



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

October 28, 2021, 5:30 PM

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

Chair Regina Jackson

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

Absent/excused: Comm. Gage

II. Closed Session Item

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

Public Employee Performance Evaluation (California Government Code Section 54957(b)):
Title: Director, Community Police Review Agency

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

No reportable action from Closed Session.

Public Comment provided by the following speakers:

None

III. Call to Order and Re-Determination of Quorum

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

Absent/excused: Comm. Gage

Commissioner Harbin-Forte did not voice her presence, it was noted later in the meeting that she did rejoin at approximately 6:50pm.

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

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



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to extend beyond 15 minutes. Any speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

Public Comment provided by the following speakers:

John Jones III
Rashidah Grinage
Elise Bernstein
Mary Vail
Anne Janks

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

Comm. Harbin-Forte moves to re-adopt the City Resolution to allow the Oakland Police Commission to continue meeting virtually.

Comm. Garcia seconds the motion.

Public Comment provided by the following speakers:

None

Ayes

Comms. Garcia, Harbin-Forte, Howell, Jordan, Milele, Jackson

Nays

None

Abstentions

None

Absent/excused: Comm. Gage

- VI. Welcome Commissioner Rudolph Howell.**

The Commission welcomes new Commissioner Rudolph Howell to the Oakland Police Commission.

This is a new item.

Public Comment provided by the following speakers:

Elise Bernstein
Anne Janks
Rashidah Grinage



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Mariano Contreras

VII. **Update from Police Chief**

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; an update on the Negotiated Settlement Agreement; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item.***

Chief Armstrong shared the rise in homicides, shooting and robbery numbers along with other pertinent statistics, including firearm recovery. He noted the missing persons press releases and the work and efforts of the Ad Hoc Committee to update the Department's missing persons policy and practice, including leveraging social media.

The Chief discussed the initiation of contracts that would update technology and body worn cameras as part of the OPD's compliance efforts, as well as beginning Task 2, modifying risk management meetings and preparing the next stop data report.

Current staffing is at 682 officers, with a continued trend of officer departures, be it retirement and other reasons. Sixty officers have left in last six months and a new academy will begin in November with 40 trainees. The Department continues to conduct exit interviews and is working with the OPOA on officer surveys to understand the reasons behind the departures.

Public Comment provided by the following speakers:

Anne Janks
Oscar Yassin
Assata Olugbala
Mary Vail

VIII. **Office of the City Attorney's Report Regarding Support for the Police-Discipline Process and Recent Arbitration Decisions**

The Office of the City Attorney (OCA) will present a report which summarizes recent efforts by the OCA to help improve the police discipline and data on arbitration decisions. ***This is a semi-annual report.***

City Attorney Ryan Richardson shared the City's bi-annual report to the Police Commission, starting the discussion with civil matters specifically the challenge brought by OPA against the City. Other civil cases discussed: Updates to the officer challenges in the Pollack case, the case to overturn officer terminations in the Pollack case, and an arbitration decision regarding a truthfulness/termination case.



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Public Comment provided by the following speakers:

Assata Olugbala

Oscar Yassin

Saleem Bey

IX. Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities

To the extent permitted by state and local law, Executive Director John Alden will report on the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item.***

Executive Director Alden presented the CPRAs monthly statistical report, focusing on the publicly available information regarding the Instagram case.

Public Comment provided by the following speakers:

Assata Olugbala

Oscar Yassin

Saleem Bey

Rashidah Grinage

X. Election of Oakland Police Commission Vice Chairperson. The Commission will nominate and vote on the appointment of a Vice Chairperson to serve from November 2021 to the next election, February 2022.

Chair Jackson noted that since Comm. Dorado has rolled off the Commission, his role as Vice Chair has since been made vacant.

Chair Jackson nominated Commissioner Tyfahra Milele for the position, seconded by Comms. Harbin-Forte and Jordan (the two inadvertently chimed in at the same time).

The Commission voted unanimously, Commissioner Milele becomes the new Vice Chair of the Oakland Police Commission.

Public Comment provided by the following speakers:

Saleem Bey

Assata Olugbala

XI. Militarized Equipment Ad Hoc Committee Completion and Dissolution.

Commission representatives from this Ad Hoc confirm the end of this committee's work and discuss suggested next steps.



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In Comm. Gage's Absence, Comm. Jordan – as a member of this ad hoc – noted Commissioner Gage's previously publicly noted desire to reconfigure this Ad Hoc as a Standing Committee, pending the continuation of the Commission's resourcing and capacity discussion.

Comm. Harbin-Forte suggests tabling this agenda item for the next meeting for a more comprehensive discussion with Comm. Gage present.

Public Comment provided by the following speakers:

John Lindsey-Poland

Saleem Bey

Assata Olugbala

Reisa

XII. Committee Reports

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

Inspector General Search

(Commissioners Milele, Jackson, Peterson)

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

Comm. Milele discussed the progress of the search, noting the public forum held the previous evening that introduced the three finalists and conducted their final interview in public. Next steps include this Committees review of the candidates before their presentation to the full Commission and announcing the nominee.

Chief's Performance Evaluation

(Commissioners Garcia, Milele, Peterson)

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

Comm. Peterson noted the Ad Hoc was still in its research and discovery phase, requesting and reviewing best practice as they continue working with the Chief's office and the City, the Committee is also designing a public engagement campaign.

CPRA Director Performance Evaluation

(Commissioners Milele, Jackson)



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The purpose of this Ad Hoc Committee is to provide a transparent performance review of the CPRA Executive Director. The Committee will craft constructive critiques, as well as performance expectations for the coming year.

Chair Jackson reported the Ad Hoc continues to move forward, having agreed on a rubric the Committee is seeking the perspectives and comments of other Commissioners as well as Oakland communities.

White Supremacists and Other Extremist Groups (Commissioners Harbin-Forte, Jackson)

The purpose of the Oakland Police Commission Ad Hoc Committee on White Supremacy is to ensure the Commission's oversight of the Oakland Police Department and the Chief of Police is properly focused on identifying and eradicating white supremacist infiltration of local law enforcement agencies, including in Oakland. The Ad Hoc's charge is to elevate the visibility of this issue, which is long overdue, and to ensure the Department is prepared, informed, and proactive about identifying and eradicating any links to white supremacy within our Department. Because a police department shapes a city's culture in countless ways, the Ad Hoc's long term goal is to root out the evil of White Supremacy in both our Police Department and all across our City for the safety of all Oakland residents and Police Officers.

Comm. Harbin-Forte mentioned the Committee's meeting with the Department and the Chief to discuss ways to root out White Supremacy and extremist thinking within the Department. The Commissioner suggested a hiatus of this ad hoc until the Social Media Policy Ad Hoc moves further along and can provide suggestions and recommendations. She also noted that former Commissioner/Vice Chair Dorado would like to remain on the Committee and requested the Chair appoint him as a community representative when the Ad Hoc reconvenes.

Commissioner Jordan promoted the Missing Persons Public Hearing scheduled for November 2, 2021.

Public Comment provided by the following speakers:

Assata Olugbala
Reisa
Saleem Bey
Anne Janks

XIII. Open Forum Part 2 (2 minutes per speaker)

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



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during this Open Forum. Comments previously made during public comment on agenda items may not be repeated during this Open Forum. The Chair has the right to reduce speaking time to 1 minute for reasons the Chair will state on the record. ***This is a recurring item.***

Public Comment provided by the following speakers:

Saleem Bey
Maria Arroyo
Assata Olugbala

XIV. Review and adoption of meeting minutes

The Commission will vote to approve minutes from September 23, Special Meeting October 14 and Regular Meeting October 14. ***This is a recurring item.***

No edits for the minutes of the Sep 23 meeting, an edit to the October 14 Special Meeting regarding former Vice Chair Dorado's absent voice in the resolution vote, and a spelling correction of Comm. Hsieh's name in the Regular Meeting on October 14.

Public Comment provided by the following speakers:

None

Chair Jackson requests a motion to adopt the minutes with the recommended edits, Comm. Harbin-Forte makes the motion and Comm. Garcia seconds.
Commission votes unanimously, with Comm. Howell choosing to abstain.

XV. Agenda Setting and Prioritization of Upcoming Agenda Items

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

Chair Jackson notes that the Commission's regular meeting on November 11 will be moved to November 18 since 11.9 is Veterans day. The Chair reiterates the items she'd called out during the meeting for a future agenda, including:

- + Militarized Equipment
- + CPRA Exec Director Evaluation
- + The Bey matter
- + The Instagram Case
- + Roberts Rules of Order training
- + Chief report out on policies and the Council report on the exit interview
- + Police Commission retreat

Public Comment provided by the following speakers:



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Saleem Bey
Assata Olugbala
Anne Janks

- XVI. Adjournment**
Meeting adjourned at 9:46pm.