



**CITY OF OAKLAND
OAKLAND POLICE COMMISSION**

Meeting Minutes

Thursday, March 28, 2019

6:30 PM

City Hall, 1 Frank H. Ogawa Plaza, Council Chamber
Oakland, CA 94612

I. Called to Order
Chair Jackson

The meeting started at 6:32 p.m.

II. Roll Call and Determination of Quorum
Chair Jackson

Commissioners Present: Tara Anderson, José Dorado, Ginale Harris, Regina Jackson, Edwin Prather, and Thomas Smith. Quorum was met.

Absence (Planned): Mubarak Ahmad

Counsel for this meeting: Sergio Rudin

III. Welcome, Purpose and Open Forum (2 minutes per speaker)

Chair Jackson welcomed Alternate Commissioner Chris Brown and called public speakers. The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's policies, practices, and customs to meet or exceed national standards of constitutional policing and to oversee the Community Police Review Agency which investigates police misconduct and recommends discipline.

Chair Jackson welcomed and introduced Alternate Commissioner Chris Brown. He was a former Chair of the CPRB and comes to us with wonderful experience. She asked him to speak. Commissioner Brown said thank you and is looking forward to this opportunity.

Comments were provided by the following public speakers:

Lorelei Bosserman
Oscar Fuentes
John Bey
Assata Olugbala
Gene Hazzard
Saleem Bey
Brightstar Ohlson

IV. Oakland Police Department (OPD) Budget for Managing Job-Related Stress

Chief Anne Kirkpatrick provided her proposed budget and timeline recommendations to the Commission for providing education and training to OPD sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of post-traumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. *This was discussed at previous meetings.*

Comments were provided by the following public speakers:

Gene Hazzard
Saleem Bey
Assata Olugbala
John Bey

A motion was made by Vice Chair Harris, seconded by Commissioner Dorado, to write a letter to the City Council. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith.

Chair Jackson will send a draft letter to Commissioners tomorrow.

V. R-02: Searches of Individuals on Probation and Parole

The Commission reviewed an amended version of R-02: Searches of Individuals on Probation and Parole, and may vote on approving that version. Members of communities directly impacted by the policy shared their experiences and views. *This has been discussed at previous meetings.*

Comments were provided by the following public speakers:

Brendon Woods, Chief Public Defender, Alameda County
Gene Hazzard
Lorelei Bosserman
Assata Olugbala
Elise Bernstein
Saleem Bey
Bruce Schmiechen
Anne Janks
Sam Johnson

A motion was made by Commissioner Prather, seconded by Commission Dorado, to table Item V on the Agenda to the next meeting and if there's input either from members of the public or the Commission itself, they can come to him and he will try to incorporate that into further edits into the document to make it better. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith.

VI. Community Police Review Agency (CPRA) Pawlik Investigation Update

CPRA Interim Executive Director Karen Tom provided a verbal progress report on CPRA's Pawlik investigation. *This is a new item.*

Comments were provided by the following public speakers:

Assata Olugbala
Gene Hazzard
Jim Chanin
Saleem Bey
John Bey
Lorelei Bosserman
Bruce Schmiechen

No action taken.

VII. Review of Agency's Pending Cases and Completed Investigations

The CPRA provided to the Commission confidential investigation file summaries for 11 administratively closed complaints. The Commission voted to call a closed session

to review additional information in the investigation files and to reopen all those complaints for further investigation.

This is a recurring item.

Comments were provided by the following public speakers:

Assata Olugbala
Lorelei Bosserman
John Bey
Saleem Bey

A motion was made by Commissioner Dorado, seconded by Vice Chair Harris, to review all the cases (Attachment C) in Closed Session(s).

A substitute motion was made by Commissioner Anderson, seconded by Commissioner Dorado, to support what Commissioner Dorado originally stated in terms of opening the 11 Administrative Closed cases (Attachment C), for the Commissioners to have a Closed Session(s) to review, but such a time in the future whereas we are not compromising the integrity or the speed of the Pawlik investigation. The motion carried by the following vote:

Aye: Anderson, Dorado, Jackson, Prather, and Smith.
Oppose: Harris

VIII. Police Commission Annual Report

Commissioner Prather led a discussion on the Commission's annual report which is due to be submitted to the Mayor, City Council, and the public on April 17, 2019. ***This is a new item.***

Comments were provided by the following public speaker:
Saleem Bey

No action taken.

IX. Chief's Goals Ad Hoc Committee Update

The Chief's Goals Ad Hoc Committee provided an update. ***This was continued from previous meetings and is a new item.***

Comments were provided by the following public speakers:

Henry Gage III
Assata Olugbala
Saleem Bey
John Bey
Lorelei Bosserman

No action taken.

X. Recess (8 minutes)

XI. Meeting Minutes Approval

The Commission voted to approve meeting minutes from March 14, 2019. ***This is a recurring item.***

Commissioner Prather referenced Page 11, Paragraph 2, Line 1 – Change: digression to discretion.

Commissioner Prather said the Minutes are inconsistent in listing names – sometimes it

is full name, commissioner and last name, first initial and last name. Individuals will be listed as Commissioner Smith, Chair Jackson, Vice Chair Harris.

Vice Chair Harris referenced Page 5, Item XI – Change Patrol to Parole.

Comments were provided by the following public speaker:
Saleem Bey

Counsel Rudin stated that you adjourn since it is a hair past 10:30 p.m. unless you vote to extend the meeting time. Chair Jackson asked for a motion to continue the meeting until 11:00 p.m.

MOTION to continue this meeting until 11:00 p.m. was made by Commissioner Dorado and seconded by Vice Chair Harris. The vote was Aye: 4 (Anderson, Dorado, Harris, and Jackson); Oppose: 2 (Prather, Smith). The motion passed.

A motion was made by Chair Jackson, seconded by Commissioner Dorado, to accept the March 14, 2019 minutes as amended. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith.

XII. Vote to Support AB 392 Peace Officers: Deadly Force

Commissioner Anderson asked that the Commission vote to support AB 392 which will limit when police can use deadly force. *This is a new item.*

Comments were provided by the following public speakers:

Bruce Schmiechen
John Bey
Lorelei Bosserman
Anne Janks
Saleem Bey

A motion was made by Commission Smith to support AB 392.

A friendly amendment was made by Commissioner Prather to add that the Commission send a letter authored by Commissioner Anderson, signed by the Chair, to the Assembly Public Safety Committee, including a cc communication to the introducer, Member Weber and Members of the State Senate, Skinner and Wicks. Commissioner Smith amended his motion to include what was just stated (the letter). It was seconded by Commissioner Prather. The motion carried by the following vote:

Aye: Anderson, Dorado, Jackson, Prather, and Smith.
Abstain: Harris

XIII. Creation of Ad Hoc Policy Committee (This Item was heard after Item XIV on the Agenda).

OPD requested a Policy Committee to work with the Department on policy development to address those situations where officers encounter people who are asleep or in various stages of unresponsiveness and are armed. *This is a new item.*

Comments were provided by the following public speakers:
No speakers were called.

No action taken.

XIV. Creation of Racial Equity Ad Hoc Committee (This Item was heard before Item XIII on the Agenda)

Commissioner Anderson discussed the creation of a Racial Equity Statement Ad Hoc Committee. *This is a new item.*

Comments were provided by the following public speakers:

John Bey
Assata Olugbala
Saleem Bey

Chair Jackson said an Ad Hoc Committee will be created on the creation of racial equity. She will appoint someone else to the Committee. Commissioner Anderson will come back when committee members are confirmed.

XV. Standing and Ad Hoc Committee Assignments

The Commission worked on assigning Commissioners to serve on at least one standing committee or ad hoc committee. *This was continued from previous meetings and is a new item.*

Chair Jackson reported that since the last time we met she accepted the request by Commissioner Anderson to be placed on the Personnel Committee. Are there other members who would like to be placed on standing or ad hoc committees?

Commissioner Smith raised a Point of Order citing a potential Brown Act violation by Vice Chair Harris.

Comments were provided by the following public speaker:
Saleem Bey

No action taken.

XVI. Agenda Setting and Prioritization of Upcoming Agenda Items

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

Comments were provided by the following public speakers:

Lorelei Bosserman
Saleem Bey
Assata Olugbala
John Bey

XVII. Adjournment

A motion was made by Commissioner Smith, seconded by Commissioner Anderson, to adjourn. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith.

The Commission adjourned the meeting at 11:27 p.m.