



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Regina Jackson: Hello, and welcome to the Oakland Police Commissions Meeting for March 11th, 2021. It is 5:00 PM. We have a special meeting that was called a little earlier. I am your chair, Regina Jackson. I am calling this meeting to order at 5:02. Thank you. I'm going to call the roll. Commissioner Dorado, are you here?

Jose Dorado: Present.

Regina Jackson: Thank you. Commissioner Gage, are you here?

Henry Gage, III: Present.

Regina Jackson: Excellent. Thank you. Commissioner Harbin-Forte?

Brenda Harbin-Forte: Present.

Regina Jackson: Excellent. And Commissioner Tyfahra Singleton?

Tyfahra Singleton: Here.

Regina Jackson: Excellent. Thank you very much. And commissioner Jackson is here. Alternate commissioner Peterson?

Marsha Peterson: Present.

Regina Jackson: Excellent. Thank you very much. And those are all the commissioners for now. I do know that Commissioner Sergio... Sorry, I just lost his last name there for a minute.

Jose Dorado: Garcia.

Regina Jackson: Thank you. He's not going to be able to join us this evening. And since we're starting a little earlier, if Alternate Jordan is able to join us in the regular session, that will be fine. Now, in terms of our number for quorum, we have five.

Regina Jackson: Mr. Kennedy, should we...

Conor Kennedy: Right here. Can you hear me?

Regina Jackson: Yes. I'm going to elevate Alternate Commissioner Peterson to go into closed session. Is that correct?

Conor Kennedy: I think in this case, now that we're no longer in a situation...

Regina Jackson: Oh, because Commissioner [crosstalk 00:05:26].



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Conor Kennedy: [crosstalk 00:05:26] is absent, because we just had a resignation and we have to treat that as a resignation, which we'll address later. I don't think they'll be elevating any alternative [crosstalk 00:05:36] meet quorum for the five o'clock. Thank you for asking, Chair.
- Regina Jackson: Okay. No, thank you. And thank you Commissioner Gage for joining us. I think that happened in that last minute. For the purposes of moving into closed session and we will do that after we hear public comment, then Alternate Commissioner Peterson, if you like, you can drop off. It's going to be a long close session. And then I can let you know that we're going to be joining back up if that works for you. But I thank you very much for standing ready.
- Marsha Peterson: Certainly.
- Regina Jackson: Thank you. Mr. Rus, if you could advance the slide for me, please. Thank you. I would like to turn over to Mr. Ruse for public comment on Closed Session Items only.
- Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to make comment on the Closed Session of tonight's meeting, please raise your hand in the Zoom queue and you will be called in the order in which your hands are raised.
- Conor Kennedy: And if it's all right, as Counselor, I just want to quickly read off the Closed Session items just as a matter of compliance with the Sunshine Ordinance. And Chair, at any point, if you want to interrupt me in doing that, that's fine. I just figured I handle that. I know that folks are handling all sorts of things, but it's number one: Public Employees, Discipline, Dismissal, Release. And then two: [inaudible 00:06:59] with legal counsel for existing mitigation. Those captions are available in the agenda. Thank you. I'll go back on mute now.
- Regina Jackson: Thank you, Mr. Rus.
- Juanito Rus: Thank you, Madam Chair. At this time, I see one hand raised in the queue. Excuse me while I put the clock on. The first speaker on this item is Ms. Assata Olugbala. Good evening, Ms. Olugbala. Can you hear us?
- Assata Olugbala: Yeah, I might've misread the Closed Session Agenda. And when you just reported what was on, was the Kilpatrick case on the agenda this evening?
- Conor Kennedy: Ms. Olugbala is right, I should have read off those captions. The one of the two is Kirkpatrick versus the City of Oakland 320CV05849. The second is Sax versus the City of Oakland RG20078708. I'll go back on mute now.
- Regina Jackson: Thank you. Mr. Ruse, would you reset the time clock so that Ms. Olugbala has her full two minutes. Thank you.
- Juanito Rus: The floor is yours Ms. Olugbala.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Assata Olugbala: I read the [inaudible 00:08:06] of the case and it has quite a bit of accusations related to the Police Commission. And I find some of the accusations, having no knowledge of the circumstances, to be somewhat absurd. I really feel that this is a very unfair lawsuit because it relates to the Commission. Just to give you an example, charging that a Commissioner was trying to accuse the neighborhood's Service Coordinator of having something to do, which resulted in the Ghost Ship fire. And there were other areas too. So, I really don't know how the Commission in and of itself can stand up to some of these things, but I'm hoping that the capacity to expose some of this stuff will allow the Commission to be freed from these accusations. Thank you.
- Juanito Rus: Thank you, Ms. Olugbala. At this time, I see no other hands in the queue, Madam Chair.
- Regina Jackson: Okay. Thank you very much. As the citizens and the community can probably see, we've never had this many items [inaudible 00:09:39] close session matter. It is my anticipation, which is why we started at 5:00, that we will likely go at least until 6:30 and possibly a little longer than that. But not to disrupt the community too much, we decided to schedule our meeting a bit earlier in hopes that we can stay on track [inaudible 00:10:03] 6:30 time, but I do want to alert people that we may go a little bit over and we will do our best measure to join just as quickly after 6:30 as humanly possible. With that, I invite the Commissioners to join me on the other Zoom link for Closed Session. Thank you everyone.
- Regina Jackson: (silence) ... from closed session, that there are no reportable items. If we can advance the screen, please. So now, we are at the Welcome, Purpose, and Open Forum. We had a lengthy conversation about this at the last meeting. The purpose of the Open Forum is to identify or speak to subjects that are not on the agenda.
- Regina Jackson: At this time, we have two minutes per speaker and we will end at 15 minutes. I know I put 16 minutes in there, but the Rules Committee that we approved said 15 minutes total. And so there may be less time than the 16 minutes. And then if there are interested people in continuing the Open Forum, there is time later in the agenda to do so. Now at this point, I would like to call on Mr. Rus to identify speakers.
- Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to speak in Open Forum for tonight's meeting, please raise your hand in the Zoom queue and you'll be called in the order in which your hands are raised. We did receive one written public comment prior to tonight's meeting from Mary Vale, and that will be available in the transcript of this meeting. Excuse me. The first speaker tonight is Jennifer Tu. Good evening, Miss Tu. Can you hear us?
- Jennifer Tu: Yes. Thank you. Hi, this is Jennifer Tu from District Four and I was calling to find out about if we'll hear a proposal from the Militarized Equipment Ad Hoc around plans to retire the Bearcat. This was something that a lot of the commission members had voted on several meetings ago and I was interested in an update for at what point we can see that agenda. Thank you.
- Juanito Rus: Thank you, Miss Tu. The next speaker in the queue is Mr. Kevin Cantú.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Kevin Cantú: Good evening, everybody.
- Juanito Rus: Mr. Cantú.
- Kevin Cantú: Can you hear me okay?
- Juanito Rus: We can hear you. The floor is yours.
- Kevin Cantú: So last weekend I had an occasion to call the police. And as I waited, as the sun went down and it got cold, with my neighbors, for the police to come and collect some evidence and take a report after something had happened, I was not wishing that the department would spend more money on black clad, hard folks with machine guns and armored vehicles.
- Kevin Cantú: What I was hoping for was that perhaps the police department would invest in more evidence techs and more vehicles with their equipment. And I was really hoping that there is something that you, this organization can do to provide me, provide my neighbors with confidence that the police who showed up would believe these women's stories. I just want you to think about that.
- Juanito Rus: Thank you, Mr. Cantú. The next speaker in the queue is Mr. Jim Chanin.
- Jim Chanin: Yes. I'm sorry, I don't know your new procedures, but is the Sloan Report on the agenda tonight and/or comments on that inappropriate at this time? Or can I comment on it?
- Conor Kennedy: Now you can comment on that. I just want to flag that as council.
- Jim Chanin: Okay. It's okay then? Yes?
- Conor Kennedy: Yes.
- Jim Chanin: Okay. All right. I'd like my two minutes back because it's hard to even get through this with two minutes. I really can't go through the whole report in two minutes, so I want to focus on why this report was done in the first place. The charter, which S1 specifically says, and I quote, "The city administrator shall not have the authority to reject or modify the Discipline Committee's final decision regarding appropriate findings and level of discipline."
- Jim Chanin: Secondly, I want to point out that this was not required by the MOU between the City of Oakland and the Oakland Police Officer's Association. If you look at page 40 and 41 of the MOU, which I can't read at this time because it's too long, you'll see that there is no requirement whatsoever that attorney be hired to redo the decision of the Disciplinary Committee. And in fact, it's contrary to the charter.
- Jim Chanin: No one knew about this report. Not Chief Warshaw, not the police commission, apparently not the mayor, but it's very clear from reading the report that Mike Rains knew about this report and actually participated in it. What other explanation is for an extensive discussion of arbitrations?



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Either he was involved or the city administrator gave it to him when he did not give that information to the rest of you. So I could go on and on about this. I think this report is totally uncalled for. Thank you.

Juanito Rus: Thank you, Mr. Chanin. The next speaker in the queue tonight is Reisa J. I believe that is Miss Jaffe. Good evening. Can you hear us?

Reisa Jaffe: Perfect. Thank you so much. I also want to speak about the Bearcat and the report. I think the findings in the report are disappointing. But if there's anything good that's coming out of it, I think it's a demonstration that the trauma that's caused by the Bearcat being in the community is not outweighed by the value of the Bearcat.

Reisa Jaffe: Those police officers had the Bearcat, and yet they did not feel safe. They shot Pawlik. So it's a demonstration that there's no value to having the Bearcat. The trauma that the community endures must be prioritized. And that must go. Thank you so much.

Juanito Rus: The next speaker in the queue is Joseph Mente. Good evening, Mr. Mente. Can you hear us?

Joseph Mente: Hey, can you hear me?

Juanito Rus: We can hear you. The floor is yours.

Jim Chanin: Rachel?

Joseph Mente: Joseph Mente, District One. Four weeks ago, this commission held a vote on the use of the tank-like vehicles in the streets of Oakland. Several commission members voted with the stipulation that a follow-up proposal would be presented at this meeting, with a plan to eliminate the Bearcat entirely from the streets of Oakland. I don't see any such proposals agendize. Why is that? Thank you.

Jim Chanin: Yes. I just want to let you know, they already called on me so we can eat.

Juanito Rus: The next speaker in the queue is a telephone attendee with the last four digits, 5802. Good evening, 5802. Can you hear us?

Saleem Bey: Yes. Good evening. This is Saleem Bey. First, I'd like to address the fact that Mr. Chanin is discredited. Mr. Chanin is the architect of an 18-year failed NSA. The fact that the NSA failed is the reason why the Oakland Police Commission is meeting tonight when a super majority of Oakland voters voted to create the Oakland Police Commission because Mr. Chanin as one of the singular points of access to the NSA has been failing everybody else in Oakland.

Saleem Bey: Mr. Chanin is over the Selection Committee. The Selection Committee was identified as a failed process the last time, and he has the nerve to bring back the same cast and character approved that voted out Commissioner Harris, the hardest working person. I also would like to address the



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

annual report. The fact that attachment 13 on page 13, that lists the Ad Hoc committees that are on is missing the independent investigation, Bay Ad Hoc Committee, which is a standing Ad Hoc committee.

Saleem Bey: In addition to that, the whole annual report is whitewashed out of all reference of the Bay. That's a violation of the Sunshine law, the fact that you're suppressing this information from the public. And when all of it, when the fact that you voted to authorize a \$50,000 contract for the independent investigation that you're trying to hide behind closed doors right now, the fact that there's no white reporters, the white-minded reporters that will report this shows that this is a cover up.

Saleem Bey: And the fact of the matter is that if Ginale Harris was still on there, we will be getting some type of justice, instead of always coming back after people like the CPA keep putting people on the Selection Committee and then voting off the people who represent the community, to make sure that the mayor's people are represented. The mayor's people are leading this commission down to a point where the community is not being listened to. The fact that you didn't listen to the community on the Bearcat is-

Juanito Rus: Thank you, Mr. Bay. Your time has expired. The next speaker in the queue is Jasmine Fallstich. Good evening, Miss Fallstich. Can you hear us?

Jasmine Fallstich: Yes. Thanks. I am also commenting because I want to know why the Bearcat item is not on tonight's agenda after a long meeting previously, where many members of the commission committed to making sure that was on the agenda. It's very disappointing to see the agenda and recognize that the item is not on there. This is obviously something that many of us find to be very important.

Jasmine Fallstich: And we hope that you take our opinions with a lot of weight and seriousness, and it definitely doesn't seem like that is happening in this case. So I hope in the next meeting, we can see a retirement of the Bearcat on the agenda, and a very clear plan for how that will happen. Thank you.

Juanito Rus: Thank you, Miss Fallstich. The next speaker in the queue is Megan Steffen. Good evening, Miss Steffen. Can you hear us?

Megan Steffen: Yes, I can. Thank you so much. First of all, I wanted to congratulate the police commission and also myself. The working group that I was a part of as part of the Advisory Board for the Reimagining Public Safety Task Force process recommended increasing the staff for the police commission. And last night, the task force members approved that recommendation by a majority, which means that you all have a shot at going through council and getting more people who are paid to support you. I really hope that happens for all of your sake and also everyone else in Oakland.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Megan Steffen: I did also want to say along with other people that I agree with Reisa Jaffe. I think that these report shows that the Bearcat didn't do what it was supposed to do. The police were still afraid and still shot and killed Joshua Pawlik. And I'm also disappointed not to see this on the agenda. Even if the resolution isn't finished, even if there's no text, not agendizing this item means that we cannot hear you speak about what's going on with it unless you violate the Brown Act.
- Megan Steffen: I'm hoping against all hopes that the Militarized Equipment Ad Hoc uses the committee's report out time to talk about what's happening with the resolution, and talk about the next steps that they're taking to remove the Bearcat from our streets. And I guess I will just stay tuned. Thank you all.
- Juanito Rus: Thank you, Ms. Steffen. The next speaker in the queue is Assata Olugbala. Good evening, Miss Olugbala. You have the floor.
- Assata Olugbala: Yes. I'd like to address the so-called hate crimes that are going on in Oakland, supposedly perpetrated by African-Americans against Asians. The incident that made national news of an African-American pushing a Asian-American down to the ground in Chinatown was not accurate. The individual who committed the crime was a mentally incompetent individual who was also a drug user, also homeless, who had previously had 10 incidents of assault on his record. None of them had been related to hate crimes.
- Assata Olugbala: The individual who was pushed to the ground was not Asian. He was a Latino. The Chinese or Asian community refuses to admit that this incident did not relate to an Asian-American. Ever since this issue has come up, practically every day on the news, you've heard something about Asian-Americans being assaulted. We have assault on the agenda today that said during the month of March, 1st through March 7th, we had 53 assaults, aggravated assault. Six with fire arms, 36 related to non-fire arms.
- Assata Olugbala: And we have the agenda to speak to one group of people who had been assaulted. I don't know where the other races are, but why do we have this concentration on one group of people? Lastly, if I choose to talk about the cartel or MS-13, or who are the individuals that enrolled with the ...
- Juanito Rus: Thank you, Miss Olugbala. Madam Chair, at this time, the 15-minute window has closed. There are three hands remaining in the queue. Would you like me to take the last three, or to record them for after the meeting?
- Regina Jackson: Man, this is so hard. We have agreed to 15 minutes, so we'll need to hold the other three over until there's another spot in the agenda for the continuation of the open forum. My apologies.
- Juanito Rus: Very well. Thank you, Madam Chair. At this time, well, extension 0185, Miss Rashidah Grinage and Mr. Justin Miller, I have your names. And when the appropriate time comes, you will be called in that order. And with that, Madam Chair, I return the meeting to you.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: Thank you very much. We are moving on to item seven, the vote to fill vacant commissioner position. This commission is going to declare a vacancy on the seat held by James Jackson. We will take nominations of alternate commissioners to fill his vacancy, consistent with our rules. Did any commissioner want to nominate one of the alternates? We have two. They are David Jordan and Marsha Peterson. Jose Dorado, Commissioner Dorado, and then followed by Commissioner Gage.
- Jose Dorado: Thank you, Chair Jackson. I'd like to nominate David Jordan.
- Regina Jackson: Okay. Thank you. Commissioner Gage?
- Henry Gage, III: Thank you, Chair. I don't have a nomination, though, I would like to raise something to the commission's attention. When Measure LL was passed, the balance between the selection panel appointees and mayoral appointees was very front of mind. I'd like to note that I believe Commissioner Jackson was slated to be a mayoral appointee, and under that logic should be replaced by a mayoral alternate commissioner. With that, I'll go back on mute. Thank you.
- Regina Jackson: Commissioner Gage, since you have raised that point, did you want to nominate Alternate Commissioner Peterson?
- Henry Gage, III: Yes, I want to nominate Alternate Commissioner Peterson. Thank you.
- Regina Jackson: Okay. Thank you very much. It sounds like-
- Conor Kennedy: If you could, take seconds for any nomination that's made.
- Regina Jackson: Yeah, I was getting ready to do that. Thank you. So, can I have any commissioner provide a second for either or both of the alternate commissioners? Commissioner Singleton?
- Tyfahra Singleton: I just have a question. I wasn't sure from Commissioner Gage that he was certain that those rules apply. So I just wanted to get confirmation that that is the requirement.
- Regina Jackson: We can ask council around the requirement. I do know that it's a past precedent that we have done so. Commissioner Gage?
- Conor Kennedy: Yes, Commissioner Gage.
- Henry Gage, III: Thank you, Chair. I'll defer to counsel for any follow-ups. My understanding is that under the letter of the charter, this commission has the authority to choose either a selection panel or a mayoral appointee to fill a vacancy once declared. However, in the past, it has been I won't say tradition, but it's been a past practice to maintain the four to three balance that's initially set out in the charter.
- Henry Gage, III: And there's good cause for doing so, given that the potential for repeated vacancies could seriously alter the balance of power moving forward. My hunch, given the review of the charter is



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

that this is a scenario that looks simply overlooked by the drafters. I don't think it was anticipated that the commission would change its balance substantially by elevating alternate commissioners. However, repeated vacancies among the commission have left us with this tricky issue. It's a tricky issue.

Regina Jackson: Commissioner Singleton, does that answer your question?

Tyfahra Singleton: I was still hoping for confirmation from council.

Regina Jackson: Oh, I'm sorry.

Conor Kennedy: Yeah. And everything that Commissioner Gage just said, Commissioner Singleton, I agree with. The letter of the charter, which is 604C8, is silent on whether the alternate commissioner that's elevated belongs to one or the other group that Commissioner Gage just mentioned. So everything that he said, I agree with.

Regina Jackson: Mr. Kennedy, we don't hear you.

Conor Kennedy: Did you not hear me, Chair? I'm sorry. I thought I gave a response to that. Can you hear me now?

Regina Jackson: Mm-hmm (affirmative).

Henry Gage, III: Chair, we can hear him. But I think you can't.

Conor Kennedy: Oh, great. Fantastic. Okay.

Regina Jackson: Oh, okay. I'm glad you could. I couldn't.

Conor Kennedy: Sorry about that.

Regina Jackson: That's okay. Did you finish up?

Conor Kennedy: I did indeed.

Regina Jackson: Okay. Thank you very much. I see a hand from Commissioner Dorado.

Jose Dorado: I'm assuming that since neither motions on the floor were seconded, that they've now died. But I just wanted to comment that while I appreciate Commissioner Gage's remarks, I personally have never seen the membership on the commission selection panel versus mayor appointees as an exercise in a balance of power. So I just say that in support of what I think is an excellent choice, and that is David Jordan. And I think he's well-demonstrated that, and I think well-deserves to be a full commissioner.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: So Commissioner Dorado, it hasn't died. There was a clarification after the nominations. I'm still looking for seconds, but we did need to have that clarification. And there was a call for a question. Commissioner Singleton?
- Tyfahra Singleton: I'd like to second the nomination of Commissioner Jordan.
- Regina Jackson: Okay. Very good. Is there a second to the nomination of Alternate Commissioner Peterson? Okay. Hearing none, I guess we will vote.
- Conor Kennedy: It'll go to public comment.
- Regina Jackson: Oh, sorry. Yes. Thank you. And let me say, I believe that We need to go to public comment. Sorry. Mr. Rus?
- Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to comment on this item, please raise your hand in the Zoom queue and you will be called in the order in which your hands are raised. The first speaker in the queue on this item is Jennifer Tu. Good evening, Miss Tu. Can you hear us?
- Jennifer Tu: Yes. Thank you. Hi, this is Jennifer Tu from District Four again. I just wanted to note that Alternate Commissioner Jordan has spent quite some time serving on the commission as an alternate commissioner. And while he doesn't speak up very much, every time he's spoken up in these meetings that I've been to over the last nine months, he's always brought a really unique perspective. And he's very thoughtful about what he says, what he shares and making sure that it's helpful to the discussion. So you've got two fantastic choices and Alternate Commissioner Jordan is a great one too by far. Thank you.
- Juanito Rus: Thank you, Miss Tu. The next speaker in the queue is Anne Janks. Good evening, Miss Janks. The floor is yours.
- Anne Janks: Good evening. I wanted to clarify, and I'm not sure I've got it right, so I guess this is a question for the chair or through the chair, or between the chair, but the reason that this vacancy exists is because the mayor has apparently been very slow to fill slots on the commission. So I think that that may be a reflection of the mirror's confidence in the commission choosing to elevate one of the alternate commissioners.
- Anne Janks: And Commissioner Peterson, I don't know if I've had the opportunity to say welcome yet. Unfortunately, you'll get to know me. I'm one of the dead fly regulars. But this really just, I think, is a reflection on the fact that Commissioner Jordan has been around a while and doing some work. But if the mayor doesn't want to fill the seats, then the seats need to be filled. And I don't think that creates a reason that was intended in Measure LL or S1 to fill them with her selections because she's not making them. Thank you.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Juanito Rus: Thank you, Miss Janks. The next speaker in the queue is Reisa Jaffe. Good evening, Miss Jaffe. Can you hear us?
- Reisa Jaffe: Yes. Thank you. I kind of like Anne Janks' evaluation, but frankly, what I really wanted to say is this was a known issue when modifications to LL were happening. And so I'm a little bit mystified why it was not addressed when the rewrite or the modifications happened. It's just a mystery. Thanks.
- Juanito Rus: Thank you, Miss Jaffe. The next speaker in the queue is Megan Steffen. Good evening, Miss Steffen. The floor is yours.
- Megan Steffen: Thanks so much, Mr. Rus. I just wanted to say, I hope you all vote for David Jordan to become a full commissioner instead of an alternate commissioner. And then I hope that as the selection panel pool, we'll need to elevate another person to become the alternate commissioner. I would like to community-nominate Omar Farmer to take on that spot. Thanks so much.
- Juanito Rus: Thank you, Miss Steffen. The next speaker in the queue is Assata Olugbala. Good evening, Miss Olugbala. Can you hear us?
- Assata Olugbala: Yes.
- Juanito Rus: The floor is yours.
- Assata Olugbala: Yes. Thank you. The community as well as this body is willing to ignore or put aside what happened to Ginale Harris. The community members who have spoken for her now, they have dropped the ball. I'm not going to drop the ball. Ginale Harris and anything that goes on or related to, for anybody who sits on this commission, who's willing to ignore the fact that there was an injustice around how Ginale Harris was excluded from participation with that.
- Assata Olugbala: Along with that, former Councilman Larry Reid decided to appreciate the value of Miss Harris and went to the mayor to ask her to appoint her as an alternate. The mayor responded that she wasn't going to do it because she doesn't like me. I mean, this is so ridiculous that people are willing to go through a process of completely ignoring wrongdoing. The credibility of this group of people, every one of you is not anything that I can appreciate.
- Assata Olugbala: And I will continue to address that you have not been able, along with the Coalition for Police Accountability, the mayor, the city administration ignored wrongdoing of this black woman. So don't try to correct me about my so-called wrong doings. Shut your mouth just like you keep your mouth shut on Ginale Harris and I will continue to bring this subject matter up. Ginale Harris was wrongly eliminated from having the opportunity to be reappointed by the Selection Committee, by you as well.
- Juanito Rus: Thank you, Miss Olugbala. At this time, I see no other hands in the queue, Madam Chair.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: Thank you very much. So a couple things. One, I neglected coming out of the closed session to reestablish our quorum, based upon the attendance of commissioners. We currently have Commissioner Dorado, Commissioner Gage, Commissioner Harbin-Forte, Commissioner Singletary, excuse me, Singleton and myself, which establishes the quorum. And then alternate commissioners Jordan and Peterson. I do want to provide a brief clarification since we've never been in this circumstance before. When the Mayor received the resignation of James Jackson, who did take the oath, such that he was in fact a commissioner, even though he never sat at a meeting, what that did was trigger new language inside S1 that gave the responsibility to the commission to nominate or select one of the current alternates, and so that's where the language comes from. We can talk about what the Mayor would intend or what have you but that would all be I'm guessing. I do want to say that alternate Commissioner Peterson just recently joined us. I have all faith that she is going to be an exceptional commissioner, but quite frankly, I know that a lot of the commissioners do not know her yet. And that alternate Commissioner Jordan has been working extremely hard over the last year and a half that he's been on the commission.
- Regina Jackson: So with that, I'd like to come back to the commissioners. We have taken public comment. I know that we had had a second of the nomination for alternate Commissioner Jordan. I saw a hand up, but then it went down, so I'm not sure if there was another second that was coming or a motion? So at this time, I am opening up to see if it is the pleasure of the commission to just take a vote? Mr. Kennedy is that? Since we've not done this before, that's what I think we need to move forward on.
- Kennedy: That's right.
- Regina Jackson: Okay. So given that, I'd like to go ahead and take vote. Commissioner Dorado, this is to vote for alternate Commissioner Jordan to fill the vacated position or the resigned position of James Jackson.
- Jose Dorado: Hi. I'm in favor.
- Regina Jackson: Thank you. Commissioner Gage.
- Henry Gage, III: No.
- Regina Jackson: Sorry.
- Henry Gage, III: No.
- Regina Jackson: Okay. Thank you. Commissioner Harbin-Forte.
- Brenda Harbin-Forte: Yes.
- Regina Jackson: Thank you. Commissioner Singleton.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Tyfahra Singleton: Yes.
- Regina Jackson: Thank you. And now I've lost track. Sorry. One, two, three. And yes, for myself. I'm sorry. I'm having to add up now. So Dorado, Harbin-Forte, Singleton and myself, that's four affirmative votes. And that in fact is enough to vote affirmatively that David Jordan will be selected to take the full commission position in place of James Jackson. Thank you. Hand from commissioner Dorado.
- Jose Dorado: I just wanted to say quickly congratulations to David Jordan and that this vote in no way is any reflection on Commissioner Peterson. We're right. I think we fully expect to be an exemplary commissioner and we look forward to that.
- Regina Jackson: Yes, without question. Commissioner Jordan, I thought I saw your hand up, but then maybe that it went back down. Did you want to say something?
- David Jordan: Yeah. Sorry. I'm not sure. I mean, double tapped that hand button. I just wanted to say thank you for the people who spoke in support of me taking on this greater role and greater responsibility. And I understand where Commissioner Gage is coming from. That said, I feel like informal traditions are maybe don't necessarily need to be held to. I do understand that the sort of how this being handled with a lack of care in the future could lead to something that's problematic, sort of a bounce of power. But the commissioners in the grand scheme of things, very new body, and a lot of these sort of norms are being developed and all due respect to all of the attorneys on the commission.
- David Jordan: I think it's good to have another non-voting attorney, another voting non-attorney have taking some of the load around decision making. And I do take it seriously. And as an alternate, sometimes you can get the sense of you're kind of just along for the ride, which is a double-edged sword, but it's frustrating to not feel like you've had a full voice. But also I don't have to be held responsible for all of the commission's decisions, and now I do and I welcome that responsibility. So thank you.
- Regina Jackson: Thank you very much, Commissioner Jordan. after this item, you will be able to be a voting member of the commission as opposed to waiting until the next meeting. Commissioner Gage. Your hand is up.
- Henry Gage, III: Thank you Chair. I'd like to take a moment and thank Commissioner Jordan for his understanding. I'd also like to congratulate Commissioner Jordan on his elevation. Anyone who's listened to or watched or had occasion to participate in our meetings have seen and appreciate the contributions you made and continue to make. Appreciated working with you in past and I look forward to continuing to do so now that you're a voting member.
- Regina Jackson: Thank you, Commissioner Gage. So at this point, we are going to move forward to item eight, update from the human resource director. I made the request that Mr. Appleyard join us because it is his role and responsibility to provide support to not just the police commission, but also the



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

CPRA, particularly as it relates to our requests for reorganizations. And we also have an inspector general position coming down the pike. So I invited him to give us updates on that, and certainly there are a variety of newer commissioners who have not met Mr. Appleyard, he's presented to us before. You may have questions on other things as it relates to our work, and I want you to feel free following the update to address them. So welcome Mr. Appleyard.

Ian Appleyard:

Thank you, Chair Jackson and members of the police commission. I'm Ian Appleyard. I'm the human resources director for City of Oakland. Thank you for having me this evening, and also thank you for your work on this board. I know it's voluntary, so I appreciate the service you're providing, not just for this function, but for the community as a whole. I know it can be challenging at times, but I appreciate guys rising up and taking on the responsibility. I've been the human resources director for Oakland since September, 2016, so about four and a half years at this point. But I started my career with Oakland in the year 2000, so a while ago as an HR analyst and kind of worked my way up. And so I am familiar with the multiple layers of rules and agreements that guide and sort of regulate our city's workforce, certainly around the service workforce, but pretty much all the different positions.

Ian Appleyard:

It has been a wild ride, and sometimes it can be challenging. But I'm happy to be here to support the commission and work collaboratively and help you obtain your goals in terms of your own mission and hopes for how the body will function. I wanted to start off with an update for the inspector general position. So executive director Alden is sort of the primary contact of the person who works directly with my department. And he works with a variety of my staff in the department. He and I worked together on a number of occasions, but sometimes we bring in other staff to help out. So I was not the lead on the inspector general, but what I can tell you is that last July when the latest resolution passed from the police commission that specified the changes for the inspector general, that there would be changes for the inspector general's role. We worked with executive director Alden to make those changes happen. We had a sort of an involved process where we made modifications to the job specification which met his needs and met the commission's needs.

Ian Appleyard:

Those discussions happened throughout the fall, and then some other changes needed to happen. Though, the inspector general position, just so you know is exempt from civil service, but we bring all job specifications to the civil service board. So with that, this position is an at-will position, it does not have a due process, or just cause, it's not a requirement for this position. I'm sure you're familiar with those terms? But it didn't need to be moved out of a certain bargaining unit, needed to be brought out of our confidential management employees association bargaining unit, because it was represented under a labor agreement, but given its high profile and the fact that it's going to report directly to the police commission, it needed to be taken out of that bargaining unit.

Ian Appleyard:

And we presented that to the CME group and they did not have any objections around that. And so that was part of the process that concluded in January. And then in January 21st, the final draft specification classification was brought to the civil service board and it was adopted at that moment. From there, it gets placed in the queue for recruitment. And executive director Alden



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

did work, has been working and continues to work with the human resources staff to get that job posted. The draft announcement has been sent to him and I believe they are just tying up some last minute details to get the job posted. I'm not sure if there's a closing date at this point? I know it still needs to get posted, but I'm not sure if executive director Alden would like to add anything to that?

John Alden: Madam Chair, if it's right with you, I could add a little bit. We had a couple of developments today that were positive.

Regina Jackson: Please, thank you.

John Alden: I do think we've just about got the job announcement done. I was working with some director Appleyard staff on making sure we dotted all the I's and cross the T's, and it's looking like probably posting on Monday, fingers crossed, and that was just the conversation we had a few hours ago, so that's super fresh. I'll certainly let everyone on the commission and the public know when that position is in fact posted, we start taking applications. And I also want to say, I really appreciate the work that director Appleyard and his several other staff have done on this piece. There was a lot of tricky work to do to get this set up and make sure the position complied with charter. And they were really [inaudible 02:58:18] about getting it done quickly and effectively and accurately. I really appreciated all that help.

Regina Jackson: Great. Thank you very much. Mr. Appleyard, can you comment at all on the police commission reorganization? I recognize you can't identify names or positions, but even timelines would be helpful.

Ian Appleyard: Certainly. Thank you, Chair Jackson, I'm happy to do that. So in again July there was again a vote for changing the organizational structure of the police commission. Immediately executive director Alden reached out to me and immediately I reached out to the impacted bargaining group, which would be International Federation of Professional and Technical Engineers Local 21. They represent the employees in, or the potentially impacted employees that are in the police commission organization. So we did sort of have some introductory meetings about this, talking about what the scope is? What the plan is? What the proposal is? That's pretty traditional. We gave a notice to the unions, asked them if they want to meet and confer on this subject. Certainly, this falls into what I would call the mandatory subjects of bargaining.

Ian Appleyard: And some of the things that were discussed, and I think some of the things that probably got cleared up in S1 were all these positions, right? That some they do support the commission, but these positions, it was determined and that they are covered under the civil service and therefore their appointing authority is the city administrator, and the city administrator ultimately will make the decisions on how these employees would be impacted. That's not to say you don't have the ability to restructure the police commission in the manner that you choose, I just think that's an important distinction that I've been exploring and discussing and executive director Alden is aware of that as well.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Ian Appleyard: So we had multiple meetings with Local 21, we had five altogether. We started immediately in July when we got this information and our last meeting was in late November. So this has been an ongoing discussion which I understand an urgency, and we wanted to make sure that we covered all the bases and it certainly met all of our bargaining obligations. Well, the union did have express strong concerns about a number of things, right? They were concerned that the employee's rights under the civil service rules and under the labor agreements were going to be compromised. So when put in that position, they're going to have a lot of questions and need a lot of information, and we would engage in some pretty lengthy discussions.
- Ian Appleyard: I think we were able to achieve some goals of the commission and some not yet. We're continuing to have conversations with the unions and managing the situation. Human resources is committed to continuing to facilitate the discussions, that's mainly my role is to act as a facilitator and with the executive director and with Local 21. And so we've had some really important discussions. We're going to have additional discussions bringing in the city administrator again, trying to problem-solve and meet the goals of the commission. And that's sort of the overview I can provide. It's proposed that employees are impacted in a manner that would affect the position themselves, that the civil service rules would apply.
- Ian Appleyard: And those rules specify the exact process for layoffs and some of the basis for layoffs. And that basis is lack of work or lack of funds, and that's how it's written up. And reorganization is not in there, but of course, if there's lack of funds, then inevitably things need to be reorganized. But I just want to give you that piece of information as well. But as I stated, we've remained committed to supporting your goals and we will continue to do so. That's where I have to say kind of as an overview of that action. I'm happy to take any questions on it. Thank you.
- Regina Jackson: Sure. Thank you, Mr. Appleyard. One of the things that the reason I asked for a potential timeline even a guesstimate is because S1 calls for certain staffing that we don't have in place, and it went into effect in November and it is now mid March. So I'm just trying to get a sense of timeline.
- Ian Appleyard: I think it's somewhat difficult to offer a timeline given that these items are subject to bargaining. But I have been an ongoing discussions with director Alden and he and I, like I said, we'll meet with the city administrator to help problem-solve and keep moving this process forward. I would say within the next one to two months, hopefully we can achieve the goals. I'll defer to director Alden too, if he has a better sense of that?
- Regina Jackson: Thank you. Director Alden.
- John Alden: I think that's a realistic time estimate. And I do want to say I'm following up on some of the things that director Appleyard has pointed out. I really appreciate the amount of time he's put into this. I know it's been a lot of work for him and he used to talk about some of the complexities there, it's even more complicated than it sounds. It's a lot of work and he's been really diligent about keeping me in the loop and reaching out and collaborating on problem solving. And I also really appreciate the support we've gotten from the city administrator's office on some of this. And part of that cooperation, then lead to finishing the first half of this reorg, which was getting back the



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

CPRA staff on board, I'm really thankful for that. I do think that Appleyard was right but you probably are looking at a month to two, but probably not longer than that to get this done. So I think that's a solid estimate and again, really appreciate it and help them in collaboration of this.

Regina Jackson: Okay. And Mr. Alden, just so you know, your microphone keeps going in and out, that's okay. I think we got the basis of what you were trying to say. And what I think I'm hearing is that about two months, we should have this resolved. So thank you for that. Mr. Appleyard. And certainly appreciate the work that you've done for CPRA's reorganization, as well as the inspector general. Obviously, we're just continuing to work without all the supports we need. And so I want to make sure that we can get to those because as you have, so aptly say that we've got a bucket load of work. Thank you very much. Are there any questions from the commissioners? Okay, so seeing none, why don't we go to public comment? If you can stay on Mr. Appleyard, there may be some questions from there.

Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to comment on item eight on tonight's agenda, please raise your hand in the Zoom queue and you'll be called in the order in which your hands are raised. The first speaker on this item is [inaudible 03:06:45]. Good evening, Ms. Grinage. The floor is yours.

Rashidah Grinage: Thank you. Since Mr. Appleyard is present this evening, perhaps it would be appropriate to ask him what his role was in the assigning to the Sloan Firm the report that was just issued, that was reported on in the Chronicle yesterday that basically disagrees with the findings of the discipline committee with respect to the Paula case? It seems based on the reporting that Mr Appleyard was a prime figure in the decision to contract with the Sloan Firm. And that especially since Howard Jordan, the former police chief is part of that firm, it raises all kinds of questions aside from the questions that Mr. Chanin talked about earlier. So I would ask through the Chair that Mr. Appleyard explain the decision to award this study and review of the Paula case to the Sloan Firm. Thank you.

Regina Jackson: Thank you very much, Ms. Grinage. I think we actually would all like to know the answer to that question, Mr. Appleyard, if you could respond?

Henry Gage, III: Chair Jackson.

Regina Jackson: Who's calling me?

Henry Gage III: Commissioner Gage.

Regina Jackson: Yes, Commissioner Gage.

Henry Gage, III: Can you confirm to the counsel quickly if it's a permissible topic for discussion [inaudible 03:08:37].

Conor Kennedy: I think that this is okay briefly.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: Thank you.
- Ian Appleyard: Thank you, Chair Jackson, for the question. I'm not prepared to answer that question, it isn't noticed publicly that this was going to be discussed. I would feel more comfortable if I had a little more notice about it. I can tell you that I just don't feel comfortable going into that decision because that was a personnel decision and an administrative decision and it really isn't notice tonight. So not trying to be cagey, but I certainly wasn't prepared to answer questions on this topic. I was prepared to answer the questions on the inspector general and re-org and other HR related questions.
- Regina Jackson: Okay. Sounds like we'll have you back then. Thank you. Mr. Rus, you can go ahead with public comment, please.
- Juanito Rus: Thank you, Madam chair. The next speaker in the queue is a telephone attendee with the last four digits, 5802. Good evening, 5802. Can you hear us?
- Saleem Bey: Yes. This is Saleem Bey. The first thing I would like to address is the fact that the commission reorganization was started by Ginale Harris it was to address the crooked investigators that have been throwing cases like the public case after coordinating with crooked AID. The fact that the city administrator is the person that's over all of this and is actually can't find an opening for these crooked investigators some other place in the city so we can get them replaced with people that the community can trust, that doesn't make any sense. The fact that Mr. Alden is so chummy, chummy with this person also doesn't give the community any comfort. The fact that Mr. Alden has been covering up things ever since Ginale Harris has been off of the commission shows that the city administrator's power is over the commission at this point right now. We need commissioners who represent the community and not the mayor, not the city administrator, not their own self-interest. We need people who are going to represent the community.
- Saleem Bey: And again, the fact that the selection committee voted Ginale Harris off after she started talking about reorganizing the people that were covering up these cases, that gives the community powers when we see that everybody's moving on with this like nothing else happened. Once we get to a point to where Mr. Alden is removed, the city administrator is removed from the process and all of the crooked investigators that closed all the previous cases are removed then the credibility of the Oakland police commission will be something that the community can get behind. Until then, we'll continue to call this out and make sure that the community knows that the people that you're putting forth here are just talking back and forth between each other. Thank you.
- Juanito Rus: Thank you, Mr. Bey. The next speaker in the queue is Ms. Ginale Harris. Good evening, Ms. Harris. Can you hear us?
- Ginale Harris: Yes, can you hear me?
- Juanito Rus: We can hear you loud and clear. The floor is yours.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Ginale Harris: Thank you. I can appreciate Mr. Appleyard coming and discussing the reorganization. I just have a couple of questions. One is how come the job description wasn't put in the tonight's agenda packets so the public could see it? And usually the police commission and past practice would approve the job description before it went out before the public, so that's one. And two, I'm glad to see that the reorganization is pushing forward, however, I am concerned that this process is stagnant by the HR department, as you can tell by the answers, they are a bit concerning. The reason for the reorganization in the first place is because the CPRB was failing the public, and so we changed the letter from CPRB to CPRA, and it's still failing the public. So we needed to do something different and it would just be an atrocity if we allowed this to go on. That CPRA is about public safety and it belongs to the public.
- Ginale Harris: And I understand that there are civil service roles, however, if investigators are not investigating then we need to do something different. We had two cases that I can call out that had the same investigators and they were problematic where it elevated to some serious concern. So I would encourage you to move forward with this reorganization. Thank you.
- Juanito Rus: Thank you, Ms. Harris. The next speaker in the queue is Raisa Jaffe. Good evening, Ms. Jaffe. The floor is yours.
- Raisa Jaffe: I'm not an expert on the Brown Act, but I thought the attorney said it was okay for the director to speak on the issue, so it did sound like he was avoiding contrary to what he said. Thanks.
- Juanito Rus: Thank you. At this time, I see no other speakers on this item, Madam Chair.
- Regina Jackson: Okay. Thank you very much. Before we let Mr. Appleyard go, I just want to again, ask if there are any commissioners who have questions? Okay. Seeing none, Mr. Appleyard, we will have you back soon. I know that we want to get some answers to the Sloan situation, but as well think that you are working on a training for us as well. Is that not correct?
- Ian Appleyard: Oh, that is correct, Chair Jackson, that we'd had a couple of mandatory trainings that I was supposed to provide, I got through two of the three, the last one has to do with labor agreements. So it was going to be kind of a broad overview of how labor relations work both in California and specifically in Oakland and what are our different labor groups that are out there. I wasn't going to go through necessarily the agreements themselves and what are the provisions, but just how the kind of general overview and process of how labor relations work here. So happy to provide that training, happy to return to police commission. And again, thank you all for your support here. And I'm happy to support you in the important work that you're doing.
- Regina Jackson: Thank you, Mr. Appleyard. Can we go ahead and schedule that training for our next meeting?
- Ian Appleyard: Depends when your next meeting is.
- Regina Jackson: March 25th.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Ian Appleyard: If you don't mind, I might need to push it out a little longer. What's the meeting after that?
- Regina Jackson: I believe it's like April 10th or so.
- Ian Appleyard: Okay. Can I work with executive director Alden and kind of shore up when we can do it and make sure it fits in with your agenda in my schedule?
- Regina Jackson: Actually, you can work with me that's okay.
- Ian Appleyard: I can work with you? Okay.
- Regina Jackson: Sure. Okay. Thank you very much. Appreciate your time, Mr. Appleyard.
- Ian Appleyard: Thank you.
- Regina Jackson: Thank you. So our next agenda item is an update from police chief Armstrong. Police chief, are you there?
- Chief Armstrong: Yes. Good evening chair. Can you hear me?
- Regina Jackson: Excellent, yes, we can. Thank you.
- Chief Armstrong: All right. Thank you so much. And good evening to all the commissioners and congratulations to Commissioner Jordan. So first I just want to give an overview of our current crime stats. I try to make sure that the commission is always aware of what is happening throughout our city as we do our best to address public safety. We currently have 29 homicides compared to 7, this same time last year, that is a 300% increase. We have currently 109 shootings, that is 102% increase compared to 61 the previous year. One of the crimes that we've seen spike this year is car jackings. We currently have 77 compared to 33 last year at this time. And that is 133% increase in car jackings. So still have some serious concerns around violent crime that we're working diligently to try to address. I do want to take a second to address a very tragic crime that occurred on Tuesday, where we had a 75 year-old senior in our community, Mr. Ho, who was assaulted and robbed by a gentleman. Mr. Ho unfortunately succumb to his injuries today and became our homicide number 29. The suspect in this matter was quickly apprehended by our officers, but again, very tragic circumstances regarding his homicide and we are continuing to work to aggressively try to address the increase in assaults on our seniors in our community.
- Chief Armstrong: The next item I want to address is, for many months, we have been discussing my response to white supremacists or extremists, idealistic connections between members of the Oakland Police Department. So what you see in the packet today is two items. The first item you see is a notice to the department, to all personnel of zero tolerance, for racist actions or affiliations. This document essentially restates resolution eight eight one six seven in... This document is now a document that is a mandatory signature for all Oakland police officers advising them of the resolution and the discipline that could be levied if you were to violate this resolution. It could lead to sustain a



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

violation of department policy, which could lead to sustain and discipline that could lead up to potentially termination. This is an internal document for sign-off for every OPD employee to make it clear that we have zero tolerance for this behavior or this affiliation.

Chief Armstrong: The second item that you see is my effort to also ensure that the department does not hire anyone that has these connections or affiliations to any white supremacist or racist groups and has not posted or light or been a part of any conversations on social media. So this document you see any candidate for the Oakland Police Department will sign and acknowledge that they understand the resolution eight eight one six seven. And if you don't comply with this order or we find that you have been engaged with that type of activity is grounds for immediate dismissal from the process. So as new candidates or new police officers or candidates attempt to join the Oakland Police Department, before going through the process, they will have to fill out this form. I believe that is the start of us making sure that we are clear about the people that we hire, what is not tolerated within the Oakland Police Department.

Chief Armstrong: And I think it's my first effort in sending a message to the organization of the behavior that will not be accepted in the Oakland Police Department. The last item I like to bring forward is I spoke to the chair and other commissioners about as I took over as a chief, a little over a month now that while we want to hold our officers accountable and make sure that they're following policy and policing in our community in a constitutional way, also wanted to recognize outstanding performance by our officers. And so last week I issued my first chief's certificate of commendation. It was given to officer Nicole [Coral 03:22:35] and essentially what she was awarded for was her heroic behavior or response on February 15th, 2021 at 5:19 PM. We received a call to the Oakland Police Department of a person sitting on a ledge of a 10 story parking garage.

Chief Armstrong: The individual was rocking back and forth, and our officers responded and found the individual with half their body hanging off the side of the ledge. Thankfully, one of the officers that responded was not only a tactical negotiations... was a part of our tactical negotiations team. She also was crisis intervention trained. That officer spent two hours negotiating with this woman. And so she was able to talk to this woman, communicate and create a rapport with her and then encourage her to step down from the ledge, which after several hours she did. And so after she stepped down from the ledge, she hugged the officer and thanked her. And so I just wanted to honor this type of police work. It is the type of police work that we want to see in the Oakland Police Department. Like I've said open, very publicly, the opportunity to take lifesaving actions is the most significant call for our respondent officers.

Chief Armstrong: We train our officers for those moments, for those exceptional actions. These officers took on that day, the department commends them for the preservation of life, that this is our most important mission, is to save lives. And so I just asked that the commission as well recognize this officer because I think as we try to weed out those that shouldn't be a part of the Oakland Police Department, I also want to honor those that do the most important work and do it in line with our values in saving lives. So with that, I submit it back to you, chair.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: That is simply outstanding. Congratulations to your officer, congratulations to this new line of acknowledgement of excellence in policing. I think that's great. Are there any questions from the commission for Chief Armstrong, either on his report or anything else? Okay. I see no questions. We will go to public comment.
- Tyfahra Singleton: I actually have a question.
- Regina Jackson: Oh, I'm sorry. Commissioner Singleton.
- Tyfahra Singleton: Thank you, chair. My question to Chief Armstrong, do you have any sort of practice in place that once these sort of documents are signed, that regular investigations are going to be done or anything that will sort of put teeth behind these forms?
- Chief Armstrong: Yes. So one of the things, through the chair, I'm sorry, through the chair. What happens, we have a, what we call PowerDMS database is a digital database where officers have to go in under their personal log-ins and they have to sign their signature that they have been advised of this directive. Also in the last paragraph, you'll see that what we quoted in there is the actual rule bar violation that you would be held accountable to if you did not... If you failed to follow the order, you would be in violation of administrative instruction 71, as well as department general order in 19. And so both of those are a misconduct and now that'll be fully... Any violation or any allegation of misconduct will be fully investigated and brought to a finding.
- Regina Jackson: So that's sufficient Commissioner Singleton?
- Tyfahra Singleton: If I could follow up. So this is basically, action after allegation. I was wondering about sort of auditing and things like that to check for social media, et cetera, on a regular basis.
- Chief Armstrong: Yeah. So commissioner... Through the chair, commissioner [crosstalk 03:26:58]. We are currently... I don't want to go into detail, but we do social media checks. We are looking to move forward with a policy update for our social media policy that will include that as well. And so that is one of the policies that is on our lists with police commission to do an ad hoc. The chair has been advised. We have a list and that is one of the policies that we are seeking to work on and create one that has those accountability measures in place.
- Tyfahra Singleton: Thank you.
- Regina Jackson: Thank you, Commissioner Jordan.
- David Jordan: Thank you. Well, [inaudible 03:27:43] I think that this is a strong first step in hoping to believe the department of people who are holding very antiquated and dangerous beliefs and with the sort of increasing lack of expectation around privacy in social media, it seems on the face of it that it might be easier to track people who have these beliefs down. I do am concerned that if this is the primary way that this is addressed, then we run the risk of just having people obscure their sort of online footprints further. And I think that the ideas here need to be carried through into action



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

and interpersonal communication and culture change. And I know that culture change is a lot harder to manage than instead putting policies and punishments in place for people who sort of step outside of what you, the department and the community have determined as is reasonable behavior.

David Jordan: So I'm not really sure how we get to that point, but I do think that there needs to be from jumping from top down and from every possible direction, a clear expectation that this isn't that place. If you want to be that police officer go somewhere else. If you want to... If you hold those perspectives, eventually you're going to say something out loud and it will be held against you. It has to come to that eventually. Additionally, I think that that officer who was able to talk that woman off the ledge, it's great. Who doesn't want to hear that person. And it's incredibly laudable that that came out the way it did and nobody was hurt. I do look forward to the day in which police officers don't have to take that responsibility. I know that at some point that you are the guys who were called, you handled it and you handled it well. Ideally, you're not going to be called for this anymore. And so, but in the meantime, good job. Thanks.

Chief Armstrong: Thank you. And through the chair, if I could just respond.

Regina Jackson: Yes, please.

Chief Armstrong: Okay. So just want you to know Commissioner Jordan that I think if you have watched, all of my statements have been very clear from day one that this would not be tolerated or welcomed within the Oakland Police Department. I have been at several briefings and meetings with staff throughout the department to also make sure they understood that message. But I think the secondary message that's critical to this issue is those officers that see this or witness this conduct occurring and their mandate to report that conduct. Right? And so there are policies around both, to hold the officer accountable, but also other officers that know or see or witness that behavior occurring, that also triggers their requirement to report that.

Chief Armstrong: And so accountability I think all around... Throughout the organization. I think that's where we begin to change the culture by saying not only is this not tolerated, but those that stand by and watch it. Even if you are not one involved in it, you are still accountable as well. We all have to, I believe we all have to come together to root this out of our organization and it's going to take our officers having the courage to speak up.

Regina Jackson: Absolutely agree with you and the peer, the peer to peer intimidation has got to be stopped. Commissioner Dorado's hand is up.

Jose Dorado: Yes. Thank you, Chair Jackson, just briefly, those are two ends of the spectrum, the wonderful work done by the officer to talk the woman off the ledge. And the other end of the spectrum are the white supremacists that are in the department. And I just want to say that we're continuing with the chair and commissioner Harbin [Forte 03:32:18] and myself, we're continuing our conversations with you and your staff around the question of white supremacists in the department and those that exist in Oakland and around Oakland. And what are the connections



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

between those groups and individuals. So I'm looking forward to continuing that. We're going to have to really, I think focus on as one of the aspects of the whistleblower protections, because people in the department know who these are and it's time that they in fact stood up and pointed out this kind of perspective. So just want to thank you for continuing this conversation with us. I know it's going to be fruitful. As I said before, these kinds of individuals holding these racist beliefs, these white supremacist beliefs, they have to know we're coming, we're coming for them. So thank you.

Regina Jackson: Thank you, commissioner Dorado. Did we... We need to go to public comment, Mr. Rus?

Juanito Rus: Thank you. Thank you, madam chair. At this time, if any member of the public wishes to speak on item nine, tonight's agenda, please raise your hand in the Zoom queue and you will be called in the order in which your hands are raised. The first speaker on this item is, excuse me, while I put up my timer, the first speaker on this item is Cathy Leonard. Good evening, Ms. Leonard, can you hear us?

Cathy Leonard: Yes. Good evening everyone. Chief, I'd like to ask, I'm sure you can answer it now, but at some point I would like an answer. If you have any data, I'm sure you do on how many of these cases have been solved, if you've arrested, made any arrest on the number of crimes that are being committed in the city. And also I'd like to also thank you officer, who was able to bring the person down from the ledge. That is great work. Thank you.

Juanito Rus: Thank you, Ms. Leonard. The next speaker is Kevin Cantu. Good evening, Mr. Cantu, to the floor is yours.

Kevin Cantu: Hi. I just wanted to comment and say that I think that it's always a little bit entertaining when the police chief comes and brings statistics because it reminds me of a university professor that I had giving advice to a room full of electrical engineers, but he was saying scare the public and they'll pay you more. But I would also like to add that I do appreciate some of the rest of the chief's conversation with us today. And I like to see the positive emphasis on an officer doing something that really helps somebody with deescalation, with negotiation, with words, as we need so much more often. Thank you very much.

Juanito Rus: Thank you, Mr. Cantu. The next speaker on this item is [Reiser J. 03:36:27]. I believe that is Ms. [Jaffe 00:18:31e

Reiser Jaffe: Thank you so much. Through the chair to the chief. On Tuesday, a community member went live showing a disproportionate response by the police to an unarmed community member. It was really scary watching it. And I already knew that the person ended up still alive. And I just can't imagine what it was like for the people who were present at the moment. There was community member shouting and shouting to the police officers, "Put your guns down, he's unarmed." So I would like to know what in your policies made that kind of response in that situation appropriate because that policy needs to be changed. Thank you.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Regina Jackson: Chief Armstrong, can you answer, respond to that question please.

Chief Armstrong: Yeah, chair. I'm not aware of the incident that was referenced, but we could definitely follow up and look into that reference if there's any specifics or a video that they want to share with you and you can share with me and we'll look into it. First-

Regina Jackson: Okay.

Chief Armstrong: So we definitely will.

Regina Jackson: No problem. So Ms. Jaffe, if you can send me any details to my email, that would be great.

Reisa Jaffe: Okay.

Regina Jackson: Thank you. And Mr. Rus, I just want to point out that former commissioner Harris, his hand is up on the panel.

Juanito Rus: I see that. Former commissioner Harris, the floor is yours.

Ginale Harris: Hello? Can you hear me?

Juanito Rus: We can hear you.

Ginale Harris: Okay. Hi chief. How you doing? I just wanted to say, I wanted to commend the officer, lady officer for dealing with that situation in the proper kind of way. That sets the bar. But I do know that there is an ongoing investigation on cell phone, white supremacy. I know because I was the focal point of their conversations. So I'm interested to know through the chair, any outcomes. Do we have any outcomes finding out out of those 150 phones that were confiscated? Did we find any white supremacist?

Regina Jackson: Chief, share what you can. I know the investigation is probably not complete, but share what you can.

Chief Armstrong: Yes. [inaudible 03:39:04]. How are you commissioner Harris. It is under investigation. We have a... it's a multi independent investigation. The IMT has affirmed that is investigating it outside the department. We have our internal investigation with our staff and CPRA is also investigating it. So it is being thoroughly investigated. I can't give you any update as to what that investigation is because even I'm not privy to that at this point because it's an open investigation, but CPRA will have the completed investigation and we will bring forth the findings.

Regina Jackson: Okay. Thank you, chief Armstrong. I'm sorry. You can go back Mr. Rus to hands that are up.

Juanito Rus: Thank you, madam chair. The next speaker in the queue is a telephone [inaudible 03:40:11] with the last four digits, zero, one, eight, five. Good evening, zero, one, eight, five. Can you hear us?



OAKLAND POLICE COMMISSION MEETING TRANSCRIPT

March 11, 2021

- Michele Lazaneo: This is Michele Lazaneo spokesman for the Bandabaila family. Through the chair to the chief, council member at [inaudible 03:40:26] introduced a resolution during the Oakland public safety committee meeting on Tuesday to add three support positions to the Oakland Police Department's missing persons unit. Thanks to former Commissioner Ginale Harris, the Bandabaila family and community members speaking up, after 14 years of under-staffing, your missing persons unit is finally receiving the attention that it desperately needs. This commission has been asking the former chief to update your policy and procedures when it comes to missing persons cases, especially about how you utilize social media and the public information officers to share information and data with the community about how to make a missing person's report, about the frequency of missing person cases in Oakland and the connection between missing persons cases and the epidemic of human trafficking.
- Michele Lazaneo: OPD still hasn't produced or shared one social media post regarding these issues that affects thousands of families in Oakland each year. When council member Caplin asked OPD assistant chief, Darren Alison's specifically about assigning one full-time public information officer to the missing persons unit, he kept speaking about, "Losing a vital role," if any of their current staff were transferred. Isn't solving missing persons cases also a vital role for OPD?
- Michele Lazaneo: The strategic communications manager position was only created in 2020 by former chief Kirkpatrick. And it didn't exist prior. So why is it necessary? Paul Chambers received a salary of approximately \$175,000 a year. Shouldn't those funds be used to add investigators to an understaffed missing persons unit? Assistant police chief Alison asked, said the current responsibility and scope of your strategic communications manager and public information officer are to share noteworthy and newsworthy issues with the media and quickly get the word out. We agree, but aren't missing persons cases both noteworthy and newsworthy. Since March 1st for women's history month, your strategic communications manager and public information officer have created 10 videos posted to your social media highlighting the amazing women who work for OPD and encouraging other women to consider going [crosstalk 03:42:26].
- Juanito Rus: Thank you, Ms. [inaudible 03:42:29]. Your time has expired. The next speaker in the queue is Joseph Mente. Good evening, Mr. Mente. The floor is yours.
- Joseph Mente: Can you hear me?
- Juanito Rus: We can hear you.
- Joseph Mente: Joseph Mente, district one. Through the chair to chief Armstrong. Thank you for prioritizing getting racists and Nazis out of OPD. Well, a signed piece of paper can only do so much. It is indeed a significant step but previous chiefs refuse to do. It highlights how inexcusable that inaction of previous chiefs were. Regarding the commendation of the excellent performance of an officer, I feel it's important to point out that it was specific training that that officer had, not the fact that she is a police officer. I want to echo what commissioner Jordan said about forward to more personnel with specific training being dispatched to such calls rather than expecting armed officers to respond to all types of all calls.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Joseph Mente: I would also like to echo the comments that the community has highlighted for many months now regarding crime stats at the beginning of the meeting. The content is in the agenda packet. It's not adding value to vocalize the numbers. We can all read. I'd rather hear if these numbers are causing you to adjust your management strategy. I would also love to hear more about stories about successful deescalation because it's vital that this is encouraged and rewarded within the department. Lastly, at previous commission meetings, it was brought up by many callers about armed police officers paid overtime to stand guard at Walgreens [inaudible 03:43:53] and others. And pleased to note that I have not seen any armed officers at Walgreens in at least a week. I do not want guards with guns in my local Walgreens, nor do I want officers to be doing more work after hours. They could potentially make them more exhausted during work. Thank you.
- Regina Jackson: Mr. Rus, if you could hold for a moment, I actually failed to go back to the chief with Michelle as a [inaudible 03:44:20] questions, and I hope that he can respond to the recent speaker as well as hers.
- Chief Armstrong: Yes, chair. I think Ms. [inaudible 03:44:30] question around what came out of public safety the other night. She is correct that council vice mayor Caplin did bring forth a request. I have since then met with vice mayor Caplin and we are both in agreement of accepting those additional resources to support unfreezing those positions so we can add more help in the missing persons unit. We also are going to prioritize moving forward on the missing persons policy development with police commission. The only thing that's caused a significant delay is for, and I think the chair knows this, that the judge has given us very clear timelines for completing some pretty substantial policies. Once we complete the next three policies is my hope that that will be directly in the queue after that. So just want to offer that chair.
- Regina Jackson: Thank you very much. And to the question that, oh, forgive me. His name just slipped my mind Mr. Rus, our last male speaker. Mr. Rus?
- Juanito Rus: Excuse me, I was muted. Mr. Mente.
- Regina Jackson: Mr. Mente. I'm sorry. Do you remember his question?
- Chief Armstrong: Yeah. So I think Mr. Mente's first question was around my use of the crime stats, I think. So I want to be completely transparent. While some see those as statistics and numbers, those are people. And I have the unfortunate position to have to meet with those families of those victims of those crimes. And so for me, as the lead public safety officer in the city of Oakland, it's important that I acknowledge the tragedies that are occurring in our community and that to address the realities of what is happening to people in our community.
- Chief Armstrong: And so I would just offer that, yes, we are adjusting our enforcement strategies. I will be doing a reorganization of the department in the next coming weeks to be more focused on violent crime, moving resources around so that we can be quicker in our response to violence. And so that is my primary goal is to make Oakland a safe city. And I think acknowledging our current climate I think is important, but it also honors the fact that the people that are on the other side of these violent



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

acts, it matters and I don't want to ever ignore it. That is my... That's why I took this job and that will always be my primary focus.

Regina Jackson: Thank you very much, Chief Armstrong. That's right on target. Mr. Rus, did you want to continue with public comment please?

Juanito Rus: Thank you, madam chair. The next speaker in the queue is Jennifer Tu. Good evening, Ms. Tu. Can you hear us?

Jennifer Tu: Yes. Thank you. I wanted to follow on what Mr. Mente had said earlier about the [inaudible 03:47:36] keeping his [inaudible 03:47:38] brief [inaudible 03:47:40] to not repeat the numbers that are included in the agenda, but to get your details that don't come through from the numbers. Like what you mentioned today about the older man's death or things like the East Oakland homicide, where [inaudible 03:48:01] on fire and watching him die. I also wanted to thank Commissioner Singleton, Jordan and Dorado for [inaudible 03:48:12] acknowledging receipt [inaudible 03:48:17]. I'd like to encourage everyone here [inaudible 03:48:21] expectations continuously and pushing [inaudible 03:48:26].

Juanito Rus: Excuse me, Ms. Tu.

Jennifer Tu: [inaudible 03:48:29] to really [inaudible 03:48:31]

Juanito Rus: Ms. Tu. Can you hear us? [crosstalk 03:48:36]

Jennifer Tu: Hi, Rus. Can you hear me? Yes. Can you hear me?

Juanito Rus: You are breaking up. Hello?

Jennifer Tu: Okay. Thank you. Let me... Hi, can you hear me?

Juanito Rus: I can hear you now, the last 30 seconds or so. I apologize. Hello?

Jennifer Tu: If it would be all right for me to take an additional 30 seconds. Yes. Can you hear me?

Juanito Rus: Yeah, we can hear you now. Madam chair is that [inaudible 03:49:05]?

Regina Jackson: Oh please. Yes.

Juanito Rus: I will [inaudible 03:49:06] you to a minute.

Jennifer Tu: Great. Thank you so much Mr. Rus and chair Jackson. I just wanted to encourage everyone to really keep setting high expectations for how we can actively remove white supremacists from the department. I also have a question on what the effect on pensions might be for if an officer is violating the policy around social media and white supremacy. Thanks so much.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Juanito Rus: Thank you Ms. Tu. The next speaker in the queue is a telephone attendee... Excuse me, while I change the clock. Last five digits, five, eight, zero, two. I believe that is Mr. [Salim 03:49:59] Bay. Good evening Mr. Bay, can you hear us?
- Saleem Bey: Yes. Salim Bay. I just want to point out that this chief was promoted in an NSA proven racist department by known white supremacists that failed to reform this department over the last 18 years. And it's a department that he thrived in and was promoted in. Through the chair, has the chief ever turned any other officer in in his over 20 years in the department for racist things, any racist department that we know that he's [inaudible 03:50:32]. If you've never turned anyone in, then that makes you a hypocrite for demanding that somebody turn somebody in now. I also want to point out the fact that with all of the scare tactics that you've come in at, you forgot that the total crime is down 35%. If you look at the last line, it says that crime is down 35%. That means that you're only dealing with 65% of the crime that you dealt with last year. Why are you crying about overtime? Why are you crying about you don't have officers when crime is down. The index also says that violent crime, the thing that you're hanging your head on during the public is only up 5% over the year. Let's deal with the numbers as they say. If you're only dealing with 55% of the crime that you did last year, what are you doing? The Anti Police-Terror Project pointed out that you guys aren't dealing with anything in terms of violent crime about five or 4%. That tells us that the community's safety is not your primary concern. Your primary concern is billing hours and making sure that the community thinks that we need more of you. Until that is taken care of again, crime is down 35%. Why didn't you say that instead of promoting a 100%? Also, the other issue is, is that rape is down 67% and strong arms is down 41%. Other dangerous weapons, night attacks are down 41%. All these things are down, yet you're focusing on something that you're failing at. You can't even show up that five shows...
- Juanito Rus: Thank you, Mr. Bey. Your time has expired. The next speaker in the queue is Anne Janks. Good evening, Ms. Janks. Can you hear us?
- Anne Janks: Good evening. Hello, chief. I wanted to say to the commission that I've talked to a lot of community folks who are very, very interested in the ongoing work around the policies on white supremacy and white supremacy as it's expressed in social media in OPD. I hope that there will be opportunities for the community to participate. Unfortunately, a neighbor of mine had an experience he was on during public comment, but couldn't stay because he had to get back into his class. He and some friends were leaving a party downtown on February 28th, and some squad cars stopped at their car before the car started to move and shown lights inside the car and looked at them, but did not ask for IDs, and said it was just a security check. When the officer was asked for his name and badge number, he said, "That's not necessary. We're done here." As you can imagine, this has raised a few questions, both for the resident and CPA.
- Anne Janks: We're aware of the Manual of Rules 398.77, Refusal to Supply Name, but wonder if there's any other policies or training bulletins that more fully discussed when and how an officer must provide his name and other identifying information? Secondly, we're interested in understanding the reporting requirements in this type of situation. Does a security check get reported for tracking, especially a racial disparity in the same manner as vehicle stops? If not, is there any



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

tracking or reporting of security checks and what are the protocols of how and when these security checks are performed? Thank you so much.

Juanito Rus: Thank you, Ms. Janks. My apologies. I think I may just have promoted Ms. Janks to the panel. The next speaker in the queue on this item is Ms. Assata Olugbala. Good evening, Ms. Olugbala. Can you hear us?

Assata Olugbala: Yes. It is my understanding that the police department annually provides the attorney general with the data related to hate crimes. I would like to know what all the hate crime data that exists for the city of Oakland? Chief, I do not appreciate the attacks on the African-American community around hate crimes, and it needs to be made clear, who are the victims of hate crimes in Oakland. Historically, for the last 10 years, the victims of hate crimes throughout the state of California, even though we have 6% of the population has always been African-Americans. The issue of the NSA and racial profile is African-Americans. We need to stop this agenda of perpetrating African-Americans of participating in hate crimes against Asians in this community. Thank you.

Juanito Rus: Thank you, Ms. Olugbala. The next speaker in the queue is a telephone attendee. The last four digits, 7935. Good evening, 7935. Can you hear us? Telephone attendee with the last four digits of the phone number, 7935. Can you hear us? You can unmute.

John Bey: Okay. Thank you. You're able to hear me now?

Juanito Rus: Oh, we can hear you now. You have two minutes. Be ready.

John Bey: Oh, great. Thank you. Great. This is John Bey, and I would like to potentially commend the chief for giving us information and we recognize your need to recognize each individual, but we just don't need raw numbers. If you could help the community by understanding what the crimes are or where they're being committed? What's the solve rate? Things like that matter to us. What's the follow-up rate? We never hear any information about a missing person. Is there a missing person? How do those cases in? How many do you solve? Give us some information and the numbers. We've gotten wrong numbers over the years. Anybody can read off an Excel spreadsheet. We also believe as community members, those are our citizens. Those are our neighbors, our family members who were caught up in these crimes.

John Bey: No one is trying to slight the individuals, but we need some information from the police department. Regarding the policy with these racists, you might want also if it's not in the language, they're dressed in their uniform because of the situation where those officers were wearing Boogaloo attire underneath their uniforms. Who knows what's close to their heart symbolically, and literally in terms of their medallions or tattoos or clothing that they're wearing so that they can still promote their racist hatred and jealousy. It needs to encompass everything. I think the community is potentially... The feedback is potentially positive towards you're being the chief, but [Celine 03:58:59] and I have had discussions, we have said that, "Yes, you may not be in any problem with any of the bigger cases and I've known you over the years as well and I've always had a positive perception about you," but...



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Juanito Rus: Mr. Bay, your time has expired. Sorry. The next speaker in the queue is Jasmine Fallstich. Good evening, Ms. Fallstich. Can you hear us?
- Jasmine Fallstich: Yes. Good evening. Thanks, Mr. Rus. Last at the previous meeting, we spent quite a lot of time talking about the third parties who are able to hire officers and the public had many questions for the DC who was presenting. I was really hoping to hear some followup from you. Today, chief, on that, I'm a little disappointed that some of those questions weren't answered. I'm wondering through the chair to the chief, if in the next meeting, some of those questions about the third party arrangement can be included in the chief's presentation?
- Jasmine Fallstich: I also want to comment on the crime stats and I do appreciate that you've been keeping them really brief, but like previous callers have said we don't actually need the raw numbers. We have access to those. More of the anecdotal data, which I think does honor the lives of the people that were lost in the impact that it has on the community is what is much more important to us like the details about the East Oakland homicide where a person was set on fire. In addition to that, any tactical or strategic changes that you're making as you're looking at this data is, I think also a lot more important than just the raw data itself. Then, to the commissioners, I just want to highlight again, it's very difficult, I think for some people to make it to the end of these meetings, given different familial situations or early work life. Having public comment limited at the beginning, I think is making it much harder for the public to participate. I'm still very disappointed that that's the tactic we're taking.
- Juanito Rus: Thank you, Ms. Fallstich. The next speaker in the queue is listed as LB. Good evening, LB. Can you hear us?
- Lorelei Bosserman: Yeah. Thank you. I wanted to ask if the chief could respond to Anne Janks' questions about whether a security check as described by the officer who stopped the people who hadn't gotten in their cars yet, how the security check is recorded, or if that's reportable or that's some way to get away from having to say, "Yeah. I stopped some black people." Also, the failure to provide an ID when he was asked for his name, you said... What did she say? You said, "That's not necessary." Could the chief respond to that, please?
- Regina Jackson: Chief Armstrong, can you add some clarity to that?
- Chief Armstrong: Yes. The first thing I'll say is that officers, when going to a security check, they must communicate that through our dispatch center and complete a report that might be an assignment report, but there should be a written report related to that. If they actually made a stop on someone or make contact, that would require a stop data form to be completed. There also should be documentation in that way. Also, if they made contact with someone and it was investigative or investigative in nature, then PDRD might be applicable just depending on the circumstances. That's the first thing. The second thing is if officers are asked for their name and badge number, they are to give it to the person. That is a violation of policy and if you can give me, for our staff, the information of what day in time or what officer that was, we will follow up with that as well.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Officer's policy is very clear about officers mandate to give their name and badge number when asked.

Juanito Rus: Thank you, LB.

Chief Armstrong: To the chair, Mr. Rus, if Ms. [inaudible 04:04:12] would like to provide that information to us or Ann Janks, we'll follow up.

Regina Jackson: Thank you.

Juanito Rus: At this time, there appear to be no more speakers on this item, madam chair.

Regina Jackson: Okay. Thank you very much. I am actually just getting... Can you update the screen, please? I'm just getting a update that apparently resolution item 10 and item 12 apparently didn't get... The attachments didn't get added to the agenda. I'm going to need to re-agendize these. However, since we need to go to public comment after we deal with questions anyway, I just want to clarify what the resolution is about, and we'll make sure to add it to the next meeting and provide a little context. Oakland's invested in equity, including when it comes to employing our sworn officers and the attached resolution was supposed to encourage the city council to make sure that the city looks closer and establishes an alternative process for a handful of instances where our anti-nepotism laws could have negative outcomes.

Regina Jackson: We will answer any question. We still got to go to public comment, but I would like to take a motion to delay this and item 12 to the next meeting based upon really an administrative glitch. Commissioner Dorado? Vice chair Dorado?

Jose Dorado: So moved.

Regina Jackson: Thank you. Is there a second? I see Marsha Peterson.

Marsha Peterson: I second.

Regina Jackson: Thank you very much. It has been properly moved and seconded to re-agendize items 10 and 12. We will go to public comment and then vote on this. Thank you very much.

Juanito Rus: Thank you, madam chair. If any member of the public who may comment on item 10 in tonight's agenda, please raise your hand in the Zoom queue and you'll be called in the order in which your hands are raised. I see no hands raised on this item, madam chair.

Regina Jackson: Okay. Well, thank you very much. I'm coming back to the commission. Can we go ahead and vote to re-agendize these items? We will still hear public comment when we get to item 12. Commissioner Dorado?

Jose Dorado: Aye.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Regina Jackson: Thank you. Commissioner Gage?

Henry Gage, III: Yes.

Regina Jackson: Thank you. Commissioner Harbin-Forte?

Brenda Harbin-Forte: Yes.

Regina Jackson: Thank you. Commissioner Jordan?

David Jordan: Yes.

Regina Jackson: Thank you. Commissioner Singleton?

Tyfahra Singleton: Yes.

Regina Jackson: Yes for myself. It's unanimous. We will re-agendize items 10 and 12 on the next meeting. We will move forward now and receive our update from former Commissioner Harris on re-imagining public safety. We did attach all the recommendations so that people could have a chance to look at them, but we always think it's very important to get context. Commissioner Harris, are you there?

Ginale Harris: I am, chair.

Regina Jackson: Excellent. Thank you very much. You have the floor.

Ginale Harris: Thank you so much. Can you hear me okay?

Regina Jackson: Yes.

Ginale Harris: Okay. The task force is in the final stages of developing its recommendations that will be advanced to the full city council on how we imagine public safety in Oakland. There are a range of recommendations, including policy changes, budget allocations, and organizational redesign. They also have a range of impacts on safety and equality from no impact to high impact and even a few that could have a negative impact on equity and safety. Some of the policy recommendations are one that the police commission have already worked on and are currently working on. It will be important to do that mapping once the recommendations are finalized. A few recommendations, I think are great and I'm excited about are 44, which is OPOA-MOU renegotiation, seven compliance with the NSA, but there should be an end date, 56 behavioral health unit with the hope that there can be some consolidation with recommendations of 57 and seven, 41 internal reorg, 97, establish a depth of public safety, agree with the idea but consider about creation of multiple new departments, which 103 and 88, increase police commission staff.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Ginale Harris: One, create an Oakland specific crowd control ordinance, 31 and 84, IAD to CPRA. 113... No, I'm sorry. Scratch that. I'm reading my own notes. 79 vacant lots, that might be something a department of public safety or the public safety could take on. 144, invest in community workers and violence interrupters. 52, build on task force guiding principles and number two. A few of the recommendations, I think, do not address public safety are as follows. Number 108, which is create school attendance stipend.
- Ginale Harris: That is just one example of many that I do not believe will impact safety in any kind of way. While great work has been done, unfortunately, there are still a couple of gaps that exist in the analysis that will be needed to make significant changes. Below are a couple of major gaps. That's for me. First, there is no analysis of what the appropriate staffing level is and should be for OPD. Which divisions within OPD are understaffed or overstaffed? Having the baseline understanding the perspective will tell us what is reasonable to remove and what is justified to invest more heavily into, e.g. investigations and missing persons and dispatch. Second, there is very little in the way of specific recommendations for reducing OPD budget. It seems the focus has been more on how to spend possible savings without as much attention paid to where those savings will come from, e.g. what police services should be cut and where efficiencies are believed to be gained?
- Ginale Harris: There does seem to be a lot of emphasis on a new ballot measure to replace measures Z and renegotiation of the OPOA contract, which will be important, must be done right, and will not happen immediately. Lastly, a concern is that we had still haven't gotten as robust of an engagement as we should with the most impacted communities. Black and brown communities in East Oakland flat lands that should be taken into account with the recommendations when they come forward. That is my report back, chair.
- Regina Jackson: Thank you very much. The way you ended is the way I started. I'm very concerned that we still haven't figured out how to ensure that the most disenfranchised are protected, so thank you for that. Want to offer other folks the opportunity to ask questions before I jump in?
- Ginale Harris: I will say, chair, that we have one last meeting before the recommendations are set forth.
- Regina Jackson: Okay. Excellent. Excuse me. You know when that meeting is. Can you share with us when that meeting is?
- Ginale Harris: Yes. Let me pull it up, chair.
- Regina Jackson: Oh, okay. No problem. While you're pulling it up...
- Ginale Harris: The last meeting will be on the 17th of March.
- Regina Jackson: Oh, okay. Next week. Okay.
- Ginale Harris: Yes, ma'am.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Regina Jackson: That's coming quick. I see a hand from Commissioner Gage.

Henry Gage, III: Thank you, chair. Thank you, former Commissioner Harris. I'm curious about next steps, following the issuance of the task force recommendations after this, like you said, March 15th meeting. Did I hear that correctly?

Ginale Harris: 17.

Henry Gage, III: March 17. Thank you. What do you expect will happen next? You presented the recommendations to council and then what happens?

Ginale Harris: Well, this process is very, very rigorous. Each time we have a meeting, it gets more and more convoluted and confusing. Within the task force, we've been taking a series of polls and these polls consist of 50 to 75 questions and they're the same questions, but phrased in different kind of ways. Out of these polls, we got final recommendations, which we had a meeting last night, which we voted on the recommendations, that will be moved forward to city council. Now, there are 100 recommendations that were narrowed down. Then, last night, we narrowed them down even more. 100, it was asked by city council, some of the council members that 100 recommendations are too many. As I stated in my opening statement, a lot of the recommendations have nothing to do with public safety. It's really hard to keep people on track about public safety in these meetings. The thought is that they will go before city council to vote on the recommendations. I am still unclear after the vote is taken, what the process will be.

Regina Jackson: Does that answer your question, Commissioner Gage?

Henry Gage, III: I think so. Thank you.

Regina Jackson: Do you have a follow-up?

Henry Gage, III: No, not at this time.

Regina Jackson: Okay. All right. Thank you. Are there any other questions? Commissioner Dorado? Vice chair Dorado, excuse me.

Jose Dorado: Yeah. Thank you, Chair Jackson. Former commissioner Harris, first of all, thanks for... What I'm sure was almost a painful process. Thank you for all the time that you've spent and all the effort. My question is how much of the discussion centered around the implementation of community policing and the resolution 79235?

Ginale Harris: To be honest, vice chair, I have heard very little. Very little. However, I will say that other than the task force, the 17 members task force, there are many groups of advisory board members that have small discussions in pockets. I think it would be better suited to maybe have one of the advisory boards that speaks on neighborhood policing to come and give their presentation or feedback. They do give feedback in our meetings. However, this is how we came up with the final



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

recommendations. We take the polls. These conversations that we have, they put forth their recommendations, and then we vote on them and then they get on this rigorous list and then we take another poll and then the facilitators somehow come up with this list of recommendations.

Jose Dorado: Thank you. Thank you for your effort.

Ginale Harris: Yes.

Regina Jackson: Are there any other questions of Commissioner Harris? Wow. Well, like vice chair, I know that these were a lot of meetings and a lot of lengthy meetings, a hundred recommendations is incredible. We really appreciate your serving as our representative in this space. I'm hoping that you will come back again either at our March 25th meeting just to wrap everything up for us, unless of course you think that might be better served a first meeting in April, you let us know. Okay?

Ginale Harris: Thank you, chair. I will put it on my calendar to come back and report back on the 25th.

Regina Jackson: Okay. Great.

Ginale Harris: Because we have that meeting on the 17th so we can see where it goes from there.

Regina Jackson: Okay. That will be terrific. Again, thank you very much for all of your time, and we certainly appreciate your time tonight as well.

Ginale Harris: Very good. Thank you.

Regina Jackson: Thank you. Mr. Rus... Don't go anywhere, Ginale, just in case some folks from the public have some questions.

Ginale Harris: Got it.

Regina Jackson: Thank you. Mr. Rus, if we can go to public comment, please.

Juanito Rus: Thank you, madam chair. If any member of the public wishes to comment on item 11 of tonight's agenda, please raise your hand in the Zoom queue. The first speaker on this item is Joseph Mente. Good evening, Mr. Mente. Can you hear us?

Joseph Mente: Can you hear me?

Juanito Rus: We can hear you.

Joseph Mente: Joseph Mente, District I. I was also on the Reimagine Public Safety Task Force. Regarding the task force was not able to provide specific staffing level, I was on that advisory board that was working on that. There was no way to do so because OPD did not provide any KPIs for any functions, even



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

though we specifically asked for them, so we had no way to assess the public safety impact of reduction.

Ginale Harris: What? Anyone?

Joseph Mente: It took [inaudible 04:20:52] even get data on the [inaudible 04:20:54] officers. I would ask the commission to encourage OPD to publish KPIs from their various departments. As an example, how long does it take for an investigations functions to close a case? What is the close rate? How many open cases are officers assigned? We have no idea because OPD did not provide them. These are readily available and yet were not provided to the taskforce, nor were any other KPI's provided for other functions. Regarding the emphasis on spending money rather than trying to find money for it, I agree with you in general, but that does not mean that no one was looking for where to save money. Again, I was on that AV. I would encourage you to talk to [Anne Marks 04:21:28] on the specific line items that we found that could save money. Thank you.

Juanito Rus: Thank you, Mr. Mente. The next speaker in the queue is a telephone attendee with the last four digits, 7935. Good evening, 7935. Can you hear us?

John Bey: Yes, I can hear you. Can you hear me clearly?

Juanito Rus: We can hear you clearly. The floor is yours.

John Bey: Yes. I just want to thank Ginale for the work and the dedication on this re-imagining and the issue that really strikes at the heart only slightly above the MOU for the OPOA, which I think is definitely where we have to start for re-imagining, but that is the NSA. We're 18 years in, 11 chiefs, we still don't have a resolution, yet Mr. Channon and Mr. Burris control what type of cases can be included in the NSA. They are the ones who meet consistently with the chiefs and the monitoring team of [Warshaw 04:22:54], et cetera. I doubt a pro bono for their work that they're doing. That means they've got a check for 18 years and they have exclusive control through the court over how and who can be included in an NSA file, whereas the NSA and the behavior are to apply to the police department and their conduct towards the citizens.

John Bey: Any case, that's a violation. Any case that has lost or missing records should be a part of the NSA. That definitely needs to change. We need an end date and we need a new NSA that is under the control of the police commission who now has oversight of the police department. We don't need a judge and we don't need Warshaw and his outside money grabbing to come into Oakland and tell us what we need. That's why overwhelmingly the citizens voted for police commission because we want local power and control over our own police department. That is where we need to be looking at. Council, that NSA, that's nearly \$4 million a year right there, 18 years. So, that is where we got to put money and resources back into the community with the local control over own police department.

Juanito Rus: Thank you. Thank you, Mr Bey. Your time has expired. The next speaker in the queue is Jennifer Tu. Good evening, Ms. Tu, can you hear us?



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Jennifer Tu: Yes. Thank you. I was listening to what Mr. Mente was saying about his work on the advisory board and I was interested in hearing more about the KPIs that the department was unable to provide. And I was wondering, at this point you can't go back in time, but it seems like KPIs like that would be perfect for the chief's report to the commission. So I wanted to point that out. Thank you.
- Juanito Rus: Thank you, Ms Tu. The next speaker in the queue is Anne Janks. Good evening, Ms. Janks, can you hear us?
- Anne Janks: Good evening. I just wanted to briefly highlight two recommendations that were passed, which both had to do with data access, and well, data transparency, and what data is being collected and how it's being collected. And both recommendations, what I like about them is they seem quite actionable and I think that the reason that I wanted to raise them with the commission specifically was because I think that they can help the commission do its work of oversight by making more and more relevant data accessible. One item that is still up for discussion, which the commission has historically been interested in is macro, which hopefully will be voted on by the council and placed in the fire department so that the fire department can get to implementing it immediately and it could be voted on by the council on the 16th before the task force is able to issue a recommendation on it. I also want to thank former Commissioner Harris for her work. I think it's been quite a slog, not quite over, but I'm sure at this point at least there's a little bit of light at the end of the tunnel. Thank you.
- Juanito Rus: Thank you, Ms. Janks. The next speaker in the queue is Mariano Contreras. Good evening, Mr. Contreras, can you hear us?
- Mariano Contreras: Yes, good evening. I am also on the task force, I'm one of the 17 task force members. So last night after receiving a poll of close to a hundred, no, there was 102 recommendations. We all individually voted, took a poll and those recommendations, they received 12 or more approval votes from task force members moved on. There were 49 of those, they received 12 or more votes, so that was considered a super majority. And then last night, we voted on those 49 with the exception of recommendation 59, which I still cannot understand why that was removed. That was 59 calls for moving most of traffic of enforcement from OPD to the Oakland department of transportation. As you folks on the police commission, more than likely know since 2015, 25% of the unarmed black people killed by law enforcement were killed during traffic stops. And so, that's one of the main reasons I supported 59, but it was removed from the 49 recommendations that were moved forward and only 48 will move forward.
- Mariano Contreras: Another very important one that got moved forward was a qualified immunity recommendation 137, recommendation 98 which establishes the ANSI PC's community safety stewardship program. But I just want to say that I've worked... Thank you for your time.
- Juanito Rus: Thank you, Mr. Contreras, your time has expired. At this time, I see no other hands in the queue, Madam Chair.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: Thank you very much. I certainly appreciate the additional members of the community that were also serving on the task force, I appreciate everybody's efforts. And I am looking to see if there are any other questions that former Commissioner Harris might be able to respond to? Okay, seeing none. Again, thank you very much, Ginale, I really appreciate it and I will follow up with you, we will definitely schedule you for the next commission meeting on March 25th. And I appreciate your time.
- Ginale Harris: Thank you, Chair.
- Regina Jackson: Certainly. So the next item is also going to be re-agendized. We've already voted on it, but we still need to take public comment if there is any. So Mr. Rus, if you could go ahead and handle that.
- Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to make comment on item 12 on tonight's agenda, please raise your hand in the Zoom queue. I see no hands raised, Madam Chair.
- Regina Jackson: Okay. Well, thank you very much. So we will move forward to the police commission 2020 annual report. Commissioners, you will see that there's a lot of work that was accomplished in last year. And what we do in terms of this process, considering so many new folks, is share all that we have and then ask if there's anything... Oh, oh, somebody is yawing... see if there's anything that we've missed, needs to be added. So I'd love to hear any comments or any questions at this point. (silence).
- Regina Jackson: Commissioner Dorado.
- Jose Dorado: Yes. Thank you, Chair Jackson. Would there be a slot for the ad hoc on 15-01, the draft policy? It's going to be very impactful, and so I just wanted to ask that question because I think it should have a place.
- Regina Jackson: Sure. This is actually the annual report for last year. So, since we really hadn't done anything on that particular policy, I didn't include it, but it should definitely lead the day for the 2021 annual report that will be done for next year. Does that make sense?
- Jose Dorado: Yeah, it's fine.
- Regina Jackson: Okay, thank you. Are there any other comments or questions? (silence).
- Regina Jackson: Okay, how about we go to public comment and then we can come back? Mr. Rus.
- Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to comment on item 13 tonight's agenda, please raise your hand in the Zoom queue. I see a hand. Excuse me while I put on the clock. The firsthand in the queue on this item is a telephone attendee with the last four digits, 7935. I believe that is Mr. John Bey. Good evening, Mr. Bey, can you hear us?



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- John Bey: Yes sir, I do, I hear you. I was concerned I didn't see anything regarding the ad hoc committee on the Bay cases or any mention of the independent report for the on the Bay cases in this chart. So if the chair could let us know what happened with that, that seems as though it has disappeared or is that also tied out for 2021? Thank you.
- Regina Jackson: I will go back and take a look at that. It looks like maybe there's an oversight in terms of the full listing. In terms of the investigation, we probably would not reference it until that's brought to a close.
- Juanito Rus: The next speaker on this item is Assata Olugbala. Good evening, Ms. Olugbala, can you hear us?
- Assata Olugbala: Yes, I can. I hope this annual report will produce evidence that, as a result of any work that you have implemented, policy or otherwise, has resulted in change of police behavior or solving problems that you have identified with the police department. It's not sufficient to just develop policies, those policies have to be demonstrated to cause change in behavior related to police officers and the police department. If that's not happening, we need to be going in another direction. At the same time, your jurisdiction over whether or not Ginale Harris speak to that, that you were not able to intercede with the issue of this, Harris being removed from the police commission, unable to do anything because it wasn't in your jurisdiction. Speak up, say something about. Ms. Harris has been diligent and respectful, even though she knows she was wrong, but the most important thing is CPRA.
- Assata Olugbala: What are you going to put in the report about CPRA? What are you going to say relative to how we've been able to get unfounded, unsustainable and exonerated? That CPRA is not working and you have to speak to CPRA. And I would just want to see how you're going to address what that is. Also, are you going to talk about the fact that you decided to not have an auditor that Inspector Ginale is going to be doing the auditing? You need a performance audit and you need a fiscal audit, but you don't have it because you decided to get rid off it. I hope that's in the report as well. (silence).
- Juanito Rus: Excuse me, I was muted. Thank you, Ms. Olugbala. At this time, I see no other hands in the queue, Madam Chair.
- Regina Jackson: Thank you very much. So we have heard a couple of recommendations that lead me to believe that I want to go back and identify a few more things to add, this is not unusual. Last year we thought we had everything, and a couple folks pointed out some things that we missed. So this will come back to the group probably at the next meeting because it will be necessary to submit to city council in early April. Are there any other questions or comments from the commission?
- Regina Jackson: Okay. Then I'll be reaching out once I make some more updates to ensure that with CPRA, and with the chief and with the different commission members that we've got everything. Okay, we can move on. We can move forward to the meeting minutes approval. If commissioners have reviewed the minutes, I'm happy to either hear questions or have a motion to approve.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Regina Jackson: Sorry, I know we need to go to public comment but I just want to know if there were any problems with the minutes, any recommendations or edits? Somebody is sleeping, I can hear some real heavy breathing. Oh, thank you, it went away. (silence).

Regina Jackson: Does anyone want to make a comment about the minutes or should we just go straight to public comment?

Jose Dorado: Go straight to public comment.

Regina Jackson: Okay, thank you very much. Mr. Rus.

Juanito Rus: Thank you, Madam Chair. If any member of the public wishes to comment on item 14, meeting minutes, please raise your hand in the Zoom queue. I see one hand raised. Excuse me while I switch to the clock. The first speaker on this item is a telephone attendee with the last four digits, 7935. I believe that is Mr. John Bey. Good evening, Mr. Bay, can you hear us? (silence).

Juanito Rus: Mr. Bay, you're muted. You can unmute.

John Bey: Yes. My intention was to speak on the open forum, I must've hit the wrong one.

Juanito Rus: Yeah? Very well, thank you.

John Bey: Yes, sir.

Juanito Rus: At this time, Madam chair, I see no other speakers.

Regina Jackson: Okay. Thank you very much. So, coming back to the commissioners, just wanted to know if there are any edits to the meeting minutes, or now that we've heard from public comment, if we want to make a motion to approve. Vice Chair Dorado.

Jose Dorado: Thank you, Chair Jackson. I move that we approve the minutes of February 25th, 2021.

Regina Jackson: Thank you very much. And then I see alternate Commissioner Peterson.

Marsha Peterson: I second the motion.

Regina Jackson: Thank you. It has been moved and properly seconded. We've taken public comment. Let us vote. Excuse me, I see a hand from Commissioner Gage.

Henry Gage, III: Is alternate Commissioner Peterson the voting member [inaudible 04:41:19].

Regina Jackson: Somebody is making a lot of noise. She is not voting, but she can motion. (silence).

Regina Jackson: Hello?



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Henry Gage, III: Yes. Something about that seems strange to me, but I'll defer to your counsel.

Regina Jackson: Thank you. I think we're ready to vote now. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Thank you. Commissioner Gage.

Henry Gage, III: Yes.

Regina Jackson: Thank you. Commissioner Harbin-Forte.

Brenda Harbin-Forte: Yes.

Regina Jackson: Thank you. Commissioner Jordan.

David Jordan: Yes.

Regina Jackson: Commissioner Jordan? Thank you. Commissioner Singleton.

Tyfahra Singleton: Yes.

Regina Jackson: And yes for myself. The meeting minutes for February 25th have been approved. Now we are moving forward to committee reports. Commissioner Gage.

Henry Gage, III: Yes. Chair?

Regina Jackson: Yes.

Henry Gage, III: You called me?

Regina Jackson: Yes. I was going to have you a report out on the update for the Bearcat, the militarized equipment piece.

Henry Gage, III: Right. I'm sorry.

Regina Jackson: No problem. Sorry.

Henry Gage, III: So the input is the ad hocs are still needing to work on the draft resolution, but we don't have draft language yet ready. We've once with the Oakland Police Department. We've made a couple of requests for information that need to be followed up on and we will be returning to the draft resolution for further discussion. That is all I have. If the chair or Commissioner Jordan has further to add, I'd like open to them.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Regina Jackson: Thank you very much. I know that we had a follow-up meeting. Well actually, I wasn't there, but there was a follow-up meeting to get some input from the other ad hoc members, but we also recognize that the resolution that would be developed would be the commissions, and so we were responsible for drafting it and I know that we will be prioritizing that. We have been deluged with management conference, federal monitor visits and other policy briefings and there has just been a lot of work. So we will happily accept the additional staffing and anybody that wants to assist us in some of these other things.
- Regina Jackson: But sometimes we get overwhelmed and I think this is the case. We will make sure that it is ready for public consumption at the next meeting, which is March 25th. And I will apologize on behalf of us all for not being able to get it delivered to you tonight. It just wasn't possible or we would not have had an excellent product, which is what I prefer that we share. Commissioner Jordan, did you want to comment at all?
- David Jordan: No. I think Commissioner Gage summed it up. I just want to make it clear that we are doing our best to really respond to what the community said and keep this above board and transparent as possible. Sometimes, good policy language takes a little bit of extra time, especially when we're all feeling a little crunched for time and resources.
- Regina Jackson: Thank you, I appreciate that. Did anyone else want to report out on a committee standing or ad hoc? Commissioner Dorado. Vice Chair Dorado, sorry.
- Jose Dorado: Thank you, Chair Jackson. Just real briefly, the draft policy 15-01 will entail a really robust and comprehensive approach in terms of integrating community input. And I'm really appreciative of the thought that Commissioner Jordan has put into exactly that. So there'll be ongoing discussions with him, and I'm sure the ad hoc with yourself, the chair and Commissioner Harbin-Forte about what that may look like before we actually move forward in a really strong direction.
- Jose Dorado: And just to add, I was part of a meeting that was called by the district attorney, Terry Wiley, and a couple of neighborhood council representatives, and also Deputy Chief Bolton was there and he sent me an email about the 15-01 policy and the fact that, of course, the Neighborhood Services Coordinators have now moved over to the city administrator's office out of OPD and what that will look like. And he mentioned in his email that he'll be touching basis with DC Nishant Joshi who actually had a major part in the original draft. So there'll be some discussions between the ad-hoc, and I'm sure DC Bolton and DC Joshi in terms of their thoughts about the modifications to reflect the NSCs in the city administrator's office. So we'll be certainly meeting, I would hope soon, the ad hoc that is, and reporting back on a regular basis around what will be an impactful policy. Thank you.
- Regina Jackson: Terrific. Thank you, vice chair, I appreciate it. Given that, let's go to public comment.
- Juanito Rus: Thank you, Madam chair. If any member of the public wishes to comment on item 15, please raise your hand in the Zoom queue. The first speaker on this item is Megan Steffen. Good evening, Ms. Steffen, can you hear us?



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Megan Steffen: Yes. Thank you so much, Mr. Rus. Thank you all so much for the updates, it's good to get to know what's going on. I am also looking forward eventually to updates for the rules governing ad hoc committees, although I assume those are coming soon. I know you all are really tired, probably of hearing from me about procedural suggestions, but Chair Jackson, I do think it might be helpful to add maybe a bullet either in this item or to add another item where you or other members of the commission can update the public about the police commission's role in the ongoing lawsuit related to the negotiated settlement agreement and in anything else that the commission is doing to cooperate with the federal monitor and... Sorry, it's late... and that case.
- Megan Steffen: I think for those of us who are not able to speak to Mr. Chanan regularly, and to have a hard time finding the statements released by Judge Orrick, having this space for you all to let us know how the city is working towards compliance with constitutional policing and the negotiated settlement agreement would be a great opportunity. I don't know if this agenda item is the place to do that, or even if it's something that belongs in the chairs' opening remarks, but I think it would bring a lot of clarity, at least to me. Thank you so much.
- Regina Jackson: It's a good suggestion. Thank you, I'll figure out a way to present that. Thank you.
- Juanito Rus: Thank you, Ms. Steffen. The next speaker in the queue is Joseph Mente. Good evening, Mr. Mente, can you hear us?
- Joseph Mente: Can you hear me?
- Juanito Rus: We can hear you.
- Joseph Mente: Well, I'm disappointed the proposal on removing the barricade from Oakland was not ready for today's police commission meeting. I understand that you're all volunteers spending an enormous amount of time on behalf of the city. I look forward to seeing the details for the next police commission meeting. Also, thank you for these regular updates on ad hoc committees, it provides valuable transparency. Thanks.
- Juanito Rus: Thank you. The next speaker in the queue is Anne Janks. Good evening, Ms. Janks, can you hear us?
- Anne Janks: Yes, I can. I wanted to thank Vice Chair Dorado. I have heard from a lot of community folks that they're very interested in the community policing policy and I would hope that the discussion around how to engage the public and engage community input is a conversation that is had with the community rather than presented after the fact to the community. I think sometimes, really good work is done and then presented to the community and then it feels like people are criticizing really good work, and if you talk to the community first, then that won't happen. And I'm sure that was your plan and intention, but I just thought I'd mentioned it. The other thing is that I just wanted to clarify, it sounded like what Commissioner Gage said was that there was a meeting with OPD on the Bearcat or the timing of the Bearcat, and I just wanted to clarify if



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

indeed there was a meeting solely with members of the commission and OPD on this issue. Thank you.

Juanito Rus: Thank you, Ms Janks.

Regina Jackson: Commissioner Gage, did you want to clarify that comment? (silence).

Henry Gage, III: Thank you, Chair. The last meeting included, and Commissioner Jordan may need to help me refresh my recollection here. I believe it was you, myself, Chair Jackson was absent, and there was a department. I do believe both [inaudible 04:52:56] and my formal attendance if I remember correctly.

Regina Jackson: Yes, so it was the ad hoc, actually, more or less a few members. (silence).

Regina Jackson: Okay. Thank you, I appreciate that.

Juanito Rus: Thank you, Ms. Janks. The next speaker in the queue is Assata Olugbala. Good evening Ms. Olugbala, can you hear us?

Assata Olugbala: Can you hear me?

Juanito Rus: Oh, we can hear you. The floor is yours.

Assata Olugbala: Okay. Very briefly, anything that can protect officers, save their lives and keep them safe and full, the bear cat has a component that has the final stage of what can be done to protect officers as a part of that, it has more than one purpose. And I say, if it couldn't be used for that purpose that we don't have to lose a police officer to some violence, then use it. And if you have to get rid off the bear cat, come up with some protective instrument that can be used to save these officers when they're bombarded with situations where they have no protection. It's one sided to say they're going to use it to harm people, it's used to help them go home to their families. And I just don't see this one-sided always officers use, and I have a lot of issues with police officers, but I don't want any of them to lose their lives.

Juanito Rus: Thank you, Ms Olugbala. The next speaker in the queue is Jennifer Tu. Good evening, Ms Tu, can you hear us?

Jennifer Tu: Yes, thank you. I just wanted to echo Ms. Steffen earlier. Thanks for the ad hoc reports being a part of the regular agenda, I also find it really, really useful to hear about the updates from the ad hocs and just get a small glimpse into all of the work that our volunteer commissioners are pouring in. So thank you so much for exposing that and giving us just a little sample of what you have in progress. I'm really excited to hear that the Bearcat retirement is going to be agendaised for the next meeting, thank you very much for doing that.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Jennifer Tu: And I hear what the previous speaker had to say around officers' safety and I certainly agree with that, but I want to add that Omar Farmer, who is part of the military equipment ad hoc had some really expert advice around ways that non-threatening armored suburban vehicles could be used in place of the Bearcat in a way that wouldn't be traumatic to our neighbors and communities. So again, thank you so much for including the ad hoc reports as part of the regular meeting, and I'm looking forward to the proposal next time to retire the Bearcat. Thank you.
- Juanito Rus: Thank you. The next speaker in the queue is a telephone attendee with the last four digits 7935. I believe that is Mr. John Bey. Good evening, Mr. Bey, can you hear us?
- John Bey: Yes. That is correct, John Bey. And at this time, I just wanted to say that the work that Vice-Chair Dorado was putting in on 15-01 could be used as a template on how to go through policy. Mark it up and let's get some changes for the positive so that I look forward to more updates and going through future policies in the same manner. Thank you.
- Juanito Rus: Thank you, Mr. Bey. The next speaker in the queue is Kevin Cantu. Good evening, Mr. Cantu. Can you hear us?
- Kevin Cantu: Good evening again. I mostly just wanted to say that I'm here. I'm watching. I'm looking forward to some follow through about the discussion you had about the BearCat, regarding the merits of it. I really think that there are other things that are a better use of the money. Have a good evening.
- Juanito Rus: Thank you, Mr. Cantu. At this time I see no other hands in the queue. Madam Chair.
- Regina Jackson: Thank you very much, Mr. Rousse. So now we're going to move on to the open forum. I know that we had several people that were not able to be addressed during that 15 minutes at the beginning. I think you kept track of who those folks were. So hopefully you can recall them.
- Juanito Rus: I can indeed. Excuse me. If any member of the public wishes to speak in an open forum, you may raise your hand in the zoom queue. If the following three individuals could also raise their hands so that I can identify them. Telephone attendee 0185. I believe that is Ms. Michelle Lazaneo, Rashida Grinage and Justin Miller. And I will call those three first. I see Rashida Grinage's hand in the queue. Excuse me while I switch to the clock. Ms. Grinage, the floor is yours.
- Rashidah Grinage: Thank you very much. I wanted to follow up on my earlier comment about the Sloan report. And I wanted to read you directly from measure S1 based solely on the record presented by the agency and the chief of police. The discipline committee shall submit its final decision regarding the appropriate findings and proposed discipline to the chief of police who shall notify the subject officer. And here's the important part. The City Administrator shall not have the authority to reject or modify the Discipline Committee's final decision regarding the appropriate findings and level of discipline.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Rashidah Grinage: I would ask you respectfully, not only to invite Mr. Appleyard back, but to invite the City Administrator, Mr. Ruskin. He had no authority to do what he did, and he certainly had no requirement to do what he did. He made a choice to overturn the will of the commission in contravening the intent and spirit of Measure S1 and definitely Measure LL. So, I think the commission is owed an explanation and the public is owed an explanation of why he did that. And I would hope that you would request Mr. Ruskin to attend as well as Mr. Appleyard. Thank you very much.
- Juanito Rus: Thank you, Ms. Grinage. Through the chair, my apologies. I may have misunderstood. Ms. Grinage is the only one of the three original speakers who has raised their hand. There are however, appears to me, five additional people who raised their hands at this time. Would you like me to continue with those five or did you only wish to continue with the ones who had raised at the beginning?
- Regina Jackson: No, we can do those five so long as they're not repeats from earlier.
- Juanito Rus: Let me check.
- Regina Jackson: And just a reminder to folks that the open forum topics are topics that have not been agendized.
- Juanito Rus: I see two who did not speak earlier.
- Regina Jackson: Okay.
- Juanito Rus: Some of those whose hands are raised in the queue, you spoke on this item earlier, and I will not call on you at this time. The first novel speaker is telephone attendee last four digits 7935. I believe that is Mr. John Bey. Good evening Mr. Bay.
- John Bey: Yes. Thank you. Just to speak again on the NSA, which is chewing up a consistent piece of the budget from the City of Oakland. 18 years of failure. If we've had a police department, 11 chiefs, two monitoring teams, two people supposedly, or originally hired as plaintiff's attorneys who are all getting paid for no results, that's a failure of a policy. So that failure needs to be closed out whatever outstanding items and any new items that need to be put into and negotiate a settlement agreement or any type of agreement that is under the oversight of the police commission should be what goes forward. Whatever way that has to be worked out is fine because the new judges and the original judge, judge Orth, this is something that was transferred to him and he was ready to kick it loose, except OPD was so horrible. He had to pull it back. So let's find a way to get that NSA. And I bet that way, that money we could fund a paid police commission to run oversight of OPD. Thank you.
- Juanito Rus: Thank you, Mr. Bay. Excuse me. One second. The next speaker in the queue is Ginale Harris. Ms. Harris, you can unmute whenever you're ready.



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

- Ginale Harris: Thank you, Mr. Rus. I just want to piggyback on a comment that Ms. Grinage made in regards to the City Administrator. I just want people to understand and be clear that they do what they want to do when they want to do it. And there is no accountability for them. I was up there three years and there is no accountability for the bad behavior that goes on with the City Administrator. This one and the previous one before him. So I'm just really unclear what we're asking for. We can ask him to come up and explain himself, and he's going to give us blah, blah, blah. And it's just going to dissipate. So where is the accountability for when the City Administration does not follow the rules? What happens next?
- Juanito Rus: Thank you, Ms Harris.
- Ginale Harris: Thank you, Mr. Rouse.
- Juanito Rus: And the last speaker on this item is listed as LB. I believe that is Ms. Bosserman. Good evening Ms. Bosserman, can you hear us?
- Lorelei Bosserman: Yes. Thank you. That is a really excellent question that Ms. Harris just asked and I hope somebody knows the answer. I have a message for the audience. Now that the police commission is taking only 15 minutes of public comment during open forum at the beginning, I would like to suggest that those of us who are white and come to all the meetings and to talk a lot, I think that we should hold our questions until the end of the meeting so that people of color and new people have a chance to be heard at the beginning of the meeting. I am dismayed that there seems to have been someone named Justin Miller who had his hand raised at the beginning of the meeting. I don't recognize that name. I don't know if this was his first time at a police commission meeting, but apparently he's not on anymore and we don't get to hear from him.
- Lorelei Bosserman: So that's just a suggestion on the honor system. I also actually have another suggestion for members of the audience. Having one person after another speak on the same thing is a tactic that is often used at the City Council meetings. And it is somewhat effective there because there are elected officials and they want to know if a large section of their constituency cares about something. The police commissioners are not elected officials. In fact, the police commission was designed specifically to try to keep politics out of it. They, I would imagine care more about good ideas than how many of their constituents care about something. So really just one person needs to address it. You don't need to keep us here all night with seven people saying the same thing. Thanks.
- Juanito Rus: Thank you, Ms. Bosserman. And that was the last speaker on this item, Madam Chair.
- Regina Jackson: Thank you very much. So now that we have continued or completed open forum, we moved to the agenda setting and prioritization. Excuse me. One of the things that I've committed to as the bear cat resolution, we will have the, excuse me, resolution on anti-nepotism and the commissioner access to discipline meetings. We will have a follow up from the retreat facilitator. We will bring back the police commission and your report with some updates. Are there other suggestions? Excuse me. And we also talked about bringing back Mr.Appleyard and Mr.Riskin and



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

I'll have to talk with council about how we best do that. Are there other suggestions of the commissioners? Okay. Seeing none, Mr. Rousse, why don't we take public comment, please?

Juanito Rus: Thank you. Madam Chair. If any member of the public wishes to comment on item 17 tonight's agenda, please raise your hand in the zoom queue. I see Anne's face. Excuse me while I switch my screen. The first speaker on this item is Jennifer Tu. Good evening, Ms. Tu.

Jennifer Tu: Hi. Thank you. I just wanted to point out to everyone that earlier this evening, we had a speaker who share this story about a friend who was stopped by Oakland police after dark, and the officer refused to share his name or badge. And this story has to be brought on behalf of the friend because the friend tried to speak up and couldn't. And so this was exactly the situation that we at the public had want a commission could happen with moving open forum to the end of the meeting. So, I would really strongly encourage the commission to consider agenda saying a proposal to move open forum back to the beginning of the meeting. Thank you.

Juanito Rus: Thank you, Ms. Tu. The next speaker in the queue is Assata Olugbala. Good evening Ms. Olugbala, you have the floor.

Assata Olugbala: Yeah. So I like to see a report on the number of hate crimes that have been reported for the last five years based on race. It's already available because it's a part of the attorney General's annual report on hate crimes, but we never get a report and how the police department is dealing with that. And the second thing is the community resource officer or the officers accused of the sexist and racist text messages. A report on how we can have viable community police resource officers if this is true. And lastly, we need to start talking about criminal activity that's going on that never gets discussed. The cartel, MS13, any games that are prominent in this city, who they are by name and stop trying to hide things that are going on to protect certain groups of people.

Juanito Rus: Thank you, Ms. Olugbala. The next speaker in the queue is Anne Janks. Good evening, Ms. Janks. The floor is yours.

Anne Janks: Good evening. Just to clarify, my neighbor couldn't stay on because closed session went for so long, which I understand sometimes happens. And there are things that you certainly could well be discussing based on the newspaper articles I've read. And that was why he had to get off. He just said he'd get back to his online class. I do however support having access for people to public comment at the beginning of the meeting. And I would urge some way of identifying people who are here on a specific topic. I view it as a valuable part of both the commission's role and how the public can interact with the commission. Thank you.

Juanito Rus: Thank you, Ms. Janks. The next speaker in the queue is Mariano Contreras. Good evening, Mr. Contreras. Can you hear us?

Mariano Contreras: Yes. Thank you. I would like to request that the Chief of Police Chief Armstrong incorporate the sanctuary ordinance that exists accordingly in the City of Oakland and to include in his reports, how many times ICE visits the City of Oakland, whether it be for removal, including the sheriffs,



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

the highway patrol, because the sanctuary ordinance prohibits any participation by the Oakland police department and any other entities that have anything to do with the City of Oakland. And it's my understanding that ICE comes in to the City of Oakland at least once a week, and whether the police department, it may not be participating, but they're looking the other way. I would just like to request that the chief included his reports, something about ICE visits in the City of Oakland. Thank you.

Juanito Rus: Thank you, Mr. Contreras. The next speaker in the queue is Jasmine Fallstich. Good evening, Ms. Fallstich. Can you hear us?

Jasmine Fallstich: Yes. Thank you, Mr. Rouse. Earlier during the chief's report, I asked for follow up on some of the questions regarding that we had last meeting around the third party situation with officers being stationed at Walgreens and Targets and different places. And I don't know how to actually get that on the agenda, but I'm bringing that request up again, because I do think that this is an important topic that needs looking into with all of the questions that were left hanging. So I don't know, chair, if we can ask the chief to put that on his report or what the right way to go about doing that but I would certainly appreciate more follow up on that topic.

Regina Jackson: Thank you. We did have a discussion about it, and it was probably overlooked, but I'll make sure of it. Thank you.

Jasmine Fallstich: Thank you so much.

Juanito Rus: That was the last speaker in this item, Madam Chair.

Regina Jackson: Okay. Thank you very much. So we have moved to adjournment, Vice chair, Dorado. Vice chair, Dorado?

Jose Dorado: I'm sorry. Thank you, chair Jackson. I think having a report on hate crimes by race is an excellent idea, because it certainly would show the rise in the crimes against the Asian community. That should be definitely focused on and dealt with. And if I'm understanding it correctly, the CRO's are not the ones that are specifically targeted in terms of their racist and misogynistic comments. It's the crime reduction teams, not the community resource officers. And also in terms of criminal activity, certainly gangs of any type that are preying on our community. I don't care if they're Latino or black or Asian or native American or blue and polka dot should be addressed. But when it's put in terms of being an anti-immigrant, when that slant is put on it, I will call that out every time. And that I consider to be a wrongdoing and divisive, and will be called out every time. And last I certainly agree with the comments regarding ICE and the numbers of times they're in Oakland and doing their dirty deeds. So thank you.

Regina Jackson: Thank you very much, Vice chair. I actually thought that you were going to move to adjourn, but-

Jose Dorado: I will be glad [crosstalk 05:18:53].



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

March 11, 2021

Regina Jackson: I appreciate those comments too.

Jose Dorado: I will be glad to make the motion to adjourn.

Regina Jackson: Thank you. Is there a second? Okay. I'll second.

Jose Dorado: Nobody wants to leave the phone.

Regina Jackson: Jeez. Everybody wants to stay. So why don't we vote since we don't have to take public comment on adjournment, Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Thank you. Commissioner Gage.

Henry Gage, III: Yes.

Regina Jackson: Thank you. Commissioner Harbin-Forte?

Brenda Harbin-Forte.: Yes.

Regina Jackson: Mr. Jordan? Commissioner Jordan? Commissioner Singleton?

David Jordan: Yes.

Regina Jackson: Thank you. Commissioner Jordan?

David Jordan: Yes. Sorry. My screen died on me and I couldn't handle myself.

Regina Jackson: That's okay. I just thought you weren't ready for the commission status piece.

David Jordan: I will.

Regina Jackson: I know you're ready. And yes, for myself. So we are officially adjourned and it is 10:18 PM. I want to thank the commissioners. We've got a lot of work to do between now and our next meeting. So you all stay healthy and safe. Thank you to the community as well. We appreciate you.

Love, Christine (Chrissie)

From: Mary Vail [REDACTED]
Sent: Thursday, March 11, 2021 4:28 PM
To: Love, Christine (Chrissie)
Subject: Closed session--Kirkpatrick vs. City of Oakland/Oakland Police.Commission

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

This claim, riddled with false and politicized claims, should not be settled. The City defendants should take this matter to discovery, trial if necessary.

If you settle, irreparable damage will ensue, that no amount of money or future corrective conduct can remedy. In particular:

- 1) After her firing, her OPD allies, the OPOA and some employees in the /department gave her a public pity party and/or joined in her press conferences. They stood with her because she stood with them---- on NSA/Measure LL/Police Commission resistance, no change to OPD's culture, infrequent discipline. Three months after her firing, the ex-Chief told the media that culture wins over policies and that policies employees don't like won't work. Settlement means the City thinks her claims have some merit and that i was OK for her to push back against NSA compliance.
- 2) What message does settling send to Chief Armstrong (a reformer, committed to cultural change & NSA compliance) and Judge Orrick? To long term change & NSA/reform policy -resisting employees (the good old days are back!! impunity is back!).
- 3) Resisting lawful Court Orders, defying a Federal Monitor and seeking removal of a Police Commissioner, deceiving/lying to the Mayor, the Police Commission and other City officials.-----You undermine your authority by settling with such a former employee.

Mary Vail