningham: I don't know if it's appropriate for me to say this, but I'm going to say it anyway. If anybody is interested in supporting the Bandabaila family, you know they're rewarding tips and they're setting up an account. So if anybody would like to support financially to help give incentivize tips that are coming in, please contact any one of the families. Ms. [inaudible 02:31:36] can help, as well as Mr. Bandabaila.

Speaker 9: Can you also restate the phone number so I can put it on the tweet?

Cunningham: Sure. It's 510-2383-641. And that is a 24 hour line where an officer, a sworn officer we'll answer the phone.

Speaker 9: Thank you very much.

Speaker 11: Can we go to public comment, first?

Speaker 8: Okay. So, for public comment we have John Jones the third, Astella Ayella, Mr. Bandabaila and Mr. Bay.

Slim Bay: Slim Bay. So, I could add to this that, I made a missing persons report on somebody that I love. Told PD. And I can feel exactly what this family feel is feeling because after making this report, we didn't hear anything from OPD. And I won't go into the details, but let's just say that brother's case as part of IED 131062, that was failed to investigate. And that out of that IED, it turned out that OPD lost all of my brother's case files. So there is no case files that they can find on my brother who was missing and then found later tragically. But also wanted to add specifically that the IED captain who closed that into ... Investigation without finishing it. And the whole reason why there's an independent investigation is deputy chief Cunningham. Deputy chief Cunningham was the IED captain over 10131062.

Slim Bay: He lied. He closed the case. It's incomplete. And as proof that it's incomplete, this whole body just voted to independently investigate it. I also, have been watching in all of these meetings, how this sister Michelle came here pleading with OPD to do something. And there was no action for the first few meetings that she came here. It wasn't until OPD was put on the spot and embarrassed about how they were treating the puppy better than they were treating a young black man that all of a sudden the spokesman for the police department came up here and how concerned she was. And then all of a sudden now we're getting movement.

Slim Bay: But it took this family coming out here and holding the police accountable to make them move on this. They didn't move when the sister Michelle first came

here. They didn't move until the whole family came out here in mass and I'm just saying that it's fake. It's crocodile tears on the part of OPD. And if you don't have a policy to make them back up, what they're going to do for people, when people file missing persons report, then they'll still be putting this down the road as soon as they get out of the spotlight.

Speaker 8: Thank you.

Speaker 12: Good evening, Madam chair. All the commissioners, everyone present. First I want to start by offering my most serious heartfelt sympathy to the family members and loved ones of Jonathan. Just listened to several public speakers speaks tonight. There's been so much pain and suffering and lost in our community. I'm not here to offer critique. I do want to offer what consider to be a glimmer of hope. And this might mean my that hope. I don't know what it's like to have a child that's missing, but I can't share this with my own son here Josiah. When his mom passed away, I did not know where his whereabouts were. And I had very few options. To do nothing with not an option. I could have, A, took matters in my own hand and go East Oakland style. That would have helped nobody. I chose as a taxpayer and a resident to avail myself for the assistant services.

Speaker 12: And here's is one ... I'm going to share a quick story. When my son ... Well I didn't know where he was. There was several members of Oakland Police Department who called me daily. Sometimes several times daily. To stay in touch with me. And they were very instrumental in ensuring that my son Josiah was returned safely to me. I share this because so often when we speak about police and community relations is typically adversarial. And more cases in night, not rightfully so. I'm not asking anyone to forget any abuse that they have suffered. But what I'm asking is, when it comes to our young ones, let us all sensor our attention and energy and resources to make sure that this young man comes home. Because at the end of the day that is the most important thing that all of in the society is tasked with.

Speaker 12: So I wanted to share that with, I want people to know that there are folks who do do their jobs. At the same time let us put, I'm not saying to the side, but let us in addition too, let us rise up and made sure at this family get the peace and the reconciliation that they so richly deserve. So thank you all for your time.

Speaker 8: Thank you. [inaudible 02:37:13] Bosserman.

Speaker 13: Hi. I just want to make sure that we actually say the phone number. Because I'm not sure people could see it on the screens. It was said-

Speaker 9: (510) 238-3641. It should be up on our Twitter page tomorrow. It'll be all mine tonight. And hopefully you all will tweet and Facebook it all over the place.

Speaker 13: Sorry about that. I missed it when it was said before. Thanks.

Speaker 9: That's all right.

Speaker 13: Thank you.

Speaker 8: So the next item ... Oh no, no, no we'll set up a meeting tomorrow. Okay. The next item is seven final draft of the OPD special order 9196. Documentation of the use of force timeline. On use of force, curriculum development. Deputy police, chief Armstrong.

Armstrong: Good evening chair. So special order 9196. We brought this policy before to you in July. The commission wanted some additions to be made to the policy, to the special order that we brought before you at that time. The department went back and work diligently to try to include those additions that you requested. We obviously had some challenges of trying to craft that into the special order, but we believe that we've been able to include it in the manner in which allows us to track it and also query it. So if, you look at the language in particular on page one. It references the tracking of drawing, exhibiting or unholstering a firearm.

Armstrong: This include, I think commissioner Anderson, you asked specifically to reference the language that would speak to the, the change to the special order or edition. The language exists with in this particular area, which as, even when officers do not point their firearm at a person, which is a level four type 22 drawing, exhibiting or unholstering a firearm by a police officer can be perceived by those involved in, or witnessing an incident as threatening and-

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Armstrong: In or witnessing an incident as threatening and intimidating.

Regina Jackson: Excuse me. Can you just guide us to what page the change is on?

Armstrong: Yes, it's on page 152 and on the special order it exists on the first page of special order 9196 in the bottom paragraph with the heading, "Tracking of Drawing, Exhibiting or Unholstering a Firearm."

Regina Jackson: Thank you. I'm sorry. Couple of us are a little lost. Bunch of Paper.

Armstrong: No problem. So really what we were able to do as we went back as a department to try to figure out how in which we would capture, this very important addition. We were diligent and working to come up with the way in which we could capture it through a disposition code, which would be captured in our CADs system, our computer automated dispatch system, which officers are mandated to provide a disposition at the end of any call that they are on or any stop that they're a part of.

Armstrong: At the conclusion of that stop or the conclusion of that call, the officer would end that call by referencing a disposition code. And then this is just whenever a firearm is drawn or exhibited or unholstered, they would provide that disposition code, which would be K, D, E. So for us it would be King, David, Edward. That would be the disposition code. It would be tracked in the CAD system with the ability to query that information.

Armstrong: So, that addition was included. We feel like that was the best way for the interim as the use of force. Ad hoc committee continues to work to a more comprehensive full policy revamp of our current use of force policies, which we had the first meeting, I believe two days ago to begin to have that discussion. And so I believe we'll be moving forward in the collaborative form. But in the meantime, this policy will help as a stop gap. It's a very vital policy to us, the chief's effort to improve the reporting of use of force. So we wanted to clear up some discrepancies between the policies that could have contributed to some under-reporting. So, this policy as the chief has signed off on is very comprehensive in the sense of it'll help us mitigate that.

Regina Jackson: Thank you, Commissioner Harris.

Ginale Harris: Thank you deputy Chief Armstrong. So, the only problem that I have with the change is the pointing of the firearm. Based on your training is to stop the threat. When you pull your gun out of that holster, it's always intentional to stop the threat. Right?

Armstrong: So, there's a couple of different things, I think we attempted to explain in this draft is that when we pull the firearm and point it at somebody, it's an actual use of force by policy that need to be reported and investigated. So that's the difference. So, if a police officer were to search a home that where a burglar alarm went off, an officer may have that weapon pulled from the holster just in case they encounter danger. That wouldn't be pointed at anybody. So, it wouldn't be considered a use of force. But, this will cover the mere fact that the officer pulled that firearm from his holster, he would now have to report that through the disposition code. So, this would allow us to be able to capture anytime a weapon has been pulled from the holster, which would be different from an actual reported use of force. We did our best to capture it in the policy but hopefully that makes sense.

Ginale Harris: So, how does that coincide with your training though? Because the training is to stop the threat, when you draw your weapon is to stop a threat. Right? And usually people end up dead when you stop the threat. Two here, one here. That's it. Right? So have you thought about that? Like coinciding your training with the policy?

Armstrong: Yes. And that actually went into why we drafted it in this way. Officers understand that when they pull a weapon to address a threat, that's much different, that's an actual use of force and that creates an entirely different

process. It follows our K four process of reporting use of force. Even if that were to escalate to the point of an officer involved in shooting, it's very clear what reporting process they should use. This is if something didn't necessarily fall under a reported use of force, meaning that, the gun was actually pulled and even the public may have seen it. Currently, we don't capture that. This would allow us to admit them, know that we have a database that captures that the gun was actually removed from the holster. So, if someone were to say, "did an officer pull his gun today?" We would be able to go back and capture that.

Regina Jackson: So, is the capturing of the data responsibility of the officer himself to say, "Hey, I pulled my gun out the holster." Or how do you do that?

Armstrong: Yes it is. And that's consistent with every policy, right? I think every policy requires an officer, mandated shall report. And if that officer fails to do that, then that becomes an issue of misconduct and will be investigated in that manner.

Ginale Harris: Okay, because that's very based on what we are under the 17 year NSA. That's very bold to say, "okay, we're going to depend on you to report it." And our culture is still the same.

Armstrong: We believe that doing it in this manner is not far removed from the culture that we already have. We use a similar process for whenever we would deploy a patrol rifle, they are already using a disposition code. Now this is just expanding it to include all firearms.

Regina Jackson: Commissioner Anderson.

Tara Anderson: I believe this is still on topic under the scope of use of force. I'm curious if there is a CAD, a dispo code for deployment of the bearcat.

Armstrong: So I'll say to the chair I can't answer a question that is not agendized. If we want it agendized, I'll speak to that. We can talk.

Regina Jackson: Commissioner Anderson, do you have a different question on topic?

Tara Anderson: I'll take a moment to refer back to the agenda and rephrase my question.

Regina Jackson: Okay. Thank you. So anyone else have a question? Okay. To the specific timeline for the curriculum development.

Armstrong: Captain Joshi, the training commander is here to speak to the training developments please.

Regina Jackson: Very good. Hi Captain Joshi.

Captain Joshi: Good evening. I'm sorry, your question was, "how long before we can roll out the training?"

Regina Jackson: Well, no, the agenda item is the documentation on the use of force timeline and on the use of force curriculum development. So, I just want to know what your North Star is in terms of when you think that you'll be close on the curriculum development. I know that we're all working collaboratively, but it might be nice to at least identify a goal as you think it should materialize.

Captain Joshi: So, what's been submitted to me by my staff is a draft of the training plan. I wanted to wait to see that this is finalized before we finalize our training curriculum. And typically once we have our training curriculum completed, which I think we're a couple of weeks away. After that, to roll it out to the entire department takes anywhere from six to eight weeks.

Regina Jackson: Okay.

Captain Joshi: And actually I'm sorry can I just expand a little bit more?

Regina Jackson: Go ahead.

Captain Joshi: So, we can push out the training to where everybody would receive it within a matter of a few weeks. But this type of policy, I want my staff to go to each lineup and do face to face training with all of our staff. So, that's why it would take a little bit longer.

Regina Jackson: And that's a considerably different form of training the face to face with individuals.

Captain Joshi: Yes ma'am.

Regina Jackson: Okay. And you're taking that particular step, why? I think I know the answer, I just want to hear yours.

Captain Joshi: Sure. This is a very important policy and I think that it's important that this is not a policy that we send out by our power DMS system and that we have actually the subject matter experts that are present to present the training and be there to answer questions from staff so that they thoroughly understand what's expected.

Regina Jackson: Accountability is in the moment.

Captain Joshi: Yes ma'am.

Regina Jackson: Excellent. Are there other questions? Commissioner Harris.

Ginale Harris: So will this be ongoing training? Because one of the problems I have is that this use of force is a problem nationally. It's not just with Oakland. So it's not just us, but we only can do what we can do for us. With that said, I believe that this policy needs to be ongoing, once a year, once the quarter, once something, like a refresher. Okay. What do you know about this? What do you know about this? And really ask and test and question. Like "what do you know?" And if they don't know then they'll have an update. "Oh yeah. Oh yeah." So, was that something that OPD can commit to doing?

Captain Joshi: So, every year our officers go through continuing professional training and then quarterly the training division pushes out a refresher training and we can include the use of force. We generally do use, use of force too. And bear with me, I've recently transferred to the training division, but we regularly push out training vets associated with high risk type issues such as vehicle pursuits and use of force. So, those regularly come out and in those trainings we can add refresher training. The DC wants to interject.

Armstrong: And so I just spoke with the chief and so moving forward taking that recommendation in vain, the chief is going to move forward with whenever officers qualify, which is mandated twice a year about the four hour and 10 hours, they'll go through the use of force policy again and be reminded of the force policy and sign off on that as to being trained. So it'll happen not only with this training but twice a year they'll get refreshers now as a result. Yes.

Regina Jackson: Excellent. Kind of like seeing the dentist get your cleaning twice a year. Good. Very good. Thank you. Alternate Commissioner Brown.

Chris Brown: So that last statement answered my question. Thank you.

Regina Jackson: Terrific. Are there any other questions? Okay. Yep. Well okay, one more. Commissioner Harris.

Ginale Harris: So, for the use of force just because it's so important. So thank you. The chief gave us the information she wanted you to relay, but are we going to find that in one of our manuals or are we going to find that connected to our training manual that yes, we will have refresher courses in use of force. Can it [crosstalk 02:52:25]

Chief: Commissioners, yes, I will have that. So, it's instituted so it stays with your future. But we all retire though. We'll have it in the institution. I did it in another agency in which every time officers went to qualify, they had to go through the policy and sign off. So, it was just a way of a refresher, but in accountability. So, as we continued to always be progressive, that would be a plan of how do you institute it. Okay.

Ginale Harris: And what does qualify mean?

Chief: It's our requirement every twice a year to shoot. We have to maintain a certain level of skill base and it's required by our post.

Ginale Harris: Practice?

Chief: Yes ma'am.

Ginale Harris: Okay.

Armstrong: So captain Joshi is already, as the training commander is already including that in the curriculum. So, he is sending that to his staff currently to include that, to incorporate that. We have a training before we start every shoot, every training in any way, We start off with a.

Regina Jackson: reminder of all of our safety instructions and that will now include the policy overview as well. As you build that out, is it possible for us to sit in the back and watch how it goes? I'm just asking.

Armstrong: Yeah, we can discuss.

Regina Jackson: We can do that? Okay. I don't want to do it, but I feel like I need to do it. Commissioner Brown.

Chris Brown: I understand the answer to this question, but is there any officer anywhere in the department who doesn't have to qualify because they're doing administrative work?

Armstrong: No, some mandatory by post.

Chris Brown: So, everyone at all the levels will do it.

Armstrong: Yes.

Chris Brown: Perfect. Thank you.

Regina Jackson: Okay. So, one last clarification. As it relates to the timeline for the curriculum development, we recognize that might move based upon the speed and the progress of our group. So, since it's not like on a particular date, maybe we can see that curriculum design and as you make progress, make some updates to it. Is that correct?

Captain Joshi: Yes ma'am. In fact, I have a several slides already completed. So, I can-

Regina Jackson: Oh, look at you!

Captain Joshi: So, whenever you'd like to review that. I can present that.

Regina Jackson: All right. That sounds great. Excellent. Okay, so if there are no other questions, we'll take public comment. Hold tight.

Captain Joshi: Okay.

Regina Jackson: Thank you. Bruce Meakin, Rajshahi Grainage, Mary Vale, Saleem Bay and Lorelei Bosserman.

Bruce Meakin: So, Bruce speaking, coalition for police accountability, faith in action. We spade. So I see in the grant proposal it says, "to fund the development of use of force and deescalation curricula." Okay. So this grant has, I guess it's not been sent out yet, I just have to say something about the general order. The current general order of OPDs use of force. Deescalation was mentioned once on the early on and it's mentioned in the context of if you got your arm around somebodies neck and they're kicking and screaming and they stop kicking and screaming. You can loosen your arm a little bit around their neck. That's what it is. And it blew my mind when I read this to see nothing, nothing about deescalation.

Bruce Meakin: If you look at the police manuals for use of force, general orders of departments that have brought themselves up to date into the 21st century. Deescalation is a prior to the use of force and there's extensive discussion of it and extensive rules, et cetera, et cetera. Some better than others. So this is really critical and I honestly don't know how they can even do a training manual without a policy that actually talks about use of force. Anyway, so we're going to be getting into that. The commission will be and all that, but it just had to say that.

Regina Jackson: Just know that in our first meeting, deescalation is all over the meeting in terms of a policy as a part of-

Bruce Meakin: Right. It's critical.

Regina Jackson: The overall use of force.

Bruce Meakin: But having seen, what they did as recently as 2014 it was a sham, frankly.

Regina Jackson: Got it. Thank you. Rajshahi passes. Mr. Bay is on his way. Lorelei's passing. Okay.

Saleem Bay: Saleem Bay. Just very quickly. I just want to make sure that deescalation precedes use of force and that deescalation is the go to and that use of force is the last remedy. If the training is like that then it would be more in line with what people in the community do. When we come upon a situation we deescalate the situation, we don't just go and jump on somebody. And a lot of times it involves people who are armed. So, from a community sense we can go in and deescalate situations. But when the police, who have no connection to the communities that they work in, this is why they come in with fear because fear of the unknown is the basis of how they come into a community. They've

heard all these things about the community, they are scared of the community. They come in and the very first thing they do is they think of self preservation. Self preservation means that you didn't move to escalation to defend yourself, but you've injected yourself into a situation and then escalated.

Saleem Bay: So, that's very important part. The police come and escalate situations when their primary training should be to deescalate and again there may even be a layer of the community that should be called first just as if there is a situation where a mental health issue has been identified. You do not want to send the police in there first. You may want to send somebody who's qualified, a mental health person with police backup and that's all I want to say is just make sure that deescalation is the primary and escalation only happens in self defense.

Regina Jackson: Trust and believe Mr. Bay, that around that table your three commissioners as well as quite a few officers are committed to a progressive policy that puts deescalation first and to your recommendation perhaps community prior to the deescalation.

Saleem Bay: Yes.

Regina Jackson: Thank you. So moving forward, we have item eight, which is the draft ordinance on militarized police equipment. Although we need to hear public comment, I am prepared to take a motion to table this because neither the police have had an opportunity to weigh in on the draft and neither have the community seen it yet.

Armstrong: Commissioner Chair.

Regina Jackson: Yes?

Armstrong: I actually need a vote on the last item.

Regina Jackson: Oops, sorry. Thank you. So, I'd like to have a motion to approve special order 9196 as it has been presented to us this evening.

Thomas Smith: So moved.

Regina Jackson: Commissioner Smith has moved. Do we have a second?

Tara Anderson: Second.

Regina Jackson: It has been properly moved and seconded. We've taken public comment. Can we take a vote? So. [inaudible 03:00:52] We're going to need to wait a minute. I let Commissioner Harris go to the restroom. Oh, you know what? For the moment we can actually elevate alternate Commissioner Chris. Well here she comes. So we'll take a vote. Almost got it. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson?

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris.

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Commissioner Smith.

Thomas Smith: Aye.

Regina Jackson: And it's a unanimous approval. Thank you very much. Deputy chief Armstrong. Thank you very much commissioners. Now I would like to receive a motion to table the draft ordinance on militarized police equipment. As I said, we definitely will hear public comment, but we won't be able to. We won't be able to review or approve a policy because it's not been reviewed by community, nor has the police department had an opportunity to weigh in. So, is there a motion to table?

Ginale Harris: I motion that we table item number eight for the next police commission meeting on October 24th.

Regina Jackson: I second. It has been properly moved and seconded to table. We'll take public comment and wait for commissioner Anderson to come back. I have Lorelei Bosserman, Paul Bickmore, Isaac Katter or Cadin, Brian Hofer in any order possible. John Lindsay-Polan, Kat Brooks, Jane Kramer, Cassandra Carver, Nino Parker, Eka Gerall, a no-name and nobody's coming for this. Everybody. I know most people actually discuss this in open forum. Don't feel the need to state the same thing you already stated, but I do want to make sure that we hear everyone that wants to speak on this item.

Speaker 14: So, I believe Lorelei is seeding me her time. Most people who you just named did come to speak on this item but had to leave, it is three hours into the meeting. So it's not that surprising. I am glad that it's being tabled for just the next meeting. I think that should be whatever OPD can report at that time. It would be useful to hear. I would note that community members have been briefed about the proposal even though what is in the packet is slightly different. The essentials have been briefed to many different community organizations, which is why 33 organizations signed a letter directed to you and to the council. During the town hall last week we had the opportunity to hear a number of youth about their experiences with militarized equipment and I want to take two and a half minutes to hear from one of them with whom we recorded an interview about his experience with Oakland PD and I'm going to try and do this into the mic.

Speaker 15: My name is Brian Coreas. I live in Oakland, California, more or less about 10 or nine years old. It was three o'clock in the morning and I remember a loud bang and go off. To my understanding it was, it was either gas cans or flash pants that were used and I thought-

Regina Jackson: I'm sorry. We can only hear bits and pieces.

Speaker 15: Banging on the door.

Ginale Harris: You think maybe we can have Kay Top at the next meeting, have Kay top set it up to where we can all hear it.

Speaker 14: That would be great. Yes.

Regina Jackson: So send it to me and I'll forward it to Mr. Munson and we can make sure that it can be played.

Speaker 14: Okay. I would just say that it's an experience of a young man and it was mostly youth who are giving these testimonies and the trauma and he describes a feeling of violation because there was just so much military equipment and gear and a gun was pointed right at him in his bedroom and he thought that's it. And that's something that happened years ago, but it still impacting him today and that's a story that we heard multiple times from youth the other day. So, I'll let other people speak to other aspects of this.

Brian Hofer: Good evening, commissioners. My name is Brian Hofer. I'm the executive director of Secure Justice, one of the supporting organizations. I'm actually speaking to you tonight in my capacity as our city's chairperson of the privacy commission because not to tease Henry too much, if you were to have the correct model in front of you, it's actually the model that came from the privacy commission's surveillance ordinance. It's the exact same thing. We have seven of these in the greater Bay area. I've coauthored five of them and so I do want to first offer myself to walk you through any of the language. It's going to take you awhile to get up to speed. The good news is we already got OPD up to speed. We took two and a half years of working collaboratively with them and I will say under this model they've been doing a really good job.

Regina Jackson: What is the model called?

Brian Hofer: So, it's based off the ACLU C cops, community control over policing surveillance. When they extended or changed the target to military equipment, it's C cops plus M. There was an effort at the state level, which made it pretty far actually before the Sheriff stepped in and killed it. But, I'm going to explain the model to you real quick to the police commission and the city council essentially serves the exact same function. Any proposal comes before you with an impact statement which is informative. It should educate you on the concerns and red flags that should inform your proposed use policy and ideally that use policy

mitigates any of the concerns raised in the impact statement. You have to make a decision that the benefits outweigh the concerns. You forward a recommendation to the city council. They have to consider your recommendation and also make that same determination that the benefits outweigh the concerns. For every approved item. There is an ongoing annual report requirement, so you are essentially only approving equipment for one year at a time. The annual report has robust metrics that should show disparate impact, costs, litigation and so forth and it's a really elegant model. I hope you support it. Thanks.

Regina Jackson: Thank you.

Henry Gage: Good evening, Henry Gates III. Question, when you speak of tabling, are you referring to putting this over for a meeting or laying on the table to mean indefinite suspension because I think-

Regina Jackson: Putting it over to the next meeting so long as the police have had a chance to review it and make sure that it's in the agenda so that the community can review it.

Henry Gage: Gotcha. Okay. Thank you for the clarification.

Regina Jackson: You're fine. And I was just looking at the email you sent me.

Henry Gage: Yes.

Regina Jackson: I don't see the attachment though.

Henry Gage: The email I sent?

Ginale Harris: You sent us the right copy and it didn't have the attachment.

Henry Gage: I did not send you the right copy. John's message sent the right copy.

Regina Jackson: That's fine.

Henry Gage: But we'll get it to you.

Regina Jackson: Thank you. That's all I'm asking for. Thank you very much.

Henry Gage: Not a problem. That's my fault for sending the wrong one.

Regina Jackson: Not a problem.

Henry Gage: So, we can give you an overview of what the structure looks like at a later time. But for now, looking forward to having a really robust discussion about how an ordinance like this could be beneficial to this commission going forward.

Granted, let's have that conversation at this next meeting, but in the meantime, please take look at the updated version, familiarize yourselves generally with the structure so we could have a more in depth conversation because the details for this are very important. As Brian mentioned, this works well in the surveillance context and if you look at the meeting minutes or recent work product from the privacy advisory commission, you can see a very similar ordinance in action and it does tend to work pretty well. I'm really grateful for Brian's work on this because it provided an excellent model to build off of and we don't have to start from scratch here, so this is an easy issue to pick up and run with and I'm looking forward to working with you.

Regina Jackson: Terrific. Thank you very much. So now that our commissioner's back, I'm sorry, are you all still speaking on this item? Come on down.

Speaker 16: Good evening, commissioners. Chair [inaudible 03:12:03] Thank you for serving the people of Oakland. Last week I attended a town hall where members of Oakland's youth recounted disturbing stories of how they experienced police violence and because of that they were in constant fear wherever they went of the OPD. What does this mean when an institution meant to protect society, instills terror? Militarized equipment is terrorizing the people of this city, and I don't think this is normal. Only the military should possess military equipment. I don't understand why city police department needs equipment used in war. Is OPD at war with the people that it's supposed to be projecting. I urge the commission to please pass the ordinance in question so that at the very least, at the bare minimum, we have accountability and transparency put into place so that we know what weapons the OPD is using and how. Earlier Mr. Brandon Anderson demonstrated that we need more reporting and this ordinance.

PART 6 OF 9 ENDS [03:12:04]

Speaker 17: Yeah, we need more reporting and this ordinance I believe follows the same principle. With this ordinance, we're just asking you to allow the people to have more information so that we know what's happening in our home communities. Thank you.

Speaker 18: Thank you.

Michelin L.: Good evening. My name is Michelin Levy. I'm an Oakland resident and a public school teacher and I was also at the town hall meeting. I am just aware of the amount of community resources and momentum that has been built around this and it seems like it is a practical and critical mechanism that can be put in place and I hope that that momentum will be ridden to the best. Thank you.

Speaker 18: Thank you. It has been properly moved and seconded to table this item to the next meeting. We have taken public comment and now we need to vote. Are we ready to vote? Okay. Commissioner Dorado?

Jose Dorado: Aye.

Speaker 18: Commissioner Anderson?

Tara Anderson: Aye.

Speaker 18: Commissioner Harris?

Harris: Aye.

Speaker 18: Aye, for myself. Commissioner Smith.

Thomas Smith: Aye.

Speaker 18: Okay. And it passes unanimously. We'll put this over into the next meeting. So the next item is number nine, report on and review of CPR pending cases, completed investigation, staffing, and recent activities. Mr Alden.

John Alden: Before I start, I'd be happy to give a quick report. I am mindful that it's almost 9:45 and there's another seven or eight items left. So I could give a couple of minutes of report. I'd also be happy to put mine to the end and if we don't have enough time to get to it, I don't think any of this matter is urgent, do it now?

Speaker 18: Please.

John Alden: Okay. I'll try to be very fast. We have three new complaint investigators that are all on board now, Meredith Marzuoli. Thank you. Let me tell you briefly about them. All three are attorneys. Meredith Marzuoli, has been working for Justice Streeter at the First District Court of Appeals for the last about four years. Prior to that, she spent about five years as a criminal defense attorney based here in Oakland, so I really like that experience. I think that's a great perspective to have amongst our staff.

John Alden: Ashley Nikita is a former complaint investigator with the department of police accountability in San Francisco. I had the pleasure of working with her there for a bit. I was thrilled that we were able to get her on board. She's an Oakland resident and really excited to be serving her own community. She has a really interesting set of experiences. In addition to having been a complaint investigator, she spent several years working at the Tenderloin housing clinic providing services to folks there who are very much in need.

John Alden: She also spent some time working as a police officer at UCSF where she really pushed hard to have them focus on how to respond to people in mental health crisis. I thought that was a really remarkable past experience that she had and I think she's enjoying being a complaint investigator because it allows her to help move police culture closer to being responsive to the community. So I liked that orientation a lot.

John Alden: Christopher Simon is also an attorney, went to USC. He is in Hawaii now or was and has agreed to relocate here to Oakland because he's so excited about police oversight. He's been doing a variety of fraud investigations for the state of Hawaii and eventually moved up to being a supervisor and an investigative unit. So he brings both the legal background and a lot of experience doing fraud investigations.

John Alden: I also like that these three individuals help diversify the office both in terms of experience, because they all have experiences that none of our current investigators have and perspectives and none of them have. They all come from living in different parts of the country in their past, which I like.

John Alden: Ms. Marzuoli is a parent and a white female. Ms. Nikita identifies as part of the LGBT community, which is a perspective we don't have in the office right now. Mr. Simon is a black male, which was also a perspective we don't have in the office right now. So I like that they all bring these varying perspectives, residences, professional backgrounds. But bottom line, they're all really smart and really dedicated and very excited to be here. So I'm thrilled to have all three of them on board.

Speaker 19: I just want to stop you and say congratulations. This sounds really, really good.

John Alden: Thanks.

Speaker 20: Yeah, absolutely. Absolutely. Thank you very much.

John Alden: Not a problem. Several of us went to NACOLE a couple of weeks ago. I'll spare you a longer report on that. I think the top level highlight for me there was, there was a great deal of material about inspectors general. And as we are talking over the next month about what that might look like if there are revisions to the charter. I think that material's really useful.

John Alden: Commissioner Dorado and I spoke briefly. He was really interested in seeing some materials from. I'm happy to share that with any other commissioners that want to see it. That also makes me think that at our next meeting we might want to consider having some conversation about how those charter amendments are moving forward. I do expect there'd be some language out there floating around in the city for us to look at by then, but not much more time past that meeting to have a chance to provide input if we want to.

John Alden: I also want to draw to your attention very briefly a change we made to our reporting and exhibit nine to the agenda tonight. As I've mentioned before, we're incrementally making changes each time we come to try to improve this reporting method. The very last page of attachment nine is part of our recently completed investigations list. We've been trying to figure out ways to make this more useful to the community and to the commission.

John Alden: Mr. Rus had a great suggestion which was to flag the allegations that were brought forward by SIPBRA as opposed to ones that are brought forward by the complainant. I've mentioned before, one of the things that is tricky about our work is that complainants will often come in and say, this thing that happened to me was just wrong and we have to figure out a way to crystallize that or turn it into a set of specific rule violations that we can then check in the case.

John Alden: In this case there were things that the complainant, without getting into anything that might be protected by POBRA. There were things that the complainant couldn't have known about that our investigator Ms. Saupe identified and as a result we have flagged here for you for items in bold that we identified in addition to what the complainant had identified.

John Alden: And moving forward in these complete investigations, we will put the allegations that we found and identified in bold so you can see if I might say the value added by having us take a look at it. You'll notice in this particular case all four of those happened to be the allegations that ended up being sustained. In that case.

John Alden: I was particularly happy about that and I also want to give credit where credit is due. When we brought this case forward to the command staff and the chief at the police department. These items we flagged are items that I think some lower level folks hadn't over at OPD. But when we brought these to command staff and the chief, they understood and recognize the importance of what we brought forward and agreed to sustain.

John Alden: I think that is a real positive as well. So I think there's a lot of good stuff right there on that last page in exhibit nine. I'm really happy about the progress we're making in that regard.

Speaker 18: Looks like an incredible addition and it's easy to read and I like that they were all sustained.

John Alden: Good. That's all I have. Thank you.

Speaker 20: Well done.

Speaker 18: Excellent. Thank you so very much. So commissioner Harris has a question.

Harris: I just want to say thank you so much. This is really terrific. It's just enlightening. It's been a long time coming and I appreciate the fact that you took it a step further and found some things that were not found or reported, but we picked you. So yeah. Now, my question. So on the... I guess it's on the attachment, but it's the pending cases assigned to investigators or sorted by the 3304 on the first page.

Harris: So I've highlighted or circled the first five and I see that the dates, the 3304 dates are coming really soon, like within the next couple of weeks. Then I look at the allegations on the side and I'm concerned because racial discrimination, harassment, excessive force, racial profiling, inappropriate sexual conduct and racial bias are very, very, very, very, very serious.

Harris: There's even one here that say failure to accept or refer a complaint. So I just wanted to touch bases with you on... I know that your staff was a little behind, you were short staff, but how was that looking? Do you think we will be able to do anything with these cases at all?

John Alden: I do. Again, I'm mindful of some POBRA restrictions here, but that said, keep in mind whenever we send you these lists, we're turning them in roughly a week in advance. So because of the posting deadlines with the Brown act and the like, right. So we have been working really hard on those. I do anticipate all of those are going to be completed before the 3304.

Harris: Nice.

John Alden: It's difficult for me to say more than that without having a POBRA problem and open session.

Harris: No, worry.

John Alden: That is a good example though of how we are really coming up right on the 3304, on a lot of cases and so we're trying to move them as quickly as we possibly can. It's been a lot of late nights for all of us. Just as an aside, the amount of overtime that we're clocking right now is pretty high.

John Alden: So in a long run that's not sustainable and I'm hopeful with the new investigators on, we'll be able to get things done further in advance without needing to incur so much overtime. I think everyone's getting pretty exhausted with the pace that we're keeping right now. So I'm really excited new you folks are here.

Harris: Just to your staff, we appreciate them and just want to let them know that thank you for working really hard and sticking with the process.

John Alden: Absolutely. I'll pass it on.

Harris: Thank you.

Speaker 18: So on item nine the only speaker card we have is Rashida Radosh.

Rashida Radosh: Thank you. Commissioner Harris stole my lines. I was going to ask the same question about the impending 3304 deadline. Had them circled. But I do have an additional question. On the page that you referred to, the recently closed

cases. Is it a violation for you to disclose the recommended discipline that goes along with the sustained allegations? Also without knowing whether or not the chief agrees with your bindings, then again, we don't know what the ultimate disposition is.

Rashida Radosh: So basically as far as the public is concerned, and going back to the earlier discussion about why people don't file complaints, because in many cases they don't think anything will happen. So knowing that something is going to happen when there's a sustained finding is really important, otherwise it leaves the whole thing up in the air. Excuse me. So is it a violation of POBRA or any other provision to let us know what the... There's no officer being named here.

John Alden: I think that's a great question and it's one where actively thinking about right now in part because POBRA specifically calls out this right of privacy that each individual officer has. So we're very mindful of not violating that. But POBRA also allows statistical data to be presented and I don't think anyone in the state has really clear guidance from the courts or from the statutes as to where the line is between those two rules.

Rashida Radosh: Let's find out.

John Alden: We are definitely talking to all of our attorneys right now about where we really think that line is and try to create maximum transparency within that boundary. So the question you ask is one we're actively considering right now. It's a great question.

Rashida Radosh: Thank you. Thank you.

Speaker 18: Excellent. Thank you. Moving to item 10 OPD towing policy. Who's up on that one? Deputy police chief.

Leronne Armstro: Good evening again. So the homeless policy is on again, but this was more specific around how we are towing when related to the homeless population. So today we provided a report that lays out specifically how we work with the homeless population. The first thing we... I have Sergeant Neff here who is one of our supervisors for our homeless outreach team. She'll come up and speak to specifically how we engage with the homeless population, particularly when when it comes to occupying the vehicles.

Leronne Armstro: The department recognizes that the crisis in our city and that people often times are forced unfortunately to live out of their vehicle. Chief Kirkpatrick several months ago gave a directive to the department that we would not cause displacement. So we would not tow vehicles of people who clearly are living out of those vehicles. So I'll bring up Sergeant Neff, let her speak to directly how we have been engaging with that community.

Doria Neff: Thank you.

Speaker 18: Good evening.

Doria Neff: Good evening.

Speaker 18: Hi.

Doria Neff: So I attend a weekly meeting, every other week is Encampment Management Team policy and procedure meeting. On the opposite weeks we have a scheduling meeting with the same and some added different city agencies to plan operations to address the unsheltered population in the city. I don't know how much of the policy that was provided to, if you want me to name off the individuals that attend the meetings or if you had specific questions that I can address.

Speaker 18: Since the policy is so old, how are you actually recommending that it change?

Doria Neff: So I've been involved for four months with the Encampment Management Team and the OPD policy is definitely an older policy before we had what is occurring in the city at this point with the unsheltered residents. I know the policy and procedure meeting is a much more collaborative effort. It's not an OPD policy meeting, it's a policy with the city administrator's office, human resources that is talking about how to move forward when approaching what we call a clean and clear, or a closure or I'm moving folks from one place to another.

Speaker 18: Okay. My I ask my question differently. When we first propose the queries around this, we really wanted to know what your data was around underserved and more vulnerable population. I still don't really see that data, unless I'm missing it somewhere.

Leronne Armstro: So I think the issue that we discussed is there is no specific data that we would collect around the towing of a homeless person's car. I mean really is not about the individuals particular circumstance. It really is about the particular violation of the law that exists. The lawful reason for that tow, whatever that would be. That would be for an example, expired registration over a year or two period would allow for the vehicle to be towed.

Leronne Armstro: There's other laws that would allow us to tow the vehicle, for us, the matter is a department taken a different approach to that. The law allows us to make the tow, but the department has taken a different approach as to not tow in vehicles that we clearly see as people's residing in those vehicles.

Leronne Armstro: So making allowing for alternative options for that person, whether that be moving the vehicle. But I think what Sergeant Neff can speak to is sort of the process of offering people services when we come into contact with those that may be in a residential community. Most of our tows are driven by residents calling us... Is complaint-driven really. We have hundreds of complaints from citizens asking us to tow vehicles and when our staff goes out, our Abandoned

Auto Detail, goes out to make those tows. I think now they understand that we don't expect them to tow those vehicles to use the services.

Speaker 18: Okay. So since this seems it's more of a collaboration between the city... I don't know if that's public works in PD.

Leronne Armstro: Yeah. Yeah. Public works, department of human services.

Doria Neff: City administrator.

Leronne Armstro: ... City administrator's office. It's-

Speaker 18: It's a whole bunch of people. So given the way in which you're applying this approach to the homeless and who's being impacted, do you consider revamping this policy since it is so old, to make amendments and make it part of a newer or updated policy a priority?

Leronne Armstro: The policy is older, so I think it could subject to a review. We should review it and look at new laws and see what new laws are applicable or new towing standards that we're using. We can do that and review it and get another more up to date policy.

Speaker 18: Oh, I'm sorry. Okay. Vice chair Harris has a question, then I get to ask mine.

Harris: So in regard to the towing policy, so I recently learned about the 40 vouchers. Last meeting someone spoke on the 40 vouchers for people who get their car towed and because I'm a liaison to the [Bilander 03:32:48] family, I was enlightened on those 40 vouchers and what they are for and it was a discrepancy because what I was told they were for is not what I was told at this other meeting.

Harris: So I was a little bit like, "Hmm." I did go to the records department and I did ask them, what is your towing policy? And nobody knew, nobody knew. This is where you pay your tow fee and nobody knew. I myself have been a victim of towing under suspicious circumstances with OPD. My car door was left open and the car was running for four hours in my driveway and the car was towed and nobody seemed to look or see where the driver was. That was very bothersome to me. The car was towed. They ran the license plate and did not contact the owner, which is me.

Harris: I asked the tow lady, I asked the records lady, "What is your policy on towing?" And she did not know and so it's not surprising to me that this policy is 20 years old and no one has looked at it. But I would ask that you look at it and review it, and change it, and fix it, and put your personnel up to date on why.

Harris: Because my thought was, I could've been dead between two houses and the officer that came and towed the car with the keys running in East Oakland did

not for the life of me look for the person that was driving that car. So clearly there was a policy violation there. So this policy needs to be revamped and you need to put in writing what those 40 vouchers are.

Harris: The young man's car was towed and it was not in our possession, therefore it wasn't for us. So we're not liable. But still I just feel like if we are owning an investigation then we should take ownership of the vehicle that's being investigated. So things like that.

Harris: I just believe that this tow policy should be more fluent to what we are doing currently in 2019, because this is very dated and it doesn't even apply to anything that goes on in Oakland now. Having the city have a policy is separate from us OPD having a policy, we want our own policy. We should not be going by standards that are by the city. We should have our own policy.

Speaker 18: So given that, what would you expect to be a timeline to engage the various entities in order to update those and to make a decision on what your best recommendations are in terms of approach?

Leronne Armstro: If you could give us a couple of months, I'll have our traffic commanders start looking into the policy and we'll start to work on a revision. We'll talk to the chief and bring that policy before our traffic commanders and have them [crosstalk 03:36:04]-

Speaker 18: So maybe the second meeting in January.

Leronne Armstro: Yeah, that'd be.

Speaker 18: Okay. That sounds great. Thank you. The only speaker card I have is from Nino Parker. I take that back. Oscar Fuentes and Laurel [Libauchmen 00: 00:24:25] as well.

Nino Parker: Nino Parker, homeless advocate Lake Merritt. Recently, there's been a lot of discussion about some of these policies. I think the commission and the city council probably need to touch base. There's been a lot of issues with parking areas that they have for homeless people now. They have also the RV Program where they have areas where RVs can park, even with church parking lots where they parked during the weekend and Sunday you have to leave.

Nino Parker: There's a lot of things that are going on with Encampment Management Team that around these policies. One of the other things I'd like to bring up. I think it was a year ago or so where we talked about them updating their homeless policy in general and it hadn't been updated since '86 or something like that. Something very long time ago and we expected something like September of last year, and then December, and then January of this year. Have we ever got to that?

- Nino Parker: Thomas, if you can give me a copy of that first time I talked about paradigm, sometime. I appreciate that. But this is still weighing in on the policies that we've talked about a long time ago. This is the same thing. It's the same issue. Why does it seem like it's something new? They need to update their Encampment Policy and get this whole thing back to us so we know what's going on with that.
- Nino Parker: As being a homeless advocate, I am really wondering now with the city console saying things like, "It's better for people to stay in their cars so we don't create more homelessness." So they're trying to actually make parking areas and keep people in the cars. Because what we found out is when you take people out of a motor home then they become homeless, when you can just leave me in the motor home.
- Nino Parker: So there are some areas that are of course very bad and a lot of debris and stuff getting around those, but there are some good significant legal RV parking areas, but I think the police really need to have a understanding. One of the areas around the Lake where I'm at, there's about five people that live in their cars and that is really their home. There's a minivan there.
- Nino Parker: Recently we had over the weekend someone come to tow one of those and a bunch of advocates came down and they took the van back off the truck and unfortunately the guy that is elderly alcoholic and really can't get around, that's where he sleeps and that is his home. So I think we really need to be clear on what we're doing with the homeless that are living in their vehicles as opposed to just some car being towed.
- Nino Parker: It's a whole different... You're talking about someone losing everything they might have as opposed to someone just having their car towed and going and get it from a garage. We need to know what their homeless policy is on towing. Thank you.
- Speaker 18: Okay. Thank you.
- Speaker 21: I'm very confused about the police's policy on towing vehicles that people are living in and I'll tell you why. Because I had seen the police... This might be the second or third time that they've said that they don't tow vehicles that appear to have people living in them as a matter of not written policy but policy. And yet I've experienced them doing that exact thing on several occasions.
- Speaker 21: One day during a life in Richmond committee meeting, Joe DeVries got up and was talking about the encampment at Home Depot in East Oakland and said that the police do not tow vehicles there. I had just been there watching them put orange stickers on all the vehicles and I took some video and when I showed the video to Mr. DeVries, he said, "That's not what they told me."

Speaker 21: Okay. Joe DeVries, "That's not what the police told me happened." Okay. A couple months ago, part of the permitted encampment by the Coliseum, part in parcel of that was kicking everyone out of an adjacent corridor on 85th Avenue where it intersects with Edes Avenue. That was about 80 vehicles, probably 80 to 100 people or more that were all given orange stickers. Every single one, I did a records request for this. Every single vehicle there was given an orange sticker and all those people were made to leave.

Speaker 21: On the day of the deadline. I went there and there were people there ready to tow some of these vehicles that were un-operative so that these people wouldn't lose their homes and everything in them, but the police would not let us. It was a half an hour long struggle to convince the police to let us tow them away. I tow the gentleman away in a vehicle he was living in but didn't run and I towed him to an adjacent street and the OPD police officer followed me and told me that he would tow him again if I left him there.

Speaker 21: Now, they are not... This is something I say a lot, but they are not being honest with you. This is something that happens. They come and they say whatever they want and then there's no way to back it. There's no way to prove it and this is my personal experience and I have some of this recorded.

Speaker 21: I have those experiences of fighting with the OPD to not tow an elderly woman living in a camper that they wouldn't let us tow her at the last minute. They kept motioning the tow truck to come and take her away and she was weeping. I mean this is what they are not telling you. They're liars. They are liars. I told those people that day while they laughed about it, so.

Regina Jackson: Thank you. So this is somewhat related from a different angle. For what it's worth, my personal opinion is the city should not be placing a higher priority on towing cars just because people complain. I remember some time ago chief Kirkpatrick saying that it was one of the main things they get complaints about and therefore they're trying to respond to all of those complaints. This has been bugging me since then and I finally sort of have an opportunity to talk about it, which is to say, just because that's a common complaint doesn't mean it's a high priority. That's all. Thanks.

Thomas Smith: Thank you. Vice chair Harris.

Harris: So, I just want to make sure that we're clear on what we're talking about. I understand the concerns of the tows, I do. But I live in East Oakland. Okay. I'm out there picking up garbage and picking up all kinds of needles that my son got walkthrough every day. I don't have a problem with homelessness because I used to be homeless too. I'm from the projects, so I get it. However, I drove through Home Depot on Saturday and no human being should have to live like that ever. Ever.

Speaker 22: That's exactly the point [crosstalk 00:31:55]. They shouldn't have too [crosstalk 03:43:57].

Harris: But see where like, "Don't tow the car. Don't..." But all these cars are in East Oakland. All these...

PART 7 OF 9 ENDS [03:44:04]

Speaker 23: Car dome, but all these cars are in East Oakland. All these homeless, cars, abandoned, garbage, needles are in East Oakland. They're not in the Hills. They ain't in... What's the other? North Oakland. They're not over there. Right? Their kids don't got to walk through that. Again, I don't have a problem with homelessness. Homelessness and drug-infested is different. And see, we have a problem with putting the two together and I'm not going to put up with somebody shooting up in front of my son. That's what I'm not going to do.

Regina Jackson: Okay, so-

Speaker 24: I'm not going to fight with you or anything-

Speaker 23: It's okay.

Speaker 24: But I hear this a lot and I also live in East Oakland. And, yeah, no one likes that. No one likes garbage. I'm troubled and I want some real action done on people who have real difficult to treat addictions. And that's why some people are on the street. But a lot of people who are on the street, they may have started that way or whatever happened.

Regina Jackson: Yeah.

Speaker 24: The solution can't be to make their situation worse, even if it's bad now. Right? Even if there's trash and stuff, there is no point to making the situation worse. What we have to do is find other options for people. I think, for example, with the experience I was talking about, 85th and Edes, I live very close to that neighborhood. I live off Bancroft and 73rd-

Speaker 24: Okay, so what happened right after that is all those cars came to my neighborhood. All the vehicles that could move, that could drive, came to Bancroft and other blocks in that neighborhood.

Regina Jackson: Right.

Speaker 24: And some of them were pushed off after that, I don't know how. But I mean moving the situation from one part of East Oakland and concentrating it more in another part of East Oakland, now adjacent to the 85th Avenue Edes corridor, there's another corridor where they won't let people park. And there's nothing there but businesses.

Speaker 23: This is a mayor issue. This is... Noel Gallo says it every single meeting. This is a mayor Oakland city issue. We need to house people, not push them from one street to the next.

Speaker 24: Exactly.

Regina Jackson: Right.

Speaker 24: And that's-

Regina Jackson: Thank you.

Speaker 23: We need to house people.

Speaker 24: I just wanted to make sure that part is the part, because what's happening.

Regina Jackson: That's the value proposition yes.

Speaker 24: Is that people keep being pushed and then they're blocked from certain places and so it ends up focusing more stuff on poorer neighborhoods that have fewer defenses to deal with it.

Regina Jackson: Yes. Thank you.

Speaker 25: You know parker homes in south camp, I just want to interject two things. One is important that we have camp management, so if you're going to have these RV areas, they have to be managed so we don't have drug, you know, more drug, people just trying to survive and that's important factor of having these encampments. The other thing, the other new problem is folks that people aren't realizing because of some of our lenient laws with RVs. I just took a picture of one with a RV plate from New Mexico. People are coming in from all over the place now. These RV's are no longer just Oakland folks. The police department should key in on registrations on motor homes that are not from here, there are people coming in from LA. There, like I said from New Mexico, everyone's using up our RV spaces. There's not enough room for the resources here for the people in Oakland. We need the police departments to do something, to start figuring out who's supposed to be here and who's not. Thank you.

Regina Jackson: Thank you. So I remember at the unhoused forum that one of the main presenters managing a camp talked about the rules that they have in place to operate under. And they were going to send me some of those guidelines and I never quite got them. So I'm going to go back to the transcript. Yeah, it was a forum and they-

Speaker 23: The encampment is closed.

Regina Jackson: You know, I know I get that, but I'm saying that the rules that they had agreed to live under and enforce, I thought they sounded like great guidelines for any other encampment. So I'll follow that back up. But the second meeting in January and if we need to have, you know, Candice Elder and a few other homeless advocates give you some suggestions.

Speaker 26: Yeah, and I just, you know from the police department's perspective just in response to, due to chair... To comments, that was made. I want to make it clear that as a part of the homeless encampment team, the removing of vehicles that was referenced here wasn't actual clearing of vehicles that where services were offered, where we directly communicated and made all offers to relocate those vehicles to particular locations. Those locations were 70, 71st in San Leandro where they could actually, it's a sanction place where they could have parked the RVs and so those are those

Regina Jackson: Mr Fuentes, please, please, please. We're trying to be respectful and courteous here. Come on now. Let him finish. Thank you.

Speaker 26: That's what we were referencing just to make sure that we were utilizing the process set forth by the city.

Regina Jackson: Thank you very much. Okay, we're going to move forward to item 11. OBOA investigation update. Is Chief Kirkpatrick here?

Speaker 26: So I'll give you... So the OBOA investigation is open, internal-

Regina Jackson: Excuse me. Is Chief Kirkpatrick here?

Speaker 26: The chief is here? So.

Regina Jackson: That's a yes or no, right?

Speaker 26: That is a yes. With a caveat if I can. As a subject of an investigation you can't, no member of the department can speak to that investigation.

Regina Jackson: That's fine. So I wanted to know if you have any sense of how close you are to finishing. Like 80%, 90%?

Speaker 26: Yes. I was advised that the cases is nearing its closure. I would say 80 to 90% finished. And so there will be a resolution soon. It's being investigated by an outside firm and that we've been assured that the investigation will be coming to conclusion in the near future.

Regina Jackson: Okay. And can you share the name of the firm with us?

Speaker 26: I can't.

Speaker 23: Why not?

Regina Jackson: Okay.

Speaker 26: I will share it with Mr Alden to share directly with you.

Regina Jackson: Okay, that's fine. And is she here or no?

Speaker 26: The chief is here.

Regina Jackson: Okay. Well, I just don't know why she couldn't say what you said. That's fine. We had asked for her to be here. That's why.

Speaker 26: No, she's here. It's a reason why I referenced before.

Regina Jackson: I get it. Okay. I just, I hadn't seen you, so hello. All right, thank you. Goodness. Saleem Bay and that's the only speaker card I have for this item. Okay.

Mr. Bay: Oh, the OPOA.

Speaker 27: OBOA.

Mr. Bay: Oh, okay. Very good, then. I would just like to say that Saleem Bay, first of all. For the OPOA thing, this is very important, right? This is something that is a cry for help on the inside of the department. The community has been here and we've had independent people come and tell us that the department has issues with racial profiling and discrimination and everything. So the community's been on that. Now we're hearing from the inside, so we've got it from the inside and we got it from the outside and we haven't had anybody address this racial discrimination issue as it applies specifically to black people because this is the black police officers association that's complaining.

Mr. Bay: The other side of that is, is the same association has been watching black people get abused out in the street all this time. So I don't hear a whole lot of black whistleblowers coming forward and saying that these officers are breaking the law. We getting all these reports saying that the law is being broken in racial profiling, but we're not getting any internal, that I'm seeing any internal police stepping forward and saying, where are all the good police officers? We keep saying our good police, you're not a good police officer if you don't report the bad ones. That's the point.

Regina Jackson: This is correct.

Mr. Bay: So there are people who out there, go do their job and become, you know, very myopic, very focused on what they do. But if you are ignoring the abuses that these other officers are doing to the community, you're just as guilty. And that's what we want to say from the community.

Regina Jackson: That speaks to not feeling safe about reporting.

Mr. Bay: Exactly.

Regina Jackson: I get that. Okay. So I think we can move on to item 12 report on lost guns. This is a new item. Capital Joshi, I think.

Speaker 23: No, this would be Chief Kirkpatrick.

Regina Jackson: Oh, chief Kirkpatrick.

Speaker 28: Good evening commissioners. I had Captain Joshi go home. Many of us came in at 4:45 this morning. So...

Regina Jackson: And we want to thank you particularly in light of the blackout because I was one of those that lost power. Thank you.

Speaker 28: Yes. So with respect to the report on lost gun, an audit was done and the, in your packet it does show the report of the audit. 2018 and in that, I'm afraid I don't have the packet in front of me, but I do know that the guns that were audited and accounted for, there was one gun, one shotgun that had been assigned to the firearms unit that was not accounted for and it was entered into our system as a lost and/or stolen gun. And that is for the year 2018.

Regina Jackson: Got about 150 pages of paper here.

Speaker 28: Yes [crosstalk 00:10:52].

Regina Jackson: So it's this memo?

Speaker 23: Yeah.

Regina Jackson: Okay. Yeah.

Speaker 23: So, chief, I think some meetings ago we specifically asked, I believe one, Mr Bay, you gave us the numbers on the missing guns in Oakland. Do you still have that?

Speaker 23: Okay. It's in the transcript. I'll find it, but it was more to the sound of like 200 and something guns?

Speaker 28: Yes ma'am. I've heard Mr Bay reference that. That was apparently, when I've made my inquiry, I believe it was around the year 2009 was when that event occurred.

Speaker 23: Okay, and that was for one year you think? Or was it leading up to?

Speaker 28: Chief, do any of y'all know who had been here? I know under my tenure we had the one. Yep. John.

Speaker 23: So, is that the-

Speaker 28: I'm sorry, I don't know.

Speaker 23: That's okay. Is that the last two years? Two and a half years? We've had one gun. I have locked-

Speaker 28: That was the 2018 was in the report and that's the only one that I have from an audit.

Speaker 23: Okay.

Regina Jackson: And so for the first half of 2019 do you have any?

Speaker 28: The audits are done, are to be done at the end of the year.

Regina Jackson: Okay. All right.

Speaker 28: Yes ma'am.

Regina Jackson: Are there any additional followup questions on this item?

Speaker 28: Chief Armstrong is telling me that we have not been made aware or anyone has reported a gun being lost and/or stolen and they are mandated to let us know if there is one that they're aware that was lost or stolen. It is a mandate.

Regina Jackson: Okay. Excellent.

Speaker 28: Thank you miss.

Regina Jackson: If there are no questions. Okay, so if you have a question, why don't we, it's 10:25, we have to vote to extend our meeting. I actually would like for us to vote to extend it 30 minutes so that we can really get through the rest of this or get through as much of it as we can.

Regina Jackson: Okay, we're not going to look at Commissioner Smith.

Jose Dorado: I vote we extend the meeting for 30 minutes.

Regina Jackson: Second. Okay. So we are going to let you handle your question. I know we need a vote and we will take public comment but we're going to vote to extend the meeting. So Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris. Come on, come on.

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Commissioner Smith.

Thomas Smith: No.

Regina Jackson: Are you serious?

Speaker 23: He said no.

Thomas Smith: I am serious.

Regina Jackson: Okay.

Thomas Smith: The motion still passes.

Regina Jackson: Four to one. I know the motion still passes. I just wanted you to be with it. Okay, so Commissioner Dorado, you had a question?

Jose Dorado: Yeah, the question for the chief.

Speaker 28: Yes sir.

Jose Dorado: All right. It's, I hope it's proper because it's not specifically on lost OPD guns, but it is on guns. There was an article came out January about, that the Brady campaign had partnered with UCLA policy lab to offer Oakland a free trace analysis of the guns police collect. And that that's still at least as of this January was still on somebody's desk and it was never followed up on. Do you know anything about that?

Speaker 28: A little bit. I do know that we have tried to follow up with the Brady campaign and work with UCLA. There was a issue associated with the legal side of it, whether or not the releases associated with contracting and so forth, but with respect to gun tracing, I am on the national board. I'm only one of a few chiefs in the country who is on the national crime gun center. It has to do with gun tracing. So we do know where our guns are traced and I am standing up in the city of Oakland police department, a new ATF crime gun intelligence center. Which is involves tracing guns, the collection of all casings from shootings in our city. And we enter that into a database called NIBIN and we work toward tracing

every single shooting in our city. So we're doing some very sophisticated work on crime tracing and gun intelligence. But the UCLA study was something the Brady campaign wanted to do and there were some complications associated with going forward with that.

Jose Dorado: Well what you just talked about with the tracing of shells, et cetera sounds great.

Speaker 28: Yes. I'd like to make a presentation sometime and have it on an agenda for you.

Jose Dorado: Yeah. But what I would like is a specific answer to this. It doesn't have to be tonight, but-

Speaker 28: I can follow up and get you a report back.

Jose Dorado: And you know, of course I'll provide you with the, with this article. But I would like some answers to what happened to this offer.

Speaker 28: Yes sir, we could do that.

Jose Dorado: Cause it was submitted to the city attorney in December, 2017.

Speaker 28: I know.

Jose Dorado: Okay.

Speaker 28: I'm aware of it and I... I am aware of it. I'm not prepared to speak to it tonight, but I can come back with a report on that.

Jose Dorado: Great, I appreciate it.

Speaker 28: And I would like to, as I said, it's called the Crime Gun Intelligence Center. I'd like to speak to that. It's a big move toward trying to reduce gun violence in our city.

Regina Jackson: Crime Gun Intelligence Center.

Speaker 28: Yes ma'am.

Regina Jackson: Okay. All right. Thank you very much.

Regina Jackson: There are no other questions. I've got public comment on this item from [Loyola 04:01:30] Bosserman and Oscar Fuentes. Loyola is waving me off. Oscar come on down.

Oscar Fuentes: So, in reading this report, I see that there were five shotguns that had previously been reported lost and stolen and were located. So I bet there's a funny story. And we're all here and just voted to extend the meeting, so.

Regina Jackson: Yeah, I don't think she has the details, so I think we'd rather get it-

Oscar Fuentes: Well, how long were they... I mean, how long were they lost?

Regina Jackson: I don't think she has the details. She's going to come back and give us that information. So we'll put it on the next agenda. Thank you.

Oscar Fuentes: Why can't it be this agenda?

Regina Jackson: Oscar work with me, babe.

Oscar Fuentes: Well, she's supposed to be reporting. I mean you just can't put one sentence about five shotguns that disappeared for who knows how long.

Regina Jackson: She's going to come back and we're going to have more detailed information. We're going to go ahead and move forward cause we still have so much on this agenda. So, moving to item 13.

Mr. Bay: There should be [crosstalk 04:02:46] one in there.

Regina Jackson: Excuse me, no, no.

Mr. Bay: For the gun, yeah, for the gun track. Yeah, yes, for sure.

Regina Jackson: Not for 12.

Mr. Bay: XII is 12.

Regina Jackson: I promise you.

Mr. Bay: I'm sure it's-

Regina Jackson: It's blank. That's you?

Mr. Bay: Yes, I am that blank person.

Regina Jackson: Mm-hmm (affirmative). Okay, I'll write it in. Go ahead.

Mr. Bay: Thank you very much. And so... anyway, thank you very much. I was just looking up online just to see if I could figure out some kind of rough numbers. And it said in 2016, they were reporting that there was 370 weapons missing since 2011, right. And so just because you started in 2016, don't mean that those 370 weapons don't become your responsibility. But she always is... She being the chief is always famous to say that there's something happened before her, but if a law was broken, that law extends across her responsibility. So we're tired of hearing her say what happened before she got here. Just as she said about our case. The reason why she is... And our case involves illegal weapons, stolen

guns, tracing of weapons, following weapons through the streets. Something that she, if she's really checked out on nationally and everything is something that she should have been braced instead of allowing the Oakland police commission to have to expend money on independent investigation to do the job that she is unwilling to do.

Mr. Bay: Right. Because we're talking about October 2018 was when she was called here to ask, before this body about racial profiling in our case. That led to the illegal, what bought the illegal weapons. She's still, then she'd said that it was because the case is sealed. Well, the case isn't sealed anymore. So she can say something about these illegal weapons and these murders that happened out in the street. So if she is all checked out on illegal weapons and you know, trained on them and everything start here in Oakland. And on top of that, don't come up here at saying there's only one missing weapon. Did you recover all 370 of those weapons that were missing when you were hired? Right. They didn't just disappear. They didn't just say that... They're out there someplace in the street. So you're saying that you went from 370 weapons to losing one weapon? That does not add up or compute with truth.

Regina Jackson: Thank you Mr Bay. So now we're going to go to item 13. Hiring process data for people of color. Hello Ms Gleason.

Virginia G.: You should have a PowerPoint that should come up for the siding. If it doesn't come off...

Virginia G.: Good evening. I'm Virginia Gleason, deputy director over the Bureau of Services at the Oakland Police Department. And here in the audience tonight are several of the members of the background recruiting unit who are very proud to be reporting on the results of their recent changes that we've been doing in background and recruiting. So I've been over, the Bureau of Service, had been over the background recruiting unit for about nine months and prior to that time I had participated on certain types of background and recruiting issues and when the unit came into my Bureau I was very happy. It's an excellent group of people and they have been engaging in some extremely innovative recruiting practices that are yielding a lot of results. So I know there have been requests at various times to know exactly what happened beginning on a certain date, but the hiring process doesn't work that way from the time we put out an advertisement to when we have a testing cycle to when people get into the background. That can span over the course of a year.

Virginia G.: So there's not really a particular snapshot in time at a particular date where you could attribute something to a particular person or a particular policy or particular test. But over the last year, about the last two years, we've made a number of very significant changes in the way that we test for police officers. There's other changes that we've been doing in several of the other job categories. We have over 70 different job classifications and they each require a different test. But for purposes of what we're going to talk about tonight, I'm

going to mention what we're doing for the police officer trainee classification, which is our entry level police officer. So about-

Regina Jackson: Excuse me, Ms Gleason. I'd love to hear the rest of your presentation, but I know we had a very specific agenda for you to address-

Virginia G.: And I'm trying to do that. So if you just let me finish, I'll go on. What we have done is some of these changes specifically have been made because we have found that those are the specific items that are barriers or impediments to diversity hiring. And so those changes that we have made are specifically addressing that particular topic.

Speaker 23: That's terrific.

Regina Jackson: Okay.

Speaker 23: I have some specific things I'd like to ask.

Virginia G.: So, okay, well let's just let her go. I just [crosstalk 04:08:32].

Regina Jackson: It was also significantly different than the item that was brought to us last week. So...

Speaker 23: Excuse me, Ms Gleason?

Virginia G.: Yes.

Speaker 23: I want to ask you some questions. I understand you have this new tool, which is terrific and I'm excited to hear about it. But I have some very specific things that I asked you and Miss and Chief Kirkpatrick in May. And I just want to know if you know it or not. If you don't, that's fine. Let me know that. But I just, I want to know this first before this.

Virginia G.: Okay, well, I have a whole series of emails from you that have been addressed. We have talked to you personally-

Speaker 23: No ma'am.

Virginia G.: And I'll be happy to-

Speaker 23: I'd like to address them now.

Virginia G.: I will. I will be happy to read the emails into the record.

Speaker 23: You're not going to get away with spinning today. No, no, no, no.

Regina Jackson: So, Vice Chair, I have asked Ms Gleason to address the specific nature of what's in the agenda. You mentioned five months ago that out of 400 people, 40 that had been dismissed, 40 people had been called back. We at that time, or Commissioner Harris at that time asked for the background, the ethnicity background, and you were going to identify that. Have you been able to identify that?

Virginia G.: First, that was, I was not at that commission meeting. I was absent there. The request was passed forward to me, which I have responded to and I will get into more detail about what we found.

Regina Jackson: Okay. Can you share that detail now?

Virginia G.: Absolutely.

Regina Jackson: Okay, great.

Virginia G.: So, about a little more than a year ago, this was before I supervised the unit. We were concerned about the volume of people flowing into the system. And so-

Regina Jackson: Okay, so I'm going to stop you with giving the big background. We can do that after.

Virginia G.: That's not what I'm... I'm answering your specific question. If you just let me finish.

Speaker 23: I didn't even ask a question. Let me ask the question please.

Regina Jackson: She was answering my question but I'll let you take over.

Speaker 23: Thank you. So in May, and I have a transcript in front of me, quote unquote. Okay. The police chief said that there were 67 open positions, non-vacant positions and professional staff. I sent that to you as a courtesy in an email asking you legitimate questions that you never seem to be able to answer. Either you didn't answer them or you avoided them. On September 4th I addressed the questions, which I have in front of me for May 23rd. May, June, July, August, September. That's four months. You did not come back with an answer. So on September 4th I sent you four different points. I sent you and Chief Armstrong, which he doesn't have anything to do with. It's been brought to my attention that two years ago, the NSA judge inquired about hiring of African-Americans. If this is the case, please provide me with the data.

Speaker 23: It was said that OPD responded by saying that they were, they went through a process. Can you please let me know what that process was? On the transcript, it clearly says "Police chief. Oh ever since I got here, we rolled out what we are trying to do to get the corrections to facilitate, make the hiring process leaner, how we're doing hiring and even recruiting. All those factors are one big plan

that has been actually Virginia Gleason owns the oversight of that because that's under her unit, but of course I've been, as the chief working as the overseer of that plan, but this is not something that it is just the last minute, Oh we need a plan. This definitely been in place since I got here." We have yet to hear that plan. Can you tell us the plan?

Virginia G.: Well, I'll say a few things first because you're making a lot of accusations that are mostly based on incorrect information. There was-

Speaker 23: This is the transcript.

Virginia G.: Please let me speak. I was... Anytime we have been contacted about an agenda item working with... I'm no longer the liaison for the police commission meetings. Every time we've been asked to put an agenda item on, on a specific issue, we are more than happy to show up and speak to it. These questions came and I am happy to read in some of our emails, responses or ask respectfully that those email, the email correspondence back and forth between myself and Commissioner Harris get put into the record so that it can be part of tonight's minutes or some other way. I'd be happy to do that. But the agenda item that we were asked to speak to, we are here to speak to and to answer those questions.

Regina Jackson: Okay. We've been kind of circling around for about seven or eight minutes. Can we zoom into the 40 applicants?

Virginia G.: Yes. So about a year ago, this is the answer I was trying to give before. About a year ago, we were concerned about the volume of applicants that were coming in. We had just started a new process that was going to allow us to test more frequently. But I said, we can't wait for that process. Let's go to the piles of people who are not... Let's give another scan to the people who are not being moved forward at this time. And I was not over the unit that time, but I offered to go through and go through that whole, anyone who was not being processed, I said bring all of the boxes to me. I will go through them. I put about 40 more people into the hiring process who were not being processed and there's a reason for that timing of that several things that had happened.

Virginia G.: One is we had a requirement from a previous audit for us to make sure that our background investigators all had gone through a post certified training and that training was about to happen so we could put more backgrounds into the pipeline. So that's why we were picking them out. They included officers, they included dispatchers and they included records specialists.

Regina Jackson: Okay. And what we asked for as it related to those were the gender and race specifically.

Virginia G.: So I put them back. I gave them to the background unit, which I did not supervise at that time. I have talked with people about whether or not they

could go back and try to determine which people came out of the stack that I had suggested go back into backgrounds, and they did not have a tracking system a year ago that would allow them to identify the race and gender of those individuals.

Speaker 23: Have the applications?

Regina Jackson: So don't the applications ask people to identify?

Virginia G.: No. They're in a box, I look through them and I said, take this group. I don't know that they tracked which 40 I put back into the process, so I can't go back to see which people they were.

Regina Jackson: So, you.

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Virginia G.: I can't go back to see which people they were.

Regina Jackson: If you knew it was 40, why didn't you know what the 40 represented? I mean, equity is a priority now, we're getting failing grades and everything. When did you assume this responsibility?

Virginia G.: In January and this would have been about October, so a few months before.

Regina Jackson: Okay, but in May you referenced these numbers.

Virginia G.: I didn't, the chief did, but yes.

Regina Jackson: It's your responsibility, right? That's your boss, right?

Virginia G.: Right.

Regina Jackson: Okay. So, you're saying that out of the 400 people that were overlooked, dismissed, didn't move forward. And you don't know what their gender or ethnic identification is, you pulled back 40 out of boxes, whatever it is, and their applications don't self-identify.

Virginia G.: No, their applications do but there's no way for us to go in the thousands of applications we have to see which 40 got put back in the process. And also, the numbers... Unfortunately, there was two different events that got confused. I don't know if there was 400 of the group that I used to put them back in. I think it was three banker's boxes full, maybe 40 in a box so maybe 120. The project we talked about with a larger number of applications was a completely different project we were doing.

Regina Jackson: Okay, so if we can't speak to the validity of the numbers represented by the chief in May but you have accepted responsibility of that portion of the department since January, what processes have you put in place to increase ethnic diversity and gender diversity?

Virginia G.: Which is what I've been trying to talk about from the very beginning, okay?

Regina Jackson: But we've been focused on 440 because those were numbers that we were given.

Virginia G.: So, we have done a lot of research about recruiting in general. We finally had made some improvements to the hiring cadence so that we didn't have these huge, long, several month breaks between testing because what that does is it creates a large pool of people and by the time you process them they're gone. The best way to really increase the diversity and newness of your hiring process is to test frequently and to be able to process people frequently.

Virginia G.: We went out, looked at what a lot of the best practices were, and among the best practices that people have in order to increase diversity of your department, include things like hiring frequency, eliminating inconveniences to testing. Our previous testing process was so infrequent and it was only on certain days that if you worked on the weekends or you didn't have childcare or you had other issues, you had to wait another four months to test.

Virginia G.: So we put processes together that allowed for very frequent testing, different days of the week, different times of the day. And one of the things that research has shown from different projects such as the president's 21st century task force is that in itself substantially increases the diversity of your pool because you are reducing all the inconveniences. It's especially true for women because women's schedules tend to be less flexible than men. That was one of our first steps was to change the cadence of the hiring.

Regina Jackson: And so how frequent is it now?

Virginia G.: We actually, we do our own testing but then we also accept testing from other testing who use the exact same exam we have. And I think that it depends but sometimes it could be more often than once a week. We backed up those scores and we'd get those so that was one fairly significant item that expanded the, what we like to call the top of our funnel. We tried to make it so much easier for people to come to us that what we found was there was a significant increase in the diversity of our pool.

Regina Jackson: Let me ask a question. I know the most recent academy that just started had no black females at all.

Virginia G.: Yeah.

Regina Jackson: In the upcoming academy, which I figure that you're already beginning to look at that, what are you finding given these changes to the cadence?

Virginia G.: SO we're finding that we want to have someone come and look at a few parts of the physical part of our academy because some of the information we're finding is that it is discouraging to women. We want to make sure that whatever physical tests we do, whether they're the explicit ones or ones that we imply throughout the academy that you need to graduate, that those are validated to the essential functions of the job.

Virginia G.: The last validation we had on our initial physical test was about five years ago and they made one small change to it because we had made a change to our policy on when we chase people into yards and it had to do with how high of a fence do you need to be able to go over. Once we changed that policy, they reduced the size of the fence.

Virginia G.: We also worked with California Post that sets a minimum physical standard. We're trying to make sure that as we're training people, individual components in the academy, that we're not doing it in a way that either makes women fail or get injured or that discourages them because of the style of the training, which is something that's a little harder to measure, but we try to have some very meaningful conversation with people about how they do the physical training.

Regina Jackson: So in terms of the next, let's say two or three academy classes, how are you expecting the numbers to nudge up because, like I said, you seem to be doing fine with Latino women, white women, but black women are nowhere to be found and they are all over here.

Ginale Harris: Or men.

Regina Jackson: Or men either but, you know, it would seem that we're not looking for them.

Virginia G.: Well and I think one of the things-

Regina Jackson: Because we can find them.

Virginia G.: When you look at, if you can map it out. What we did is we tried to map from the very beginning to the very end where are those points, those... We call them, transactions. Where are those transactions where there is something that we're doing that may be funneling people one way or the other.

Virginia G.: Well, if I ever get a chance to give my presentation you'll see.

Regina Jackson: Okay.

Virginia G.: So one of the things we do at the very beginning is we look at what is the nature of our ads. We were fortunate enough in OPD to have one of our department

members actually got to participate as a staffer on the president's 21st Century Task Force. They had how to recruit women, how to do other types of diversity recruiting, and they came up with some recommendations. We have tried to implement several of those. We will start-

Regina Jackson: Which are?

Virginia G.: Well, if I can give my presentation, I swear it's all in there if you just let me go forward. One of the things that we're looking at-

Speaker 29: I want to break in with one question because I've heard this a few times and I think it's important to know. I think one of the questions that our chair is trying to ask is she's particularly concerned about black women. Has that been something that you've looked at? Are you planning to look at it because-

Virginia G.: It's in my presentation. I promise.

Speaker 29: Okay, but you-

Regina Jackson: Let's fast forward to it because we haven't heard it yet.

Virginia G.: All right. Well, so when we look at what these best practices are we are trying to, we are just now coming to where that cycle that I talked about that's so long, we're starting to see where we'll actually be able to look at numbers to see whether they're effective. So we're trying to also choose items that have some way for us to measure the effectiveness of them. That's particularly difficult with advertising so this is what we have done.

Ginale Harris: What items?

Virginia G.: Well, if you will listen to the presentation or read your packet they're in there.

Ginale Harris: [crosstalk 04:24:48] answer my question.

Regina Jackson: Okay, so we see that you're going to Bart and you've got clear channel billboards.

Virginia G.: Right.

Regina Jackson: How are you using the black officers in the department to actually recruit? That's probably one of the best ways.

Virginia G.: Okay. Well, a large part of it is this, that we're making it easier for people to be able to do their applications a number of different ways. So we use our actual... So this is the analytics. So, we can look at the race, the location, the age of different ads that we try so we can see what's working. If we're doing a particular ad and we're saying we want this to reflect that we're getting more

African American women, these are the analytics that we get weekly that will show us whether the new ad campaigns were working or actually bringing us the candidates we want.

Regina Jackson: Okay, I think there's a real challenge and part of it has to do with the fact that quantifiable information doesn't always get you what you're looking for. People get you what you're looking for. So I'd be happy to do a focus group for you with black and brown young people who will tell you why they do or don't want to join the Oakland Police Department and that will be far better than all these round, colorful things.

Virginia G.: I find that beyond offensive and misrepresentative of what I'm trying to talk about. What I see-

Regina Jackson: Excuse me?

Virginia G.: What I'm trying to say is we are trying-

Ginale Harris: She should be ashamed of herself, shame on you.

Virginia G.: We are trying to try different ways of advertising to people and then seeing if they work so if-

Regina Jackson: But all I'm sharing with you is that technical information is not the crux of your challenge.

Virginia G.: I agree with you, but it is a way that we can help. As we work with focus groups or as we work with other types of ways that we're reaching out to people, it will help us understand which ones are yielding the results we want. Having a focus group is terrific. So we are using our actual recruiting unit on our posters.

Regina Jackson: But your posters aren't reaching out and touching people, that's my point. If you want to recruit people, people recruit people, not posters.

Ginale Harris: All black people don't live on 73rd in East Oakland, just so you know that.

Virginia G.: That is only one of the many different ways that we've tried to reach out to people. We also attend events. We also participate in a lot of other types of activities-

Ginale Harris: Like what?

Virginia G.: Where we're trying... Well, if I'd ever get a chance to deliver this I'll tell you what they are.

Ginale Harris: Listen. This representation, this what you're doing right now is disgraceful. It's shameful and you should be ashamed of yourself. We asked you months and months ago-

Chief: Excuse me [crosstalk 04:27:53] please, Virginia, you may go.

Ginale Harris: To come with this information.

Chief: You may go.

Ginale Harris: But you don't have it. And I have transcripts of you telling us a big whole circle.

Chief: I am not going to have-

Regina Jackson: Police chief-

Chief: That you speak to our staff in that manner.

Ginale Harris: Okay, well she doesn't get to talk to me like that. Okay? I'm the Vice Chair of this commission and she or you do not get to talk to me like that.

Regina Jackson: So here, here is the biggest challenge, police chief. Within the presentation, we're talking around and around and around. We're not identifying specifics and that is very frustrating. [crosstalk 00:12:30]. And that is the problem.

Chief: It may that it's frustrating, but to call her disgraceful [crosstalk 04:28:32].

Ginale Harris: Well we waited five months for-

Chief: Is not acceptable.

Ginale Harris: This presentation is disgraceful.

Regina Jackson: We have waited five months for this information.

Chief: I am not going to have you call her out as disgraceful? I am not, as the chief of police, as long as I'm the chief, you may not call her out-

Ginale Harris: You don't get to give that.

Chief: Without a basis that she is disgraceful.

Ginale Harris: You do not get to give that.

Regina Jackson: It's not she, it's the work that was presented.

Ginale Harris: Correct.

Regina Jackson: Okay? This is not helpful in terms of identifying-

Ginale Harris: You let your staff get up there and talk in circles to us when it wasn't even true. We got transcripts right here. I got you quoted, you quoted. Not even from May before May and you dare let her come up here and lie and blame it on you? I mean, you could take it if you want to, but I got a transcript and it's not okay to come up here and think that we don't catch these things.

Chief: Let me be clear with you and I want it on the record. Deputy director, Virginia Gleason, did not lie to you. She was not acting disgracefully.

Ginale Harris: Her presentation was disgraceful.

Chief: You may not. And you may criticize me and... But my staff is not deserving of this. I am going to intervene. You may be critical but you may not be illegal. And if this behavior is targeted it is not acceptable.

Regina Jackson: It's not acceptable-

Chief: I'm going to call it down right now.

Regina Jackson: It's not acceptable to have a presentation [crosstalk 04:30:14] that doesn't tell us anything.

Chief: We are done this evening.

Regina Jackson: So police chief, I-

Ginale Harris: You can be done.

Chief: Goodbye.

Speaker 29: Okay, wait, wait. Hold on. I want to, there's one important thing that I really think we need to get here. I think where things started to fall apart here is, I think there is a sincere and genuine interest here in learning about the impact for African American females, African American males and seeing how that recruiting would be increased. The title of this was hiring process data for people of color and so I think where this thing fell apart is the questions. I know that the two of you, or part of the questions that you're interested in is very much what specific efforts are there to target these groups that are underrepresented. And this presentation does address a number of different recruiting challenges and strategies and things. But the core question that they were really after was what about African American females? What about African American males? And and it did...

Speaker 29: The presentation never really hit that core point. And that is when the frustration has just started to rise up and get to a level. And so just watching the process then what happened was a series of direct questions, but I understand a lot of time and effort was put into the presentation and they wanted to go through the presentation. But I still think the reason and the thing that we've got to come back to at another meeting is a part of like an answer to the question of those particular groups, like black women, black men, you know, other officers of color. But in particular black women and black men. What are the strategies? What have we learned so far in terms of why they're underrepresented, what are the strategies that are going to be the most promising going forward towards changing that and have we seen any data that's on the frontier right now that shows us that change is in progress.

Speaker 29: I think if those things could be addressed the next time we visited this issue, I think this whole thing could be different. And I do think, I think it's time for everybody to, I think all of us need to go to sleep. I think. I hope we can let the chief go. I'm ready to go to sleep. And so I want to thank you for the effort. I wanted to make sure I said that cause I don't want this whole thing to leave like this. I think everybody at this table is tired right now.

Chief: Yes. Everyone is. I want to make-

Speaker 30: Speaking of tired and another meeting, it is 11 o'clock. So if we want to continue, you need to vote to extend.

Speaker 29: And I'd be not one to continue.

Regina Jackson: We're going to acknowledge our independent council who's been here all night. So I would like for us to vote to extend the meeting five more minutes. We'll acknowledge that and we will table the rest of it.

Speaker 29: Yes.

Jose Dorado: I move that we extend the meeting by five minutes.

Regina Jackson: Okay. I'll second. Let's say we'll take a vote to extend the meeting. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris.

Ginale Harris: Aye.

Regina Jackson: Me. Commissioner Smith.

Thomas Smith: Aye.

Regina Jackson: Okay. We'll extend the meeting for five more minutes.

Thomas Smith: Can we let the chief go?

Regina Jackson: Sure.

Chief: No, I have a remark I am going to make.

Thomas Smith: Go ahead chief, go ahead chief.

Chief: Deputy director Virginia Gleason had a pre-approved vacation. You were very aware of that.

Regina Jackson: Pre-approved by who?

Chief: Me. I'm her chief.

Ginale Harris: How were we aware?

Chief: She had a pre-approved vacation. When this agenda item came up, she had tried to make arrangements to have someone other than herself, one of her staff member, whether it was Lieutenant Wilson Lau or her Sergeant Aaron Smith. Someone was going to try to make this presentation to you. She did receive information that was not acceptable and you wanted her.

Ginale Harris: Correct.

Chief: Correct?

Ginale Harris: Correct.

Chief: Thank you for acknowledging that.

Ginale Harris: According to the transcript, yes.

Chief: She had bought plane tickets to be with her family, her grandchildren. They were canceled in order to be here tonight. Although, there had been a apparent agreement in writing, I believe she has it, that it was approved, that she could come and make this presentation on October the 24th.

Regina Jackson: That is not quite accurate.

Chief: Whatever. I'm just telling you, this woman canceled out her flights, her time of vacation with her grandchildren and her children in order to be here. She-

Regina Jackson: I appreciate that police chief.

Chief: I'm just telling you that this event tonight was not acceptable.

Regina Jackson: So police chief-

Chief: And you owe her an apology.

Ginale Harris: You owe me an apology.

Speaker 29: Well, no, no, no. [crosstalk 04:35:29] Ms Gleason, I personally want to say-

Chief: We are done.

Speaker 29: I personally want to say I apologize that you have to cancel your tickets, that you had to go through all of that personal. No, I mean I really feel bad that she had to go through all the personal-

Chief: I do too.

Speaker 29: I mean, and it shows the sacrifice and the commitment and you know, I do think that what has happened here is a result of people are tired. I think overtired, I think. I think we do need to address the questions I issued before at a different meeting and I think we'd come back to the table. But I do want to apologize to her for [crosstalk 04:36:04] .

Chief: We accept, I accept the apology.

Regina Jackson: Thank you.

Chief: I think she does deserve an apology from those who called her out.

Ginale Harris: She will not get one from me. And neither will you.

Regina Jackson: So the other part that I would like to say... Vice Chair Harris, give me a moment please. The other part that I would like to say is that in the real work world, if a senior staffer owes a board member a report, if you work for me, you don't get approved vacation until you get it done, especially when it's five months late. But to that point, I believe that our assistant approved a delay before Vice Chair Harris could weigh in. And when I was reminded it was five months old then it was actually needed to be done when it was needed to be done. Now, I don't know that anyone knew that airline tickets were purchased.

Regina Jackson: That's not a detail I had, it certainly was not our intention for her to have to cancel that. But it also is not our intention to have to wait five months to get an answer or longer to get an answer to critical information and with that-

Ginale Harris: I will send you an email Chair [crosstalk 04:37:20] that I said that Ms Gleason can come on the 24th and present. I have the email and I will forward it to you, Chief and I will forward it to you, Chair. I had no problem with Ms Gleason coming here on the 24th.

Speaker 30: And it is now 11:05 and we need to extend-

Regina Jackson: No, no, no, we're going to seven cause when we did it, it was 11:02. But what I need to-

Virginia G.: Chief Armstrong is here to say that he tried to have me present on the 24th and that was overruled by you.

Regina Jackson: Okay. We appreciate that very much. What I need to do is move forward to let this police commission council update happen in the next two minutes and we will circle back in order to hopefully get the information that we're looking for.

Regina Jackson: Police commission council update. I am excited to announce that we have finally confirmed the office of Sawhorse and Garcia Hernandez. Thank you very much. So welcome. Natasha, can you give a little background? Thank you.

Nitasha Sawhney: We are really, I'm Natasha Sawhorse from Garcia Hernandez Sawhorse, this Connor Kennedy from Garcia Hernandez and Sawhorse. We are really pleased and privileged to get to serve this commission. We are excited about the work that you are doing. Your commitment is inspiring to us and so we are really looking forward to this opportunity. We hope to be able to be of service to the entire community of Oakland through your work. We're a women of color owned firm with offices in Alamos, San Diego and Los Angeles. And thank you.

Regina Jackson: Thank you very much. I'm sorry, Connor. And wave Connor. Okay. And so we're going to accept the motion to table the rest of the items and adjourn all in one.

Speaker 30: Well, before we do that, can you just confirm, no comment, no public comments for that item.

Regina Jackson: I... None of the folks are here. Yeah.

Speaker 30: Great, perfect.

Regina Jackson: Thank you. So we're going to move to adjourn and delay the rest of the items. Commissioner Dorado.

Thomas Smith: So moved.

Tara Anderson: Second.

Regina Jackson: Second.

Jose Dorado: Second.

Regina Jackson: And a vote. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson?

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris?

Ginale Harris: Aye.

Regina Jackson: Aye for myself.

Ginale Harris: Commissioner Smith.

Thomas Smith: Aye.

Ginale Harris: Okay. And we are gone.

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