



OAKLAND POLICE COMMISSION

MEETING TRANSCRIPT

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- Regina Jackson: Ready?
- Ginale Harris: Oh no, I'm not.
- Regina Jackson: Okay.
- Ginale Harris: Okay, where is my Zoom?
- Regina Jackson: Everyone mute please. Welcome to the special meeting of the Oakland Police Commission. This is Thursday, April 23rd, 2020. As we shelter in place, I'd like for us to remember those struggling... Excuse me? Okay. As we all shelter in place, I would like for us to remember those struggling with COVID-19 and keep them in our prayers for recovery. This is our second time doing an online public meeting, and we will continue to make some errors, but hope to continue progress. We appreciate your patience as we move through this. For the purpose of this meeting, there are some changes. Public comment will be two minutes, but it will all happen in the course of the open forum. There will be a timer embedded in our platform, and at the end of that time you'll be muted so that the next speaker may proceed. There will be no seeding of time. If members of the public would like to speak, they must do so during the open forum. They will be prompted to raise their hands so that we may see the number of speakers in the queue.
- Regina Jackson: Please do not raise your hand before the invitation to speak. The host, Mr. Rousse, will lower the hands of those who have raised their hands before the invitation. Members of the public will also have the opportunity to comment on items not on this agenda during open forum. On roll call for today's meeting, please respond as present. Vice Chair Gage?
- Henry Gage, III: Present.
- Regina Jackson: Thank you and I have Commissioner Prather?
- Edwin Prather: I'm here, thank you Chair.
- Regina Jackson: Thank you. Commissioner Harris?
- Ginale Harris: I'm here, present. Thank you,
- Regina Jackson: Commissioner Dorado?
- Jose Dorado: Present.



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Regina Jackson: Thank you. Commissioner Anderson?

Tara Anderson: Present.

Regina Jackson: I am here. It's Commissioner Jackson.

Thomas Lloyd Smith: Commissioner Smith.

Regina Jackson: Oh great. Commissioner Smith is here as well. Alternate. Commissioner Jordan.

David Jordan: here..

Regina Jackson: Thank you. And Alternate Commissioner Brown.

Chris Brown: Present.

Regina Jackson: Excellent. Thank you. So, we do have a quorum and we will move forward and I will Chair this meeting. We will move forward to the first item on the... Oh, I've done one and two now. Okay, item number three is the welcome purpose and open forum and public comment. Again, speakers have two minutes and Mr. Rousse, I'm going to hand off to you now.

Juanito Rus: Thank you. I have put up the time clock with two minutes. I have two speakers in the queue. The first speaker will be Rashidah.

Rashidah Grinage: Good evening.

Juanito Rus: Good evening, Rashidah.

Rashidah Grinage: Thank you.

Juanito Rus: We can hear you.

Rashidah Grinage: Thank you. First of all, I wanted to congratulate you on the MOU that was approved by the city council on Tuesday. It was an MOU that was requested for one year and they extended it to two years and this is for the juvenile diversion program. So, it's an MOU between the city of Oakland and David Mohammed's organization for the NOAB program. So, I know that you endure that and support that program. So, I wanted to congratulate you and we look forward to a rollout of it soon. Second of all, I wanted to urge you, I know you have a lot on your plate, but I want to urge you to start thinking about the process that you will use to find the next police chief or at least four candidates, one of whom



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will become the next police chief. This is going to be a huge issue, especially as we go to November's ballot measure.

Rashidah Grinage: The commission is going to have to demonstrate the capacity to find not only a great chief, but to use a process that's never been done before in a way that the community respect and appreciates. So, I'm hopeful that you will begin the undertaking of how to roll out that process for recruitment, for interviewing, for community input and so on. So, that's it for now. Thank you very much.

Juanito Rus: Thank you Rashidah. I will now put you back on mute. The next speaker I have is a phone call, area code (510) 610-5345. Hello. Can you hear me?

Assata Olugbala: I can hear you. You're not supposed to give out all my numbers. You're supposed to give out the last three numbers.

Juanito Rus: No, they're all in the queue. People can all see them, I think. Sorry,

Assata Olugbala: I don't think so. I'm on the phone.

Juanito Rus: I'll start the timer when you're ready.

Assata Olugbala: Anyway. Okay. This is Assata[inaudible 00:07:48]. First and foremost, I believe and have to take the time to thank you for all your hard work. I am very, very discouraged with all of the misinformation that appeared to be going out after you justifiably work to get rid of the police chief Kirkpatrick, but I think as you go forward on, that it's going to be corrected. Secondly, I just wanted to take this time to reiterate the fact that on January the 17th one of our own in Oakland, Makita Singleton, 40 years old, mother of seven was killed with a hit-and-run. That hit one on the 20th, a call was retrieved. DNA was taken and it is my understanding that the police department and the city of Oakland is very much aware who the perpetrator was and is, and nothing is happened to deal with this. It's been silent and I think we owe it to the family and to the public to let us know what's happening with that case.

Assata Olugbala: That mother was a very vital part of the nonviolent issue in the city working to help with nonviolent and prevention issues and we owe it to the family, to the people who love and care about her, to tell us what has happened with that case. I also want to reflect that on May 2nd will be one year that Jonathan Bamba Rica has been missing and we continue to want to support his family and that we want to find out everything that has happened and if possible, bring him back home, and again, thank you so much for your work and I will continue to support you as much as I can. Thank you again.



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- Juanito Rus: Thank you. I will now allow the next person in line who is Reisa J. Reisa, if you can hear me.
- Reisa Jaffe: I'm here. Thank you. Thank you for the opportunity. I don't know what the reasons were that Kirkpatrick was let go without stating a cause, but I hope that when you are writing the contract for the new chief, you will look at the situation and you will be really careful that the contract is written in a way that should we have same core results as far as dealing with the racial inequity that the new chief would be able to be fired for cause. We can't have a repetition of a no cause firing again. Thanks.
- Juanito Rus: Thank you. Oh, we'll meet you. The next speaker in the queue is John Jones III. Mr. Jones, can you hear me?
- John Jones, III: Yes. Thank you so very much. My name is John Jones III. I want to begin by wishes of health for everyone involved, for you and your family members during this tough time. I want to thank you all, the police commission to the chair for your continued service on behalf of the residents of Oakland. Also want to thank all the community members who continue to remain involved in this process, and I also want to publicly extend my congratulations to interim chief Manheimer. Welcome to Oakland. Oakland's a beautiful city, and I really hope for all of us involved in this process that we continue having something that's fair, and by fair what I mean is it's so important that we allow, when people come into a situation, that they are judged and weighed by what they do and not to conflate anything that happened to any of the predecessors. I really think that we are in a position to achieve something that can ultimately lead to the desired result, which is getting the department from underneath the federal oversight. So, thank you all very much for your service and have a good evening.
- Juanito Rus: Thank you Mr. Jones. I'll place you back on mute, and the next speaker is Maureen Benson. Ms. Benson, can you hear us?
- Maureen Benson: Yes.
- Juanito Rus: Your live.
- Maureen Benson: Okay, thanks. Just wanted to pop on and share something I had shared in an email to the chair, but just that having only time to comment on pieces in an agenda that we haven't heard a presentation about, nor is there an attachment. It makes it very difficult for the public to engage in each item. I understand the desire to be efficient with time, but I really wanted to appreciate the process. Last time, where on every agenda item folks had a minute. Secondly, I want to uplift that this past week there was an officer involved shooting by OPD in



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Richmond and am wondering where we're hearing next steps around that, particularly in light of the new use of force law. The footage I saw actually had a police officer placed himself between a vehicle and a van and there are many other deescalation strategies and safety escalation strategies that could have taken place. So, I remain deeply concerned that we've seen our first officer involved shooting in a couple of years particularly because we're also seeing one in San Leandro in San Francisco.

Maureen Benson: So, that remains a deep concern. Anyway, hoping you'll revise the process moving forward so that folks can interact with each agenda item and not try to front load anticipatory comments on items we haven't yet heard anything about. Thank you.

Juanito Rus: thank you Ms. Benson. I'm putting you back on mute. At that time, those are all of the speakers that I had, Madam chair, I will now turn the meeting to you.

Regina Jackson: Thank you very much. We're going to go on, well let me respond that we are trying a few new things with timing and we will continue to take a look at what is most effective and efficient and community engaged. So, I'm going to move forward to item four, which is the introduction of the Oakland Police Departments interim police chief. We have included background as a part of the agenda and I would like to give captains, excuse me, captain, Chief Manheimer an opportunity to address us all to identify what she's been doing for the last almost three weeks, what her priorities are and any special information she wants to share with us. Chief Manheimer are you there?

Chief Manheimer: Yes. Thank you so much. Can you hear me all right?

Regina Jackson: Yes, thank you.

Chief Manheimer: Okay, great. I was going to try and do video as well. Would you prefer I just do the audio?

Regina Jackson: We have been guided that we probably shouldn't have video just because, but I think maybe for the benefit of others, since this is your first time with the introduction, as long as it's not disruptive, I think that should be fine.

Juanito Rus: I'll turn the video back on.

Chief Manheimer: Okay. I think, are we good now? Okay, there we go. Okay. You all can see me now?

Regina Jackson: Yes we can.



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Chief Manheimer: Great. Thank you so much. This is really sort of my first real opportunity to address you all as well as the community. So, I really appreciate this opportunity. You're right, Madam Chair. I have been in the position almost three weeks now and it is challenging in this era of the pandemic to be able to get out and really truly engage with the community. I have, however, had opportunities to speak with you and others in the community and really get a feel for both internally and externally what my priorities should consist of over this initial time. Just a little bit about me. You do have my packet and resume. I will just tell you that I am here basically to provide a seamless transition between the administrations. I have devoted my life to service, was happily retiring, but I've always gravitated to helping and giving back, and I felt as I watched the department and the police commission over these last several months, I could feel that there was a need to at this time with the abrupt changes in leadership with the COVID-19 pandemic to step in and make a difference right now.

Chief Manheimer: And so I'm really pleased to be here for this period of time. I have known loved and worked with Oakland and their police department for many, many years back when I was a San Francisco police officer, and I want to say that I'm really, really grateful and honored to be here. Internally, I believe that my best work right now will be to provide that seamless transition in leadership, stability and support, and to ensure that we continue to move forward with the NSA, with our compliance and with our responsiveness to the community as well as our practices and our training. One of the things that I think, externally, and I've had a chance to speak with you Chair Jackson and I greatly appreciate your time as well as others in the community, is to really on building the relationships, the trust and bridging the gaps within those relationships. And I would put the police commission top on that list.

Chief Manheimer: So, I'm really pleased to get to virtually meet you all and to ensure you that moving forward whatever has happened in the rear view mirror, I'm aware of that as I need to be. I think our department is as well, but here to really pledge to you that working with you all and building that trust, and building sort of the expectations and the needs for you and for us is really my highest priority as well as with the other key stakeholders. We do embrace civilian oversight and I think it's very, very important that our many diverse communities understand that we are here to be responsive and really prioritize their needs as we serve, protect and provide lifelines to them. My mantra is, just so you all know, that we all work together for our community. We are here because of you and that we want to build confidence in our compassion and our competence.

Chief Manheimer: That is something that I really drive down in principal, centered governance. So, one of the things that I think you need from us, and I am looking forward to being. So, not only open to you, but hoping to engage in two way



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communication as your work for the city and the people of Oakland is really valuable. It is to hear your feedback, to understand what it is that your highest level of interests and aspirations are for this department. We understand that you are chosen by and a voice of the people and we have a shared interest in serving and protecting our communities. Not by imprinting what we think are the needs within the communities, but truly working with an identifying what those needs are in the communities. I am well aware that there are many, many different lenses and opinions. Everyone has an opinion about their police department in a lot of ways.

Chief Manheimer: That's really good because it means they're engaged and they care and I would like to get to kind of the root cause of how we move forward in that really productive way so that you, and your feedback and guidance, and we, with our responsiveness and building trust approach, can really truly serve the community. What I am hoping is that you will afford us the opportunity, through your permission, to take a few minutes at the beginning of each meeting and share what I kind of call our top three things. Things that we're working on, things that are challenging. Things that we're seeing within our community that are challenging. The things that will help you as you understand, administer and have an interest in the department's operations practices, training and interface with the community to help us guide us and to understand what we're going through, and really I want to get you some feedback.

Chief Manheimer: I've heard loud and clear that you all have an abiding interest and have quite a few policies that your interests are in. And so we want to make sure that we get feedback to you on what those things are, particularly around some of the policies and Chair Jackson we already discussed and internally I'm looking at getting you some statistics and feedback on the changes in the probation and parole searches. So, I am looking to get focused on, what it is that you all are interested in and I think sharing some of that with you at the top of each meeting or at some point in each meeting would be really wonderful. I do have a preview of the top three things. I don't want to take too much of your time. I valued the time, perhaps the community and you have questions for me, but if you're interested in those I could just say that human sex trafficking continues.

Chief Manheimer: We have had some incredible results and there's a lot going on out there that we're focused on. The COVID-19 epidemic has really seen changes and trends and then community needs. I can share a little bit about that if you like, but the one thing I'd like to reinforce, because we hear this all the time, questions from the community. We are not COVID-19 enforcers, we are reinforcers. We will be out there in the communities if a community members in need or doesn't have a mask or there's other ways to provide a lifeline, we will do that, but we are not out there looking to ticket people for the shelter in place. We're working



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with the rest of the city for compliance and then finally on the OAS, I can give you the officer involved shooting kind of a high level briefing on that if you like, but suffice to say right now, I did take note on the community concerns voiced earlier.

Chief Manheimer: We've waited for an appropriate moment to share with the community in a media release that we expect to have out later next week. Of course, we had to defer to Richmond PDs. They were the incident of record there, but we certainly will be bringing that information out to our community. We do believe in not only transparency but there are clear delineations of the information where to share. So, clearly we will have that for you. We understand and anytime there's a use of force it impacts not only our community but the Richmond community, those who were victimized in Vallejo and other places. So, I'm happy to share that later. I do want to, as I said, honor your time, so I'd like to really just sort of set the stage for moving forward together and the beginning of that is to really reinforce to you that this relationship's very important, that I hope to be here at every meeting, hope to share some of what we're doing and that our department is committed to constant improvement and to being responsive to the needs of our community.

Chief Manheimer: A couple of quick things about me, race equity, procedural justice, implicit bias, these are all top of my list as I think they're top of the list for a lot of the community members I've spoken to and you as a commission. Those are all important initiatives and we can share over time the things we're doing about them. So, how the department treats our community. How we all work together are my big focus. I'm delighted to be here and to take this interim time to try and stabilize and move forward with really positive relationships, and a big part of that is working together for our communities. So, thank you very much for the opportunity, Madame Chair, commission members. Good to meet you all virtually, and we in the OPD are here for you.

Regina Jackson: Thank you very much, Chief. Are there any questions of the commission? Can you please raise your hand so that I can identify and unmute? So, until I see a hand, I'm going to ask a couple questions myself. For the benefit of the commission, I have met, via the phone, twice and in an effort to listen to challenges, provide feedback and kind of an overview of some of the concerns that the commission has, and I have not had the opportunity to write those up to let you know, commissioners, but I shall. But one specific question that I have. Chief, what has the impact been on the officers during this shelter in place time, COVID time? What are you seeing?

Chief Manheimer: Yeah, we were pretty lucky to have one of the earliest testing sites. And so we were able, as you know, this is a business and a profession we're in close



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contact and engagement with our community is something that we cannot shelter in place nor enact, at times, safe social distancing. And so we were able to get some early equipment for our officers. We now by the way have prioritized trying to get some of that as well for community members in need and I'm really pleased to say that we have had three instances in our department and we have tested over 250 of our members, and I've been one of the lucky departments who've got that testing early through this wonderful community. Brown and Toland are police officers association, the mayor's office in the city. And so we have had three exposures. We got immediate, immediate decontamination and I think that our officers in the city have an understanding that our duty is to be out there continuing to protect and serve the community.

Chief Manheimer: We're very grateful that we haven't had more exposures, but there was a lag in our protective equipment. We are getting it through. We've had some incredible donations from the community of masks and protective equipment to the point now where we want to turn to our community members of need, and there are communities that really haven't had that ability to get the PPEs, the masks and other protective equipment or even information, and we're working with our city staff to try and get out to those communities and make sure that we get the safety net to them. So, overall, I've been so impressed that here, at OPD, men and women are showing up every single day, whether they're in a support role, whether they're in a community policing unit, whatever it is, they're out there on the streets, and thankfully we have been very lucky that we have not had more exposures.

Regina Jackson: Thank you, chief. I see hands raised from commissioner Harris and commissioner Anderson. So, in that order, commissioner Harris please.

Ginale Harris: Thank you chair. Welcome Chief. I have not had the opportunity to meet you in person yet, but thank you so much and I appreciate you coming to our meeting and introducing yourself. I have a few items that I do not know if you are aware of or not, but upon Mr. Kirkpatrick's transition, there were a few outstanding items that this commission was interested in and engaging in and were never quite really followed up on. So, I just want to put you on notice, just so you're aware that it doesn't jump out of the wall. The OBOA letter, there was a complaint letter that was submitted sometime ago that we really never got any closure or on that is still outstanding and will be coming up on one of our future agenda items. The hundred and 51 policies that were outstanding that have not been updated, that was a big one for us and they were never addressed.

Ginale Harris: So, I think, we have a late liaison to the commission, which is Deputy Chief Armstrong, who is has been outstanding in his followup, follow through and getting us the things that he needs. We had small discussions in regards to



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maybe looking at the policies and prioritizing policies, but now that you're here I think that's something should brought to your attention. Since you are just three weeks in I think this is a good opportunity to have you maybe take a look at those things. The other one is the Jonathan Vanderbillia case. As Miss. Assata stated, this young man has been missing for almost one year. It took a little nudging for our department to really take notice for this family and he is a community member. His family is very active in the community and I am hoping that we will get some better attention to this case, because there are many concerns that I have as the liaison for this investigation that I'd like to take offline and talk to you about if possible.

Ginale Harris: So, those are three things that the commission has been deeply involved in and in future agenda items or an offline meetings, these things will come up. So, I just wanted to give you an opportunity to put them on your radar.

Chief Manheimer: Can I respond quickly?

Regina Jackson: Yes, go ahead.

Ginale Harris: Yes.

Chief Manheimer: Okay, great. It's great to meet you. I look forward and I'd love to, for any of the commissioners, really just offline have some phone conversation is we probably won't get a chance to meet personally. I'm aware of a couple of the things you mentioned, Commissioner Harris, and I do want to say just for the OBOA letter and then as well, there's sort of a racial disparity study which I got in my inbox sort of on day one, and I'm kind of excited about the way we're looking at approaching that and drilling down further. I've been in some very good discussions with Director Darlene Flynn, who is the director of our race and equity department here at the city. I can't tell you how exciting it is to have departments like that and the department of violence prevention. You have some tremendous resources here to work with our police department.

Chief Manheimer: And we are looking you at drilling down on the racial disparity study for internal discipline and equity and procedural justice really begin at home and the department, and if we must have it here to ensure that we can go out and model and have that out in our streets and in interactions with our community. So, I feel strongly about that, and in speaking with Director Flynn, I think we're going to be able to do it to initiate a race equity impact analysis here in the department. And you're kind of getting a little sneak preview of that because I have not put my whole response together yet. We've been working with a stakeholder group and I think some of them will be asked and Department



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Director Flynn will be working internally with some of our race and equity teams and Lieutenant Smith from the OBOA way.

Chief Manheimer: And I know you've the OPOA embraces this as well and we're going to look to accept the findings of the racial disparity study and to move forward with it in all due earnestness. So, we will have a response coming out on that. It's been a while. I think they've been waiting for me to get in the chair and it's been a busy three weeks, but I can assure you that we will embrace that and move forward and for the rest, all I will say about the Vanderbillia cases, we all recognize the tragedy. Our hearts go out to the family and we are putting all effort into it and I know our Chief Lindsey has been working extensively with the family so you have our best efforts going forward for whatever has happened in the past and we can talk offline about the other things and I welcome the interaction. Thank you so much.

Regina Jackson: Thank you. Commissioner Anderson, your hand was raised.

Tara Anderson: Thank you, Chair. A welcome chief and I look forward to meeting in person someday or having that phone call, but it's great to virtually meet you. I appreciate your opening comments about your willingness to work collaboratively and provide feedback. And I don't know that I explicitly heard it, but I assume that also means receiving feedback, which is critical, obviously, part of interacting with the commission. So, thank you. I wanted to expand a little bit more on your comments around COVID response and some of Chair Jackson's questions to that regard. I appreciate your affirmative statement indicating that OPD is not an enforcement arm per se, of a shelter in place, but rather working as, collaboratively as a part of the greater Oakland city infrastructure to ensure people have what they need to be safe, but I also was curious if you could speak more directly to instances where someone is engaging in kind of unlawful conduct that might be of a misdemeanor or a low level felony offense and what the department under your leadership is doing around site and release, reducing any sort of transport or bookings into Santa Rita, which we know to be a place where people die. There's a record of that and it's very concerning to the community at large, especially in the era of COVID-19. So really if you could share a little bit more about the approach toward custodial arrests and cite and release policy, that would be greatly appreciated. Thank you. And again, welcome.

Chief Manheimer: Great. I look forward to speaking with you as well. And Oh absolutely. That entire question about feedback was really seeking the feedback from you all. You are the voice of the community, you've been elected resoundingly to be that voice for input into the department and it's frankly been somewhat frustrating for me. As I said, it's very hard to go out and engage the community



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right now. So I kind of look to you all to be that barometer for us. And certainly we encourage others to weigh in and we have our neighborhood safety coordinators out there. But to get to the COVID-19 so yes, it's all about feedback that you all give to us. And early feedback is better because we can get on top of things and really work them out. So I encourage that.

Chief Manheimer: So for the COVID-19 pandemic response, two things I want to say. One is that we are working very closely with the sheriff, the district attorney and all the elements of the criminal justice system because we recognize that right now it's health issues to even have someone in Santa Rita jail. And so we have to save those for those individuals who are a danger to themselves or others, frankly. And we are all working on not only citing and releasing those with a misdemeanor or an infraction, but also to be out there more right now in a reassuring mode, trying to work with the communities to not only keep the peace but to enable and reinforce the community peace. So we are worried and that was one of the things I was going to share if I had a little more time that there has been a real effort as there should be, to have releases from the prisons and the jails of those who can be released as not sort of a danger to the public because there is this big health risk for both the prisoners as well as those in custodial jobs.

Chief Manheimer: And one of the things that we are doing, and again, my hats off to the City of Oakland for putting together a Department of Violence Prevention. Chief Cespedes, who's a known and accomplished violence interrupter I think is one of the terms of art, is really taking the lead role in making sure that these individuals who are coming back to work communities, the communities they came from on an early release or reentry mode, likely have no reentry plans, very poor prospects right now in this shelter in place economy for a job and resources and security and coming back to perhaps individuals and situations that weren't working so well for them and part of the reason that they may have ended up in a custodial situation. And we're really trying to get ahead of that to make this reentry successful and get the services and safety net they need.

Chief Manheimer: So it's sort of a three pronged approach. It's both trying to ensure that we don't send people to custodial situations that will be a danger for them or a danger for the custodial officers, to ensure that those being released have some chance for success back in reentry into our communities and as well, making sure that... And this is a really troubling statistic and I hope I don't get it wrong, but in speaking with Director Flynn, she was saying that over 50% of the deaths across the country are African American deaths. And if I have that statement wrong, I apologize, it was very late last night when we were talking.



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Chief Manheimer: But it's so troubling and I know that our city has done an amazing job. They've put together actually a task force to make sure that communities of color are getting the specific information, education, resources and support they need. And it's just great to be a part of that. And for them to recognize that we do not want to be enforcers in this mode because that will come between us in our community. We really want to be those reinforcers with the masks and with the lifeline of support. So sorry if I took too long, but I wanted to give you a feel for exactly what we're doing.

Regina Jackson: Thank you, Chief Manheimer. There are a couple of components on the education information piece that you just mentioned coming out of the City of Oakland because I have not heard much about it and the area that, without speaking for Commissioner Harris, but the area that we live and work in is deep East Oakland where you find the disproportionate number of underserved population being of African American. And they don't have the protective equipment that you've talked about. So I'm hoping that you will be able to focus some energies and look at distribution there. Certainly if I can help in my capacity as the president of the East Oakland Youth Development Center, if we can coordinate through churches and other orgs, we're happy to help you.

Regina Jackson: But we do recognize that they are vulnerable, that we as a people are vulnerable. And quite frankly, the reason that the commission came into being was because police had a real problem, a significant problem with racial profiling that injured and killed people. And so here we have a virus that is also plaguing the African American population. [crosstalk 00:40:59] So I'm hoping, I'm looking forward to talking with you about that because there isn't a whole lot of time to prevent. People are being exposed every day.

Chief Manheimer: Exactly. And it's so troubling because we see it out there every day. I believe that your liaison, Chief Armstrong, will actually be me discussing this. I can tell you however that our entire department had meeting yesterday for the department heads across the city, across the the city staff, we're focused on exactly that issue. And your name was bandied about several times Chair Jackson as being someone who has a lot of influence and opportunity to provide network of education and awareness in East Oakland. And I believe that you will be contacted if not already by the task force.

Chief Manheimer: And I think your liaison, Chief Armstrong, will have further on that. It is troubling. It is something that the city is very dedicated to. I know that the library was even talking about, and department of transportation, offering their bookmobiles and mobile vans for this cause. We asked and received from the mayor, extra surgical masks so that we could have them to hand out to the community in this mode of reinforcer, not enforcer. And it's something our city



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is very relentlessly focused on right now. And I think you'll have some more information and they will be reaching out to you and to others to really make sure that we we bridge that gap, that [crosstalk 00:42:37].

Regina Jackson: Oh, I'm sorry. Thank you very much. There are quite a few influencers in the City of Oakland so you've got a lot of support in trying to get to those that most need it. I see commissioner hands raised, Commissioner Dorado and then Harris in that order.

Jose Dorado: Chief, [inaudible 00:42:55] welcome to Oakland.

Regina Jackson: Thank you.

Jose Dorado: My question is I'd like you to speak briefly on your commitment to community policing.

Chief Manheimer: Oh my goodness. That was a softball question. Thank you Commissioner. First and foremost, I know that you all here, my commitment is that my belief is that we are a part of the communities we serve and that the priorities of the community are so vital and critical. As a young police officer, I wanted to chase bank robbers and I came in and we did a pretty good job of reducing bank robberies. I was robbery decoy for awhile. And then I started talking with my community on my beat and I realized that those issues in quality of life and the music that kept the 91-year-old grandmother awake at night and the issues right around safety and security and quality of life in neighborhoods was really something that was the community's concern. And we don't know about those until we hear them directly.

Chief Manheimer: And so putting our officers in the beat together with those community members to ensure we have their priorities and we're working together is the most important. And doing no harm is another important part of community policing. So I will say that you all have I believe, a policy that we have put together on community policing that it's been with you for a while and you have my bow. And as a Commissioner Harris said earlier, there may be a lot of policies that are in some queue somewhere and I'll sort that out and I will get back to you and maybe you can get back to me on where that is in your queue so that we can work together on it. Clearly, community policing is the most important link to make sure that we are out there as a safety net, providing the security and the quality of life with our community, not imprinting what we believe is the community priority. So I look forward to working with you on it and I believe we do have that general order somewhere within your queue.

Regina Jackson: Thank you very much. Commissioner Harris, you're up.



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- Ginale Harris: Thank you Chair. So I just wanted to reiterate something to you Chief, in regards to your resources. Deputy Chief Armstrong is the liaison of the commission because he was selected by the commission to be the liaison. He was born and raised in Oakland, he is well-known in all of Oakland, not just one part of Oakland and he's from Oakland. So the people from East Oakland and West Oakland trust his leadership. And so that's why he was chosen to be our liaison. So I would encourage you to pick his brain. If there's something you want to know about Oakland, I'm sure he would be most helpful. In our previous meetings, he was always representative and there's not too much that he does not know about Oakland, if he doesn't know anything at all. But I would encourage you to use that resource when you are speaking of dealing with our community.
- Chief Manheimer: Thank you. He's right here in the room. So I'm looking right at him and he's looking humble, but I know he's a tremendous community resource. Thank you.
- Ginale Harris: Yes.
- Regina Jackson: Absolutely. Thank you very much. And I think we all echo Commissioner Harris's comments. I do not see any other hands. I do know that it was mentioned to me by you that it's your birthday, so I imagine that we will all have an opportunity to talk to you at some point. I too will be delighted to actually meet you face-to-face.
- Ginale Harris: Yes.
- Regina Jackson: But since there are no other hands I think we're going to let you go.
- Chief Manheimer: Great. Thank you.
- Regina Jackson: Thank you very much for your time.
- Chief Manheimer: Thank you so much. It's been really great and I look forward to further conversations with all of you. Thank you so much.
- Regina Jackson: Excellent. Thank you. Have a good evening.
- Chief Manheimer: Thank you.
- Regina Jackson: So we're going to move on to item five, the renewal of the legal counsel, the commission's legal counsel. It took us a long time to get them on board and we are going to have a brief discussion about having the commission express



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interest in seeing the city attorney's office renew their contract. I would like to defer right now to lead counsel, which is Nitasha Sawhney for a few comments.

Nitasha Sawhney: Hi, good evening. Thank you chair Jackson. It has been a tremendous pleasure and privilege to be able to serve the commission over the last six months. We appreciate that the commission is considering the renewal of our services. We have received from the city attorney's office a retention agreement to continue our services for another six months. Obviously subject to the commission's consideration on the same terms as the previous contract. And we've reviewed the contract, we're fine with those terms and so it would really be up to the commission if you chose to consider continuing our services.

Regina Jackson: Alrighty. Well thank you very much. I am interested in commissioner's raised hands at any comments on this subject. If I've got anything to say, they stay with us forever. But that's just me. I see hands with Commissioner Anderson followed by Commissioner Harris and I'm not sure... Oh and Commissioner Prather, in that order please. So let's see, Commissioner Anderson.

Tara Tara Anderson: Thank you chair. I just wanted to share in the Chair's commentary about appreciation for current counsel. Incredibly appreciative of the guidance that you have provided us. And my one question is around the term, the length of term and why we don't have the opportunity to do a 12 month extension or what the issues are with why it's just a six month period?

Regina Jackson: Nitasha, can you address that please?

Nitasha Sawhney: Thank you Commissioner Anderson for your confidence in our services. I'm sorry, I don't know why that's the term that is proposed from the city attorney's office. My assumption is that initially it was just to make sure that we were a good fit to be able to provide appropriate services. I don't know if that's the practice of the city attorney's office or not, but I'm sure that we could follow up and find out why that's the proposed term.

Regina Jackson: Thank you very much. I think that we're all interested in understanding that, especially given all the work that we have to do and you all have been so extraordinarily resourceful in your guidance. So Commissioner Harris next and then Commissioner Prather.

Ginale Harris: Thank you, Chair. First, I would just like to say thank you to Nitasha and Connor for your help and your guidance. I want to recognize your fearlessness of taking on this challenge of the commission and what we have to do and your unapologetic work. I appreciate you in so many ways. I just want to say I support the extension of this contract and not only do I support it, but if we can extend



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it for the whole time I would vote yes. So I appreciate your expertise and your willingness to look for things and to support us in every kind of way that you can. So thank you so much both of you, Connor and Nitasha

Regina Jackson: Here, here. Agreed. Commissioner Prather, you are next.

Edwin Prather: Thank you Madam Chair. I'd like to just follow on with Commissioner Anderson and Commissioner Harris' comments about Sawhney and her firm. I think that we have experienced a real sort of stable period of smooth sailing, calm water so to speak. And over the last six months we've been able to get a lot of things done and there have been a lot of successes and a lot of important things that this commission has done over the last six months. And I really want to credit our council for putting us in a position to do that. And I feel like we suffered from a period of turmoil and constantly fighting with the city attorney's office and having Ms. Sawhney and her firm come in and take the reigns on our legal issues, ushered in a period of of peace and calm waters. And I don't think we would have been able to accomplish nearly half of what we've been able to do without her balanced approach and without what she's been able to do for this commission and frankly for the city.

Edwin Prather: And she continues, her firm continues to do the work. I do want to point out that there was a period of time where we were questioning whether she would get paid or not for the work that she was doing. I'm glad that the firm is getting paid. But look, if there are some guidelines which make this contract six months, then I will live with having us come together and approving this every six months and again saying great things about this law firm. And if it can be longer than than so be it.

Edwin Prather: I guess I would ask through the Chair, what is our mechanism for showing to the, I guess it's the city attorney's office, our endorsement and approval of keeping Ms. Sawhney and her firm? Are we writing a letter? Are you sending an email to Barbara Parker? What form does that take? And if so are there requests we should be making in that correspondence regarding, maybe not the content of the contract but at least its duration and anything else we can weigh in on? And so I'll go back on mute and leave that question out there through the Chair for Ms. Sawhney. Thank you.

Regina Jackson: Okay. Thank you Edwin. Well excuse me, Commissioner Prather. That's one thing that I really enjoy about you is your formality. I tend to get informal. So as it relates to Ms. Sawhney, one of the first things that I did was to inquire about the renewal because I knew that we did only have a six month contract. And so I think that it would be excellent and I'm interested in Ms. Sawhney's thoughts for us to write a letter in support not only of renewal of the contract but seeing



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it extended from six months to a year. But for the purpose of this agenda item, I think that we will be affirmatively voting renewal of the agreement that is currently in place. If I am misunderstanding that or you see some flexibility in there, please Ms. Sawhney, advise us.

Nitasha Sawhney: Thank you. Thank you again for the kind comments. We are really very honored to get to serve this commission and the important work that all of you do. You are the hardest working commissioners I've ever served in my 20 year career. In terms of the the renewal, Chair Jackson, after your inquiry with the city attorney's office, the city attorney's office did send us this renewal agreement. So I believe they took your inquiry to mean that the commission would be interested in continuation of our services and in response the six month term was sent. I think we could possibly just inquire and it would be my preference that we not inquire on our own behalf, that if the commission's interested in it, that the Chair inquire on an extension of the term of our contract. Otherwise [inaudible 00:56:59] willing, ready and able to serve you in six month increments or however is most appropriate.

Regina Jackson: Thank you very much Ms. Sawhney. I think that I will happily follow that up. I am looking for an affirmative motion from the commission so that I have that guidance that everybody is interested in renewing the council and I am looking for our hands to make that motion. And I see Commissioner Harris.

Ginale Harris: I want to make a motion that we extend our council's contract.

Regina Jackson: Commissioner Harris, I think for the purpose of what we have agenda that what we need to do is make the motion to actually renew the contract and if you want to make a friendly amendment or modify to say and inquire about an extension, then that might be what we should do.

Ginale Harris: Got it. Okay. So I would like to make a motion for the renewal of the commission's legal counsel and I'd like to ask that the commission inquire about the term, to extend the term from six months to at least one year.

Regina Jackson: Thank you. And I see Commissioner Smith.

Thomas Lloyd Smith: I'll second that motion.

Regina Jackson: Okay, very good. So it has been properly moved and seconded. We took public comment at the beginning. So I am interested in taking a vote on this matter. So Commissioner Gage.

Henry Gage, III: Yes.



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Regina Jackson: Thank you. Commissioner Harris.

Ginale Harris: Yes.

Regina Jackson: Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Commissioner Smith.

Thomas Lloyd Smith: Yes.

Regina Jackson: And commissioner Prather.

Edwin Prather: Yes.

Regina Jackson: Okay. We have a unanimous vote in the affirmative. And I will follow up tomorrow to inquire about an extension and then I will get back to you with whatever the response is from the city attorney's office. Thank you very much. This is exciting as long as it took us to get counsel and then they're fabulous. Both Ms. Sawhney and Mr. Kennedy. So moving on to item six, the report on and review of CPRA pending cases, completed investigations, staffing and recent activities. Mr Alden.

John Alden: I am here. Can everyone hear me okay?

Regina Jackson: Yes.

John Alden: Great. So good evening. It's a pleasure to be here virtually with all of you. I feel like it's been a long time since I've had a chance to report to you. We have recently switched the CPRA reports to a monthly cycle instead of every meeting and I think that's good. But it happens that the last time we were set to present, our meeting was canceled because of COVID. So a lot has changed since I talked to you last. I have six items I want to hit with you. I'll try to hit them all briefly and please as always, feel free to drill down on some questions.

John Alden: The first thing I wanted to hit is COVID. That has had a pretty dramatic effect on our work at CPRA. At the time COVID hit, we had no provision for remote working here. In part that was because of some of the very high security



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requirements we have for our documents, but also because the city as a whole didn't have a remote work policy. So for the first month we were really struggling to adapt to a situation in which we were working remotely. Like many other city agencies we ended up having about half of our staff go home on paid administrative leave so we could thin out the office to create social distancing while we were creating a telework system. Today, we have everybody on department issued laptops working at home and only needing to come into the office for things like interviews of police officers, obtaining things from their offices and other things that really to be done inside the office.

John Alden:

But that first month of transition was very difficult and we lost at least two solid weeks of productivity as a result of that. Our productivity continues to be lower than it used to be. It is just a little harder to get this work done remotely. There's always some struggle about finding new processes to adapt to working remotely. For example, we are continuing to work on how we're going to do remote interviews. I'll talk a little bit more about that later. We've also lost some staff. You may recall, Ms. [inaudible 01:02:25] passed away sometime ago over the holidays and we had a temporary part-time replacement for her, Ms. Powell. And unfortunately one of the things that the city had to do to balance books as soon as COVID started effecting city finances was reduced to zero the hours of all of the temporary, part time employees. So it's not quite the same as a layoff, but none of them are working and that includes Ms. Powell. So we've lost her services.

John Alden:

You may recall Ms. Patricia as well, who was here on a part time basis. It happened that her contract was up anyways in April. So we have no administrative support at all in the office anymore. Lost two people that used to do that. As a result, there are some things we used to do that we just don't have staff for anymore. For example, we don't have anyone who's actually in the office to create mailed agenda packets for the public, and I don't anticipate we're going to have anyone who's able to do that for the foreseeable future. So as a practical matter, we're trying very hard to make sure that we're focusing our efforts on our charter mandated and mission critical tasks, like making sure our investigations are done thoroughly on time. I say that to you now because if any of us at CPRA have a little less time to help out with some of the other priorities that I know the commission has, it's not that we're not trying to be responsive, it's just that we are stretched a little thin right now and probably will be for awhile.

John Alden:

Moving forward across the city, there is a federal program that's coming into effect that gives city employees up to 12 weeks of leave for COVID-related reasons and that's an important benefit to offer a lot of our employees. It's mandated by federal law first of all, but it's also one that gives them opportunity



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to create some flexibility around the real stresses they're all having around trying to work from home and do COVID and take care of kids and loved ones and the like. I am sure over time we will probably lose some people at least for short periods of time for that reason as well.

John Alden: On top of that we had one employee go out on parental leave, which has fantastic news for her, but that also means she's not going to be back until August. So it's a very, very short staffed time. That was the first issue I wanted to cover. The next issue I want to talk about is a caseload and the case reports that you have as attachment six. Madam Chair, would you rather I took some questions now about the material I just laid out or do them all at the end?

Regina Jackson: I'm thinking that doing them all at the end probably makes more sense, but I'm also not seeing any raised hands-

John Alden: Okay.

Regina Jackson: So why don't we proceed? Thank you.

John Alden: Great. So drawing people's attention to attachment six in the agenda, you'll see our usual case reports. The good news here is that we're at an all time low MS support, down to 84 pending cases. The bad news is I do expect that number to increase over time for the reasons I was mentioning earlier. We are going to see some slowdown here. Now, the one thing we have not done on this chart is modify any of the one year goal dates to reflect a COVID related change in law that just happened in the last few weeks. The governor signed an executive order that grants a 60 day extension on 3304 dates for any case that was still pending at the time the order was signed.

John Alden: Case still had to be pending at that time so it doesn't help us with cases that were already expired, but in the short term that gets us a little bit more time on some of our cases. We have not modified the deadlines on this document to reflect that extra 60 days because we're trying as hard as we can to still meet the original one year 3304 and use those extra 60 days only when we really have to. We do have a few cases where that will probably happen.

John Alden: In the meantime, we do have a closed case in the closed case section that I'd like to draw to your attention. As I've talked about in some previous presentations, it's very hard for us to say anything substantive about any of the cases that we put into these grids. And that's because state law provides for a very high level of privacy for police officers in all of these cases. In fact, I think the material we provide here is pushing the envelope a lot as far as we can. That said, sometimes some of our cases are subject to a SB-1421 and we know in the



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long run those individual cases that are subject to SB-1421, we'll be able to create more transparency around them. We can tell the public more about them because of that change in law. There is one case here in the closed case list that is of that sort.

John Alden: It's the first case that you see in the recently completed investigations in attachment six that's case number 19-0416. The reason I bring this case to your attention is that we don't have it yet, but you will see in the near future some public facing information about this case. As you can tell from the allegations there, we sustained officer misconduct in a level one use of force case as against two officers in this case. That part I can tell you about because that's something we normally mention in completed investigations, but I flag it for you now because you will be seeing I think in the near future, reports from internal affairs and reports also from CPRA about this case and how it came to be that two officers were sustained for a level one use of force.

John Alden: That's a very rare event in Oakland. We don't have many level one use of force cases and as a general rule, I think across California it is rare that conduct is found to be out of policy or sustained as misconduct as was the case here. So I anticipate at some future meeting we'll probably have for you some public facing materials about those and be able to give you a presentation about at least some of the things that happened in that case.

John Alden: Third thing I wanted to talk to you about is just to let you know that over the next couple of weeks I will be a little bit swamped because it is performance review season here in the City of Oakland, which I'm sure makes all City of Oakland employees say, "Yay." I do try to make that a positive experience. Obviously I can't talk about the particular performance reviews of any given employee, but that is to say that City of Oakland asks that we after April 30th, provide reviews to all employees of everything that they did during the previous year, since May one of the previous year.

John Alden: If you look at our org chart, you can see that our structure is fairly flat. So I have a personal role to play in every single one of those across our agency. So that is going to take up some of my time the next few weeks. Fourth thing I wanted to mention to you is Measure LL, and this is I think, an issue that many of the commissioners probably already know about, but I wanted to make sure that you have some current information about it. For those of you who may have watched the council meeting this past week, the city council had some conversation on Tuesday about-

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John Alden: ... Had some conversation on Tuesday, about further revisions to the charter provisions that organize the commission, CPRA and the inspector general. My understanding of that meeting on Tuesday, is that, that material was referred to the Public Safety Committee next week on Tuesday. Now my understanding of that timing is that the Commission would not have time to agendaize that matter, and have a conversation about those specific edits, at any of our regularly scheduled meetings before the Commission makes some final decisions about that material and sends it out for me to confer.

John Alden: So, I would recommend that the Commission consider a couple things. One, have the Chair, perhaps create an ad hoc that might work on that in the short term or alternatively at least have some of those individual commissioners who are interested in that material, take a look at it, and see if you'd like to weigh in on that. I know some already have, but I wanted to make sure all the commissioners were aware of that. Certainly another option the commission might have, is to schedule a special meeting of the commission to talk about those, if you feel that's something that you want to do.

John Alden: Getting close to the end here, I wanted to also mention that there was an officer involved shooting last week. We did hear a little bit about that in public comment. Right at this time, the privacy rules for these kinds of investigations don't allow me to say much about where our investigation is. Other than that we're working on it, and working on it very proactively. Eventually SB 1421 will allow for us to roll out more public information about it. The only thing I can really convey to you now, is the material that's already in the public domain, that's been issued mostly by other agencies. And if you were to Google around and look for it, I think you would see a short description of the cases that there was a suspected kidnapper, who was spotted in the East Bay Hills, looking like he was carrying a body. And that resulted in the chase by multiple agencies, including Oakland Police Department.

John Alden: That chase eventually ended in a standoff in the city of Richmond, which as you all know, is in Contra Costa County. And in the course of this incident, at least two the officers were injured. There was a shooting at the end of that standoff in the city of Richmond, and the person who was the suspected kidnapper died at the scene. We are taking that case very seriously. I have appreciated that OPD has been quite forthcoming with the material they have about the case. Unfortunately that's about all I can say about it right now, other than to assure you we're looking at that very closely, and that's a very high priority for us. So it comes at an unfortunate time giving the staffing issues I mentioned earlier, but we are making sure that this is a very high priority for us.



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- John Alden: We have been involved in a series of other issues that we'll be talking about separately. The budget as a presentation we'll talk about a little later tonight. The city auditors' review of the Commission, and CPRA is another topic we'll talk about later tonight as a separate item. We've also spent some time working on the Discipline Disparity Study, that interim chief Manheimer mentioned earlier. And I would imagine that when that study becomes public, there'll probably be further discussion here at the commission about that.
- John Alden: Those are the items I wanted to make sure that I reported to you about this evening. Are there questions for me?
- Regina Jackson: So I see commissioner Harris' hand up. Thank you very much, John. Very thorough. Go ahead, commissioner Harris.
- Ginale Harris: Thank you. Thank you chair. Thank you John for that report. I just wanted to point something out to the commission itself, in regards to our virtual meetings. Although I appreciate the PowerPoint that we have before us, there are several documents to these components that we're talking about, and it's really hard to juggle clicking screens back and forth, especially when they're six pages of stuff that we need to look at, right? And I don't have a hard copy because I don't have a printer. So I'm just interested to know how people are really looking at these things. Is there a way we can put a screen up or instead of having this PowerPoint, have the attachments that go to the agenda item in front of us as we're speaking about them?
- Regina Jackson: Mr. Rus, is that a practical possibility?
- Juanito Rus: It would potentially be a possibility, but it wouldn't let you page through the attachments, as were stated along. And so it would be one meeting pain for everybody.
- Ginale Harris: How are you... It doesn't make sense to me. We have all these attachments for what, if we can't see them? Are we supposed to memorize them, or what are we supposed to do?
- Juanito Rus: Just as a practical matter, I have mine open in another window. But I don't have a good answer for you. I'm sorry, commissioner.
- Ginale Harris: Okay. Thank you. But I would really like to look into seeing. Because I'm sure the public is feeling the same way. Is that we hear him talking, but we can't relate to what he's talking about, because we don't see it in front of us. So I'm trying to take extensive notes here, but that's a whole other issue. So I think I'll take that offline. But thank you so much. I appreciate that.



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- Ginale Harris: But my question in regards to the 3304 dates, Mr. Alden. So, my concern is that we are still taking almost one year to complete this investigation. Is there a reason why?
- John Alden: Yes. There are a couple of reasons why. One is that, when I came on, most of the cases were getting completed in the last week or the last couple of days before the 3304 deadline.
- Ginale Harris: Right.
- John Alden: Now we're tending to complete them, a month, sometimes two, out from the 3304 deadline, if it isn't for more complicated cases.
- Ginale Harris: Okay.
- John Alden: Some cases we are getting done within six months. It is certainly our goal to get to the 180 day level.
- Ginale Harris: Right.
- John Alden: So that we're getting them all done in six months. I think that is going to continue to take some time. That's one reason I keep talking about. It's important that the caseload come down a little bit, because of the number of cases we had at 130 plus cases last year. There was just no way we're going to get down to the 180 day Mark.
- John Alden: We're also working internally with some of our folks about figuring out ways to be more efficient with some of the cases. Identify cases that can be resolved quickly and resolve them at that point, rather than letting them sit, and then resolve them at the 11 month mark. And we're also working on making sure we've increased their training and the like. I have seen some significant improvement for a lot of the investigators, at the speed at which they can get cases done. One of the things I have wrestled with, is whether the staffing we currently have is sufficient for us to make the 180 day mark. We have only had a full compliment of complaint investigator twos since October, and three of them have been in training and are really just coming up to full proficiency right about now.
- John Alden: So far, it's my thinking that we probably are going to need a little bit more investigative staff if we're going to be able to make the 180 day deadline on a regular basis. I think we can get our cases to a point where we're completing them and say, 270 or 300 days with our current staffing. I would like to give that a little bit more time, and see how that goes. But that might be a question for us



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about this time next year. Are we understaffed in terms of total number of investigators to get this done well? I'm tempted to say that we are now, but I'm also mindful that we've only been at full staffing for a very short period of time.

- Edwin Prather: Chair Jackson.
- Regina Jackson: I see the hand for Commissioner Prather, and then Commissioner Gage.
- Ginale Harris: Excuse me here.
- Regina Jackson: Oh, I'm sorry. [crosstalk 01:18:40]
- Ginale Harris: Thank you. Thank you John. One more question. So we ha... We are supposed to have staffing, for every 100 officers we have an investigator. Is that the case? Are we current with that requirement?
- John Alden: Yeah. Just about. So as of last year, on the relevant date mentioned in the charter, which if I recall correctly is June one, the city of Oakland had 750 officers exactly. Which rounds up to 800, according to the language in the Charter, which would give us eight investigators.
- Ginale Harris: Right.
- John Alden: We have eight investigator positions right now. One of them is a complaint investigator three position, that we're interviewing for right now. In fact, I just did some interviews for that earlier this week, and we'll have some more next week. So we hope to have that position filled straight away. It had taken a long time to get authorization to fill it. So, that's one way in which we're not quite fully staffed. But all of our complaint investigator twos, have been hired and onboard since October. And there are six of them. So, that gives you some sense of where we are staffing wise.
- Ginale Harris: Okay. Thank you.
- John Alden: Sure.
- Regina Jackson: Okay. Thank you very much, Commissioner Harris. Commissioner Prather, and then Commissioner Gage, please.
- Edwin Prather: Thank you Mr. Alden for your report. I was wondering if you had seen a reduction in the number of complaints based on Covid 19, and how it's affecting your ability to catch up, or is the reduction troubling because of an inability for



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people to come in and report, or are our other processes working appropriately? I just have questions around that, if you could comment on that.

John Alden: Yeah. Those are great questions. The number of complaints we've seen coming in has been pretty typical of any other period. They've neither gone up nor gone down. I'm a little surprised by that. I thought they might've gone down. That does suggest that people who might have otherwise come in, in person have been able to reach us by phone. And I think it's also important to note that many of the complaints we get, the lion's share of them in fact, are made in the field at the moment that the issue that the complainant is worried about happened. Like someone will be pulled over in their car, and they will tell the officer at the scene that they want to make a complaint, and so OPD will take a note of that and send it to us. That's the lion's share of the complaints we get. So that source of complaints hasn't gotten any smaller, which is a little surprising, because you would think there'd be fewer police contacts, and thus maybe fewer complaints. That's not what we're actually seeing. But on the other hand, they haven't gone up either.

John Alden: You mentioned people coming by to the office, and I think that's an important thing to touch on briefly. For the first couple of weeks that Covid hit, we tried to figure ways to still take complaints in person if we could, because we're mindful that there are a number of people in the community of Oakland, who would be disadvantaged in reaching us if we only took complaints by phone or by internet. Not everybody has access to those devices. So that said, it turned out to be really challenging for us, and we eventually stopped the practice. We had a series of concerns. One was at this building, 250 Franc Ogawa Plaza, was otherwise close to the public. So it was kind of a challenge logistically, to work with security to make an exception for just us to have the people who are trying to get to us come on in.

John Alden: Another challenge we had was that, as we learned more about social distancing and appropriate precautions, it became more and more complicated to figure out how to appropriately protect our employees if they were taking complaints here at the office. Our physical plant is not well set up to take complaints and also do social distancing at the same time. There's some opportunity for that, but it is not as robust as we would like. So right now we're still taking complaints by phone. We're still taking complaints by email. We're still looking at the complaints that come in through OPD. And we have a way for people to send us a complaint with postage prepaid at a box at our front door of the building. So people can come up, pull a complaint, drop it in the mailbox that's right there, and it'll get to us. That's not my favorite way to do it, but I think given the restrictions of Covid, that's probably the best we are going to be able to do for awhile.



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Edwin Prather: Yeah. Mr. Alden, I think it's interesting... I too think it's interesting that the number of complaints is pretty static during this period. And I was wondering if you thought, if you could give your opinion on whether that is in part because... This is a time where tensions are high. Tensions are high with officers, the stressors are definitely increased as well as the public. The public's just going to be going outside and wearing a mask, it's very stressful. And during this time to come into contact with officers, is even more stressful than it normally is. And so I'm wondering if you're seeing that play out in the complaints that are coming in, or am I just starting to overthink this too much?

John Alden: I think that's a fair inference. And I think it goes directly to why it's important that Cipro has been designated by the city of Oakland as an essential service during Covid. Some have questioned, "Hey, is it really essential for Cipro to still be functioning at a time when so many offices are closing down altogether, or otherwise shutting down their operations to facilitate sheltering in place?" But to my mind, when dramatic stressful events happen in society like Covid, the phenomenon you were just describing commissioner, is exactly what happens. When people are out in the public and they do have contact with police, they're even more stressed and worried about it, than they were before. And sometimes the police are stressed out as well. We are relying on police more and more for even higher level of service, in my opinion, than they had to provide pre-Covid, and they are going to be increasingly asked to do some stressful things around Covid.

John Alden: As much as we're trying to minimize them being the health police, there are going to be times when, at some point in the future they might be asked to have at least some stepped up enforcement, around issues related to Covid. And that's going to only make people more tense, and I think it's really essential that Cipro remain able to take complaints and investigate them promptly in this environment, so that as people become even more concerned about policing, they have a place they can go to make sure that, that policing is being double-checked. I don't have any reason to specifically think that we have increased abuses during this time by police, but I do think there was a concern about that, that we need to recognize. And that is one reason why I feel very motivated to keep our agency functioning during this time.

Edwin Prather: Yeah, I again appreciate too, as we all do appreciate your dedication and commitment to this work, and thank you Mr. Alden for your fine report and and your efforts. Thank you.

John Alden: Thank you.

Regina Jackson: Thanks Commissioner Prather. I recognize Commissioner Gage had a question.



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Henry Gage, III: Thank you Chair. Through the Chair to Director Alden, I want to hear comments with respect to Cipro staffing levels at present are concerning, but also understandable. And in full agreement with your current position, that Cipro should qualify as an essential city operation. This is a dangerous time, but it's not just dangerous for public health reasons. There's some very real [inaudible 01:27:05] issues at play. And I do not want to find us in a position where our investigative arm is hobbled at a time when most people are not able to adequately monitor what the police are doing in our city. Being mindful of our Charter authority, to ensure adequate staffing for Cipro, I understand that's tied to the number of officers on a specific date.

Henry Gage, III: That said, I want to express my support and I'm hoping the rest of the commission will join me in saying that, if you find yourself in a position where you feel you need additional staff to adequately complete your Charter mandated duties, we really need to know. And while I understand that there's some staff that's being onboarded presently, and that their ability to help you with this issue is still somewhat undetermined, this is something I'm going to have to watch closely. And I think that we all need to ensure that you have the support you need from us as a commission.

John Alden: Oh. Thank you. I really appreciate that. I would say as a general rule, a concern that I expressed last time we talked, and the budget picture looked much different, and we had a conversation about budget. Much of what I presented were increases in staffing to serve needs other than the core investigative needs, like outreach, and staffing to the commission. Which are also, I think very important. And I tend to see those two as two sets of needs. Because the investigative work is so specialized, and I think it's really best to have the investigators working just on investigations if possible. I also think the staffing level we have really requires us to have all the investigators working just on investigation.

John Alden: So the staffing concern I have moving forward, and we can talk about this, I think a little bit when we talk about budget in a few minutes, is I'm really deeply concerned about our staffing levels for everything other than investigations. Because there are a lot of important tasks, that are like policy work, use the force, selection of the next chief of police, that I'm really concerned we're going to have a hard time staffing. Which is why I had asked in our last budget discussion, that we really significantly augment the number of staff around those tasks. And I think that'll be something for us to talk about this meeting, next meeting, and probably the meeting after that, as we're figuring out what our response to this budget crunch is going to be. So I'm really glad you flagged that issue, Commissioner. And thank you for your support.



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Regina Jackson: Absolutely. Mr. Alden, I think that you know that you have the full support of the commission behind you, to fight for all the positions that you need to do the job. That we are all... That CPRA is mandated to do, and that the commission is also mandated to do. We want to do our job. And we have been, as commissioner Harris has said time and time again, doing the job with our hands tied behind our back. And while budget challenges are definitely in front of us, we've got to remain firm around the job that we're here to do. And only cut where we absolutely, can't avoid it. So having said that, we're going to move ahead to item seven, which is The Police Commission and CPRA Budget Update. And I think you're on again.

John Alden: Okay. Great. Well that was a good segue. So for our budget, I want to say first that I'm sorry you don't have an attachment. Sorry, both to the public and the commission that there isn't an attachment here to evaluate. This issue's been moving so fast, that when our deadline for posting an agenda came last week, I really wasn't quite sure what to tell you. I knew that there would be a presentation at the city council on Tuesday of this week, about this topic where we'd all be learning a lot more. And I'm hopeful that folks who are listening to this presentation have had an opportunity to see the presentation, the city administration and budget and finance in particular made to the City Council on Tuesday. If you haven't yet, I strongly, strongly recommend watching that presentation.

John Alden: I have to say that as I first started hearing about the scale of the budget challenge that the city of Oakland is going to have, over the next 12 months. I went through the typical stages of grief. I was in denial for a while. I was in bargaining for a while. I was in grief for a while. I don't mean to overstate it, but I could tell that it took me a while to absorb how bad this situation is. I don't want to be overly dramatic about it, but it is a really significant change from the last time we had a conversation here in this group about budget.

John Alden: So what I'd like to do is, talk about this in three parts. First I want to briefly talk about the size and scale of Oakland's budget challenge, and how that compares to the size and scale of our agency. Just to give a sense of the magnitude of the challenge. I would second like to talk about what I understand the city process to be moving forward here. So the commissioners also have a sense of what sisson points the commission might have. And then I have some suggestions about a process as our third item, that we could follow over the next couple of meetings.

John Alden: Let me start by just mentioning the scale. For those of you who heard the budget presentation, you'll already know some of this material, but for those of you who haven't, I think it's important to hit briefly. The size of the financial hit



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that the city of Oakland is going to take over the next year is significantly greater than the hit that the city of Oakland took in 2008 during our last financial crisis, The Great Depression. From numbers, I've been able to see, I think it is accurate to say that the amount of loss the city of Oakland is going to be suffering over the next 12 months is roughly equivalent, maybe even worse than the first year of The Great Depression.

John Alden: So this is not a small change in city finances. It is huge. Now, I think the silver lining there might be that everyone's hoping, and there's good reason to hope that it's a relatively short term condition. That a year from now, perhaps economic conditions might be back to normal. Certainly we're hoping that, I don't know if that'll happen, but I think there are credible people who know more about these things than me, that say that's a strong possibility. This might be a lost year, but, not worse than that. I'm hoping that, that's right.

John Alden: It's important to understand that the amount of money that the City of Oakland is going to be short, over the next 12 months, between the end of this fiscal year, and then the beginning period of next fiscal year, starting in July, is significantly greater than the entire sum of the city's reserve funds. So simply tapping reserves isn't going to be enough to cover the shortfall. One analogy that the folks at budget and finance made was that, the amount of money lost is slightly greater than the amount of money that would be saved by shutting down every City of Oakland fire station for a year.

John Alden: We have 25 fire stations, apparently. If we wanted to save the amount of money we're about to be losing, we'd have to shut 27 fire stations for a year. That took me a little while to really fully understand. When you look at it as a percentage loss, it doesn't sound initially quite as dramatic, but it's significant. From what budget and finance presented at the city council, it looks like this count, this fiscal year which is almost over, will see a 5% loss in the budget. And budget and finances estimating that next year's budget starting in July of 2020, and running through the end of June, 2021, will be down in revenue eight to 9% as a baseline estimate. They think that could get as bad as 12%. for us here at CPRA, now this is a little bit of a false analogy, because, just because the city is taking that big a hit, doesn't mean we have to take that big of a hit.

John Alden: But if you look at all of the activities of the commission, the funding set aside for the inspector general, and CPRA, are budgets around five million in any given fiscal year. So these estimates of eight to 9% next year up to maybe 12% means, we're thinking that there could be a loss of funding if it were proportional to us, of maybe 400000 to \$600000 in this upcoming fiscal year. Our original budget ask, was to be augmented by even more than that, so now we're looking at a loss that's even bigger than the, or about the same size sorry, as the increase we



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were originally looking for last we talked. I want to pause there, before I talk about what I understand the city process to be, and how that's going to affect us. And see if there are questions about the amount of money that we're talking about.

Regina Jackson: I see no hands, but I kind of feel like I'm stunned and maybe everybody else is too.

Ginale Harris: Hello. My hand is up.

Regina Jackson: Got it. Thank you. Commissioner Harris.

Ginale Harris: Thank you John, for putting that in perspective. I know that this commission has had struggles in regards to funding and budgeting. Not meaning that we haven't had the money, but we do have a significant amount of cost saving allocation, because of the Inspector General. Personally I don't see us really losing anything. I'm thinking that, and these are just my thoughts, not the commission's thoughts, that we probably won't hire an Inspector General until next fiscal year, maybe July-ish, if any. Depending on how our process goes, and how we move forward in working with the city administration, or administrator, I should say. But I don't see that happening.

Ginale Harris: So giving up something that we don't have, or we were not using, I feel like there should be room for negotiation in regards to our budget. Because, right? The things that we need are mandated. So there's no, "Okay, you can have this, and you can have that." And we were all talking about as a commission reorganizing our agency. And unfortunately, this Covid has hit us the way it has. However, I think it's a really good time to start looking at reorganization, and what our agency looks like based upon the mission of the police commission.

Ginale Harris: There are a lot of things that are still under the CPRB, which I think now is forcing us to really take a hard look at, because we don't have the capacity anymore to really waste, or not saying we were wasting, but to just let this pot of money sit there. Because the city, I'm sure, is going to try to take it from us. But I feel like if we come up with a strategic plan on sacrificing a little something that we're guaranteed to get back based on a measure L.L, I think we should be okay. I mean, we're pretty good being counters. We don't spend excessively, and we don't spend unnecessarily. My only concern is that, we have contractual obligations that these contracts still have not been signed. And it's been months. So what does that mean for the contracts, or the people that we... The outside investigators that we hire. What does that mean? What does that look like? Will it affect it, or will it affect that, or are these things already thought about, and implemented in the future budget?



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Regina Jackson: Mr Alden.

John Alden: Great questions. Why don't I, if it's all right with the rest of the commission, then talk a little bit about what we expect the process to be over the next couple of months. Because I think that will help answer Commissioner Harris's question. And I think she's right that she's identified the key issues we need to think about, particularly Inspector General funding, and how's this going to affect contracts. If it's all right with you, Madam president, I will talk about what the city's process is going to be for us to make decisions about this over the next month or so.

Regina Jackson: Please.

John Alden: Okay. So the bad news here is that as you know, we went through a conversation at a previous meeting about what we wanted our budget to look like and we made a budget presentation based on that conversation. I sent that in on your behalf at your instruction. But like all other departments in the city, we've been told by budget and finance, that while they understand that's what we would like to have, they have taken everybody's original budget submission, and set them aside for the time being, as they try to figure out what the new budget is really going to look like. And they will be sending us new instructions to talk about, for us, meaning commission and CPRA, to pitch back to city administration in the mayor's office, what we think our budget ought to be, in this next fiscal year, given the losses we just described.

John Alden: Now we could theoretically submit the same budget requests. I think it's clear that every agency is going to be taking some kind of a hit here, so I don't want to fill you with confidence at that previous budget submission is a realistic one to make now. I do think we need to rethink a little bit. That said, the city process would allow me as the Executive Director to submit those documents on your behalf. It doesn't require a commission motion, but I really like for us to develop as much consensus as we can about what that would look like. I want to make sure I am moving in step with you as we're submitting those documents. If time and process permits, I think a commission vote would be fantastic. If time doesn't work out, I'd at like to get direction from the commission about how to move forward on this.

John Alden: There are a couple things we don't know yet that'll happen in this process, but that'll educate us about what the city administration's expectation might be, around the size of a hit we might take. Probably the biggest one is that the city's administration will be meeting with Labor Unions in the near future, as to how we might change our overall personnel costs as a city. Any changes to salary or benefits, even doing things like taking some furlough time off, that means



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unpaid time off to reduce the amount of money we're paying to staff, could create really significant savings across the whole city, and reduce the amount of money that we might otherwise lose here in our operations. That could make the budget picture actually a lot better for us individually here at the commission and CPRA. But we won't know how it works out until that meet and confer process has gone on between the city and the applicable Labor Unions. Once we know what that looks like, there may be some really substantial savings there, that would make next year easier to deal with.

John Alden:

In the short term, the city has already implemented a selective hiring freeze, meaning whenever we hire someone, we need to go to the city administrator's office and persuade them that, that's really an essential hire. And since our services here at CPRA have been designated as central by the city administrator's office, during this time of Covid, I think we have a really strong argument for that. Plus an advantage of measure L.L is that now, the city can't discipline officers in the cases that we investigate until our concurrence is gained. So we're an essential part of the personnel system for police officers here in the city of Oakland. And that means, we're mission critical to keeping the police department functioning. So those are all reasons why I think we're not going to have trouble getting our vacancies filled, but we are going to have to ask every time, in a way that we didn't have to before. I would expect, also, that this is probably a short term loss, meaning a year or so.

John Alden:

... also that this is probably a short term loss, meaning a year or so. I don't think it's permanent, but I am fully expecting that sometime in the next couple of weeks, we'll get some information back from the city administration about what personnel costs, concessions the unions are willing to give up and then how that might affect our budget here at CPRA. Sometimes that causes layoffs. We won't have control over that directly here at CPRA or at the commission. Sometimes when there are layoffs, I don't know that there will be, but if that were to happen, there's also some bumping that goes on where people who are laid off from one position might have seniority over someone on other department and get moved around. I don't anticipate that we would see very much of that here given our size and given the unique job descriptions we use here at CPRA, but I throw that out there as a possible consequence that could be a little bit of moving some employees around in some classifications. I think that's not likely to affect us here.

John Alden:

So I think the timing for us is that we will probably, as a group, get some information in a couple of weeks about an amount of money that the city administration would like us to cut out of the rest of this year's budget and next year's budget, and we will have the opportunity to suggest what we think our cut ought to be. And maybe we suggest that our cut is smaller than the one it's



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asked for, but we'll need to be mindful that that in and of itself would be an ask. That is a substantial request. Ultimately, the city council will then approve a budget, which might be very different than the one that the mayor puts forward. So at the end of the day, we really are looking at what does the council feel the council would like for us to do and they will end up making that decision and giving us direction.

John Alden: For that reason, I think we've got probably until our next commission meeting to have a conversation about [inaudible 00:01:47:05]. It's also important to understand that the pot of money we have includes CPRA funding, inspector general funding and commission funding and if we are asked to make some cuts, we could take them out of any of those three categories however we might like. We don't have to make an equal cut out of CPRA and the inspector general and the commission budget. It's all one pot, if you will, and it's up to us to figure out what to do about it. For that reason, I think Commissioner Harris' suggestion that we might want to think about the salary savings because we have a vacant inspector general position is right on the money. That would probably have the least impact on our current operations. That's why I'm suggesting we spend some time thinking between now and our next meeting about what our priorities are and what some potential places are where we could sustain a cut and feel like we weren't badly damaging our core operations.

Henry Gage, III: [inaudible 01:48:02].

Regina Jackson: Commissioner Harris had her hand up and then Commissioner Gage.

Ginale Harris: Thank you, Chair. I would really... Chair, this is to you. I would really encourage this commission to put somebody on top of this right away to deal with this before next week's end because this is very serious. Right? We want to be able to hold on to every dollar, I mean just because we know what we're dealing with and we know the necessities that we need. However, I would encourage and incorporate the reorganization of the CPRA at this time. That'd be inclusive to the budget with Mr. Alden. So commissioners and Mr. Alden really put a package together for our next commission meeting, something we can look at, discuss and maybe possibly vote on, so we can move forward in the process and we all feel comfortable knowing what we're going to be asking for.

Regina Jackson: Commissioner Harris, I appreciate your direction. Mr. Alden and I have been talking about the budget and trying to nail some things down. I feel far stronger about fighting to hold on to as much of our money as we possibly can given our mandates. That said, I'm happy to have anyone join us and feel like your comments around the reorganization are very, very timely, so thank you very much. Now, Commissioner Gage. Sorry.



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- Henry Gage, III: Thank you, Chair.
- Regina Jackson: Okay. Thank you.
- Henry Gage, III: I'm in full agreement. The comment made by commissioner Harris and I'd recommend that the commission form and ad hoc to begin meeting to discuss and create recommendations with respect to both commission and CPRA's budget asks going into this continuing crisis.
- John Alden: I'm sorry, I'm not quite sure I caught that on my end. Commissioner Gage, could you repeat that briefly?
- Henry Gage, III: Sure. I've moved that the, I guess on a motion that requests that the chair create an ad hoc to make recommendations with respect to the commission and CPRS budget allocations as well as the reorganization issues that we previously discussed and had been most recently identified by Commissioner Harris.
- Regina Jackson: Is there a second?
- Henry Gage, III: Oh, with respect, chair, the creation of an ad hoc committees do not require a vote.
- Regina Jackson: Oh I thought you were making a motion so I was going on the motion but okay.
- Henry Gage, III: Oh no that was my mistake.
- Regina Jackson: Okay, no problem. So I do see Commissioner Harris's hand. Go ahead, Commissioner Harris.
- Ginale Harris: Thank you chair. So I'm agreeing with Vice Chair Gage. You know, I don't know if you want to create an ad hoc. I mean I'm okay with the ad hoc either way. I'm willing to work on this with the Executive Director Alden, I'm willing to do that. In regards to the reorganization and the budget, I worked on the budget the first and second year, so I'm familiar with the number crunching and what goes into it, so I'd be willing to do that.
- Regina Jackson: You know Commissioner Harris, I very much appreciate your offer. I must say that on every important agenda item, you are always willing. I accept your willingness because I've worked with you and working with you is always challenges us to think at our best levels. I invite someone else to join us because we, we aren't sharing the work very well. There are a couple of people who are doing the majority of the work. And I'm going to be having some offline conversations to invite people to step up because there are, there's so much



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work to do and there are so many capable people on this commission, so thank you, Commissioner Harris. If anybody wants to send me an email or you know, raise their hand today to join the ad hoc. We're going to have to get busy very quickly because while there have been some initial plans around reorg, we have to relook at them and figure out where all the potential cost savings around IG might be and anticipate the complaint investigator three and what that's going to do. I see Commissioner Dorado's hand.

Jose Dorado: Yes. I'll join the ad hoc and help Commissioner Harris and anybody else who wants to join us in this stuff.

Regina Jackson: Okay. That, that will be me. So that that makes the three.

Jose Dorado: That sounds good.

Regina Jackson: I don't know who's vacuum cleaning, but if we could mute that that'd be helpful. So there's an ad hoc for the commission and CPRA budget. It consists of Commissioner Dorado, Commissioner Harris and myself. Does anyone else want to speak on the subject, have any questions or shall we move forward in the agenda?

Regina Jackson: Okay. Hearing none, we will move forward. Mr Alden. Excellent, excellent presentation. Lots of extra work ahead and I know that you are ready for it but we will also have your back in it.

John Alden: Thank you so much.

Regina Jackson: Absolutely. Item number eight, an update on the city auditor's commission and CPRA audits. Now this, this is interesting. So last time I came before you I mentioned that we had had a series of meetings between the commissioners and the auditor and then we had done what was a pre final pre final conversation where thankfully one of our council, Mr. Kennedy was exceptional at identifying many of the shortcomings or short-sightedness of some of the observations. Since that time we have heard nothing up until this afternoon when the auditor suggested to me that she was close to a final draft and wanted to talk to me about the process and it would only take 10 minutes.

Regina Jackson: I have put out, well, I responded to the email saying that I would be available at 4:00. I was not able to check my email to see if that is, you know, going to be an amenable time. So I, I know that Mr. Kennedy and I will be very interested in understanding the process and hopefully seeing some significant changes to what we looked at before. I'm not sure if Mr. Kennedy would like to weigh in or



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I'm just kind of throwing you out there, make some comment to, to that item or not.

Conor Kennedy: Thank you chair. Can you hear me?

Regina Jackson: Mm-hmm (affirmative) yes, thank you.

Conor Kennedy: Yeah, the, the update that we got is, you know, we'll hear back from the auditor given the time that's elapsed and the number of issues, you know, that we exchanged on, you know, I would anticipate that there's going to be, you know, a substantial number of changes. All of those are TBD though as you, as you quite rightly indicated, you know that I think the commission has done great work over, it's first two years and you know, our effort will be to continue to demonstrate good work that we've done as a commission. All the good work that's been done in furtherance of the commission's authorities and satisfying its responsibilities. And you know from there we will, we'll sort of see how that unfolds including by meeting at 4:00 tomorrow. So thanks for the opportunity and the been the platform to report back to everyone about that point.

Regina Jackson: Absolutely. I am very hopeful that you know what we've been looking at is 59 pages of audit. So I don't know if it will be longer or shorter or what, but you will get an update just as soon as I know. I do not expect to have seen the draft by the time I speak to her tomorrow. I think that what she has suggested is that she wants to identify her process. So I have no idea really what that means but I will give you all an update after that. Are there any questions on this item?

Regina Jackson: Okay, I see no hands again. Oh. Sorry Commissioner Gage, this really is the problem. My apologies cause I can't see a hand for you since you're the cohost. Go ahead.

Henry Gage, III: Thank you chair. Did you have any update from the city auditor with respect to timelines given that they revised their draft a number of times?

Regina Jackson: No, literally the email was about two lines. It said they were close to a final draft for our review and that she wanted to walk through the process and could I meet some time for 10 minutes today or tomorrow and my day was shot and tomorrow it's pretty shot but I had 4:00 available and so I'm hoping that she'll accept it. Otherwise we'll go to Monday but I bet you could best believe I'll be asking about timelines then though.

Henry Gage, III: Thank you. Look forward to hearing further.



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- Regina Jackson: Thank you. So seeing no other hands. We're going to move forward to the draft memorandum of understanding OPD and National Institute for Criminal Justice Reform. I had not previously asked deputy chief Armstrong to speak to this point. I know he did an excellent job of presenting to the city council, which is why Ms. Rashida Grenache early on in our meeting congratulated the work of a two year MOU. I wonder if Deputy Chief Armstrong would like to provide any context.
- D.C. Armstrong: So good evening Chair and other commissioners. No, I think, you know, we came earlier in the year and presented to the original MOU as well as Mr. David Muhammad came in and provided the commission with the presentation as well. We were told by the commission to move forward on creating an MOU that you wanted to get it completed as soon as possible. So really I want to, you know, give credit to our Deputy Chief Lindsay as well as Lieutenant Beard for putting in the time and energy and effort working with NOAB to get this completed and thank the city attorneys and our staff for turning it around in a timely fashion. And so we were able, and the chief was in agreement to change the MOU from a one year to a two year. So that gives us two years to, to continue to work on this partnership. And the last component is is that our staff will have a training document created and train and provide it to all of our police officers so that they are aware of the program and how to utilize this diversion program. So thanks to the commission and hopefully this again shows the department's commitment to following through on the commission's request.
- Regina Jackson: Thank you deputy chief. Two things. I know that the MOU is effective May one but I also understand that you are able to make your, you're in a position to make referrals fairly quickly following the training. Is that accurate?
- D.C. Armstrong: Yes. Yes Chair.
- Regina Jackson: Okay, very good. I see two hands. Commissioner Harris followed by Commissioner Jordan. Oh wait, maybe not. It looks like he dropped his hand. So commissioner Harris.
- Ginale Harris: Thank you chair. First I want to say thank you Deputy Chief Armstrong for your work and involvement in this MOU and to Deputy Chief Lindsay and and and Officer Beard as well. This item is particularly, I'm interested in, because this is part of the work I do on the outside and I know the necessity that this agency has, you know, dealing with kids of color especially. So I, you know, again, I wanted to thank you for your diligence on working on this matter. It's been a long time coming and because of your efforts we have got an MOU signed. And so to all of you in the department, I just want to say kudos to you and this is part



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of that relationship building that we started three years ago when the commission was formed and you know, I'm very pleased once again, so thank you.

Regina Jackson: Very good. Thank you Commissioner Harris.

Regina Jackson: So it looks like maybe that was an error for Jordan. Does anybody else have a comment? I know that I'm very excited about the concept of two year memos. I mean, excuse me, MOUs. They are hard enough to get in writing and then a year flies back, by and it seems like you have to start all the way over. So I appreciate this extra commitment on the part of partnership in an in a critical area and echo Commissioner Harris's comments about how important this is moving forward and how much we're going to, you know, be interested in seeing the results and the fruits of this labor.

Regina Jackson: I think that I see no more hands so I think we can move forward to item number 10 which is the-

Regina Jackson: [crosstalk 00:18:52].

Regina Jackson: Oh, okay. Commissioner Gage. Yes.

Henry Gage, III: Thank you Chair. Looking through the MOU, I'm unclear about whether there's a current agreement in effect or either the department or an ICJR to provide a report back to either council or the commission about the efforts taken under the MOU as well as efficacy. Can you, to the Chair, if the department is going to speak to you, what the follow through, the follow up is going to be on the settlement?

Conor Kennedy: Yeah, commissioner, to the Chair. Yes. Commissioner. We can work with NOAB to figure out what a yearly sort of annual report might look like that we might be able to present to the commission. So that'll be a task that we can take on with working with NOAB. The department can produce the number of referrals that we've sent over to NOAB over a year time period since. So May 1st will be the first day, May, 2021 we could probably provide a, I'm sure we could provide a report to the commission which will detail the number of people that we've referred. [inaudible 02:05:18]

Regina Jackson: Thank you very much. Deputy Chief, I'm not sure what happened to the microphone there. And for a moment I think I saw a hand from Commissioner Harris but now it's gone. So what I would like to, to see, Oh and there's the hand again. Okay. So what I'd like to see is if you all can work on some specific metrics and outcomes, maybe based upon what Mr. Muhammad thinks that is likely to,



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you know, how many people are likely to be touched. And then hopefully it can become a framework that we can, you know, use as a best practice for some other partnerships. Commissioner Harris.

Ginale Harris: Thank you chair. I just want to make a comment on that request. I feel, I don't feel that it would be OPDs position to be responsible for doing a report for something of this magnitude. I think we should ask Nomad to give us a report back out of courtesy just because they presented at the commission and brought this to our attention. You know, again, we are here for use of force violations and this is not our arena and so yes we were in support of it. However, I don't feel like we should require OPD to give us any written report of any kind because there's so much work to do. I think we should ask Nomad to do that because they came to us and asked for our support.

Regina Jackson: Commissioner Harris, I absolutely agree with you. I think that it would be helpful for OPD to identify the number of referrals, but the body of the report, the metrics and the outcomes should definitely be in, in Mr. Muhammad's shop. So I can follow that up after this meeting and then you know, he can begin to put together what whatever metrics are outcomes that he thinks will be important. And I, I agree with your point but it will be great to have the information come back.

Ginale Harris: Right. I just feel like it should be Nomad that does the report back because funding purposes, you know because you're an executive director, they have to collect all of this information anyway and I do not want to task our department with something else that is really not in our arena.

Regina Jackson: No, that absolutely makes sense. Thank you. Commissioner Harris.

Henry Gage, III: [inaudible 00:23:14].

Regina Jackson: Commissioner Gage.

Henry Gage, III: Thank you Chair and thank you Commissioner Harris for raising the issue of jurisdiction. I'll certainly agree that we need to be mindful of what is directly within our wheelhouse. I'd say that I can recognize that while it report back to us may not be necessary or particularly desirable given the partnership being proposed under NOAB, I would like to see this report back, go to someone and seeing that there isn't a section and the current MOU to do that, I'm hopeful that that sort of report back can be discussed in that will be sent to someone so we're not just writing letters of support that there's actually a follow through here.



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- Regina Jackson: I don't think that there, that will be a problem. I will follow up with Mr. Muhammad, but I don't think it should be a problem. And to Commissioner Harris's point and I see her hand back up, he has to do it anyway for other funding opportunities. Commissioner Harris, I'm unmuting you.
- Ginale Harris: Thank you. I think for those who don't understand like these processes, I think it's easily to, it's easy to explain. Mr. Muhammad runs an agency that he gets funding to do this with OPD. OPD MOU is just for a partnership, meaning that they agree to do these things, right? OPD is not being paid to do this. It's in partnership for them to do so. But Mr. Mohammad has a funding source so he can hire the staff to do it and there's an executive director and a program manager that are supposed to be monitoring the services provided. And that's why I said that I feel that the responsibility or the courtesy should come from the agency that's doing this work, not from OPD because OPD is a partner. Right, and they're just doing the referrals. Now I think it's reasonable to ask how many, how many and keep track of the name and the race of the people that are being referred, the kids so to speak. Where do they live? Right. Where do they live and, and I think that's reasonable to ask for just in case we need to pull it out of our pocket. However, I don't think a full blown report back should go along with that because we have so many things to report back that have to do with the work that we do. But I do think as a courtesy Mr. Muhammad should do that for us.
- Regina Jackson: Yes, I will make our requests known. I think that the information that we garner from it will be helpful. At least we will gain some knowledge. If there are no more comments on that item, we will go move forward to item number 10: discipline committee.
- Regina Jackson: As you all know, a discipline committee needed to reconvene in the Pollock case and we are continuing our work and once we complete it we will give you all an update. But that's, that's the update that we're just continuing our work. Are there any questions?
- Regina Jackson: Okay. Hearing none, we'll move forward to item 11: annual report update. I know that there were several requests for edits. I believe most of them were added. If anybody has any questions or raised hands about commentary, please let me know. Okay. Hearing-
- Henry Gage, III: [inaudible 02:12:12].
- Regina Jackson: Commissioner Gage?
- Ginale Harris: Trying to raise my hand.



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- Regina Jackson: Oh, okay. Well somehow you're un-muted to go ahead and talk.
- Ginale Harris: Thank you. Are we keeping up with these slides please?
- Regina Jackson: We're on... It doesn't tell us much. We're on discipline committee. Well, move forward Mr. Roofs. We're on 11. Thank you. Commissioner Harris?
- Ginale Harris: Yep, thank you.
- Regina Jackson: Is that the only comment? Okay, thank you. Okay, so let's move forward to item-
- Henry Gage, III: [inaudible 00:27:52].
- Regina Jackson: Uh oh, Commissioner Gage.
- Henry Gage, III: Thank you, Chair. I believe there was a draft of the annual report that had been forwarded to staff calling the last commission meeting and it's been unclear to me about who's taking ownership over creating and adding the edits that were requested at their prior meeting. Can you shed some light on that?
- Regina Jackson: Absolutely. So the comments were forwarded to our admin staff, Ms. Love and there were some emails that went out and it's not absolutely clear to me what the followup with commissioners were. I believe the points that were recommended short of the community outreach had been included and I believe in the commentary there was going to be a followup with both Commissioner Gage and Harris and I do not think that happened. So our report was approved with the edits and what I am interested in knowing since it's already late to get to public safety is whether or not we want to continue to hold on it. I want to say it was probably about 99% complete. Does that answer your question?
- Henry Gage, III: Somewhat, Chair. It sounds as if there isn't an individual commissioner at present tasked with ensuring completion of that annual report, if that is true, I'd like to volunteer to work with staff to finalize that report. Does that need to be brought back to the commission for a final action, or is the last vote sufficient?
- Regina Jackson: I think the last vote is sufficient but like I said I, I appreciate your offering to make sure that the last I's are dotted and T's are crossed but I don't think that it needs to be moved again. It is almost finished so hopefully there won't be a whole lot of work to do but if you could prioritize that as soon as possible that will be great. I see Commissioner Smith's hand.



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- Thomas Lloyd Smith: I just wanted to volunteer to work with Commissioner Gage on that. I think you know given that he's recently come to the commission, I may be able to help.
- Regina Jackson: Of course you can. Commissioner Smith, thank you very much and we got a really great heads up with the last annual report that Commissioner Praythur put together for us and so it made the format a lot easier to manage. And there's a lot of good information in there. We have been very productive over the last year but we definitely want to make sure everything is in there. So thank you very much.
- Thomas Lloyd Smith: My pleasure.
- Regina Jackson: Okay. Can you all actually while we're here, can you all give me a deadline by which you expect to complete it? That will be really great. Mr. Gage, Commissioner Gage and Smith. Can we say within a week?
- Henry Gage, III: One moment please.
- Henry Gage, III: Unless there's something that I missed in the prior meeting, that will take a large amount of time, we should be able to complete this by the end of next week, that is May 1st. And I'll take another look at the draft that was most recently forwarded and follow up with Commissioner Smith as well as staff.
- Regina Jackson: Okay. Very good. Thank you very much.
- Thomas Lloyd Smith: Good to me.
- Regina Jackson: Okay. Okay, excellent. All right. Moving forward to item 12, commission reports. This is basically an overview on report outs from standing and ad hoc committees in terms of providing updates. I know that commissioner Praythur wanted to provide a report from, I believe it was the council meeting?
- Edwin Prather: Yeah, I didn't know that that was my request, but I can certainly do that. I attended the city council's first Zoom meeting and it was, there was much discussion about Covid 19 and its effect on the city's budget and the homeless population and other issues, but specific to the police commission, there was a consideration of the MOU on the juvenile program, which I made on behalf of the commission made public comment on, but there was a move for measure LL and the edits there and, and the movement amongst that committee to, or sorry amongst the council not to vote it forward on last Tuesday. And so there'll be an opportunity to provide more comments on the edits going forward.



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- Edwin Prather: And so that's something that should this body want to weigh in either informally or formally, we should set up something to allow us to do that. I know that there's various pockets of individuals doing work on this in the community, but to the extent that we want either a formal or informal position on the edits, that's certainly something that, that now would be very much the time to do that. I believe that the public safety committee is reconsidering this matter next week. And so we would have to move quickly if we wanted to have an opinion on that. So that's my update.
- Regina Jackson: Commissioner Praythur, thank you very much. I hate to seem ad hoc crazy, but I believe that, I mean this item impacts all the work that we're doing and so I had suggested that I was going to encourage the council to delay. I'm going to send you the most updated draft and hope that you will take a look at it and provide comments over the weekend, if at all possible. So that we can, as a commission, at least give feedback. We might not be able to, you know, have a formal vote before they consider it, but I believe we need to have a voice.
- Henry Gage, III: [inaudible 00:35:01].
- Regina Jackson: Commissioner Gage.
- Henry Gage, III: Thank you chair. I'd like to volunteer to work with commissioner Prather on the commissions response to the proposed draft.
- Regina Jackson: Okay. Thank you very much. Commissioner Prather, you good with that?
- Edwin Prather: So I want to raise an issue that perhaps is one of the important issues as it relates to LL. And this is not to get into a discussion about the issue itself, but about the logistics around such a turnaround time. Is that there's been an issue raised primarily, I think, by the Coalition for Police Accountability about the fact that the current draft was amended to allow for our counsel to defend us in basically what amounts to litigation issues. There is a strong feeling from the public that that is not appropriate. I think that it is a real bellwether issue and I don't think that is appropriate for Commissioner Vice Chair Gage and I to basically adopt a position on that without voting by the whole commission.
- Edwin Prather: I feel a particular way about it and maybe it's not in the majority, and so I just want to be very clear that I don't think that anyone's opinion should be substituted for the commission's opinion. And so I don't know that we can, between now and when the Public Safety Committee meets on this, give this body the opportunity to vote on a position on it to be fully informed. I really think, based on the turnaround time, we lose that opportunity.



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Edwin Prather: And so what I would suggest, as opposed to a commission specific opinion, is that everyone should read the draft for themselves. If you have a position on it, then you should communicate that to the Public Safety Committee as an individual member of the commission. I don't know that we have an opportunity to have a spirited debate and vote about it. But again, I just don't want my opinion to be adopted for the group's opinion. You know, nine people could read this thing and we might have nine different opinions on it.

Edwin Prather: And so, while I appreciate Vice Chair Gage's thought to create yet another ad hoc committee, I think that this is more of a everybody read it for themselves and if you want to weigh in, weigh in.

Regina Jackson: I get your point, Commissioner Prather, and really what I was trying to do is encourage people to read it and give comment. I wasn't sure if the comment was going to come to me, but then when Commissioner Gage offered, that was fine. I see many hands, so commissioner Harris and Smith, and we will get to it. Go ahead, Commissioner Harris.

Ginale Harris: Thank you, Chair. I'm in agreement with Commissioner Prather. I just feel like everybody should put their own comments to it. You know, what concerns me is outside influences. People are connected to different agencies in every kind of way. And so, I want to make sure that this commission is representative for its own comments. And so, I think we all should have an opportunity to make comments to the document.

Regina Jackson: Thank you very much. Commissioner Smith.

Thomas Lloyd Smith: So, I think a couple of things. One, the idea of us all making comments to the document and everyone sort of being involved in giving feedback is attractive. However, I'm also aware of what Commissioner Prather was saying in terms of this bellwether issue to do with legal representation, litigation. On an issue like that, the challenge we face is yes, bellwether, yes. And for us to have divided opinions on it then sort of destroys our influence. One way or the other, right?

Thomas Lloyd Smith: So you could imagine if we ended up splitting up rather equally and deciding that it's good for half, and the other half or so decide that it's not good, we've gone ahead and destroyed our influence on the issue because anybody can point to any one of us. And so, for the bellwether issue, that concerns me somewhat.

Thomas Lloyd Smith: But I can't deny what Commissioner Prather said about the time limitations. And so, I'm not sure there's a solution. But I just raise it because it does concern me somewhat.



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- Regina Jackson: Yes. Your point is well taken. If public safety meets on the fifth, we don't meet until the seventh. There was some thought that they might meet on the 12th but all of that's up in the air. So I get it. I just want to make sure that our comments are in fact taken into consideration.
- Regina Jackson: Commissioner Anderson's hand was raised, then followed by Commissioner Harris and Prather.
- Tara Anderson: Thank you, Chair. I think it is important that we do have space to have a dialogue amongst each other under the auspice of a police commission meeting. Part of that is because as soon as this becomes approved by City Council to be on ballot to vote on, we lose our opportunity to speak from the dais about the initiative. And so, I think it is crucial that we find a way to be able to have this debate.
- Tara Anderson: I recognize that we're kind of planning given current circumstances and not really knowing if the 12th happens, but I just want to convey the importance of us being able to have that debate. And I agree with Commissioner Smith's commentary about a unified voice as much as one can be reached, is going to be far more powerful than individual split opinions.
- Tara Anderson: But I recognize the value and importance of everyone having the opportunity to have their say, and I also appreciate Commissioner Harris' comments about different affiliations and how those may influence positions. So I appreciate all of the Commissioner's comments, and Commissioner Prather for calling out this very specific issue in particular, and also know that there are others within the draft valid initiative that we also should be considering.
- Tara Anderson: So just wanted to highlight much of what's already been said, but wanted to especially highlight that we're on a crunch timeline and we're going to lose our opportunity to have our voice from the dais on this.
- Regina Jackson: Thank you, Commissioner Anderson.
- Thomas Lloyd Smith: [crosstalk 02:27:54].
- Regina Jackson: Commissioner Prather first, then Commissioner Gage.
- Edwin Prather: If it's okay, I'll defer to Vice Chair Gage for a moment and then make my comments after. I don't think he has had a chance to speak on this issue yet and I have.
- Regina Jackson: Oh, I thought he had but okay. No problem. Go ahead Commissioner Gage.



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- Henry Gage, III: Thank you, Chair. I'd like to find a way for us to speak with a united voice on this. I'd like for us to find a way for us to really come to some sort of consensus about our position as a commission on the current draft, and I'm struggling with how to do that given the timelines that have been laid out if we're looking at a potential May 5 meeting of public safety. I'm very curious to hear if any commissioners have thoughts on how that could be accomplished, because my intention with volunteering is to move this work forward but not to substitute my opinions for the entire commission.
- Henry Gage, III: My hope is that we find a way to either meet on a special meeting basis, or put together an ad hoc to provide recommendations after receiving feedback. But I'd like to find a way for us to speak as a body on this issue given its importance.
- Regina Jackson: Yeah. My thought was going to be special meeting, but I'm going to defer to Commissioner Prather for a response.
- Edwin Prather: Thanks Chair and Vice Chair. Yeah, I appreciate everyone's comments and support on this issue. I do think it's a very important issue. Here's the state of play as I see it. I think if we want to have meaningful comment, I think meaningful comment has to arrive to that Public Safety Committee on Tuesday. It's Thursday. I'd ask through the chair of our council, based on the COVID 19 guidelines and the easing of Brown Act restrictions, is it possible if we agendize a special meeting, put together something so that we can have all commissioners who are able to and want to participate... When could we have a meeting? Could we have it on the weekend? Could we have it on Monday? I think between Vice Chair Gage and I, we could write out something to go to committee that would embody what decisions were made at whatever special meeting we'd have.
- Edwin Prather: I think that Commissioner Smith is correct, that frankly by choosing to have differences of opinion, if five of us go in with five different voices, we're effectively taking away all of our voices. Frankly, if my position was out-voted, I would much rather have the majority go forward and take a position than take no position. And I truly believe that. And so, I would like to have a vote on it and I would like to... I'm happy to lead a discussion on it. I don't think it would take any work to present the issues.
- Edwin Prather: The danger in not having a meeting and not presenting comments by Tuesday is that based on what the city council discussed amongst themselves at the meeting this week, it was apparent to me that they would take some action on Tuesday. And I think that anything that happens after Tuesday is just too late. And so, if we want to have meaningful comments, that it would have to arrive



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before the meeting on Tuesday. So I'd like to ask that question through the Chair to Council.

Regina Jackson: And after Commissioner Prather, Commissioner Harris' hand is up. Mr. Kennedy, are you going to respond or will Natasha?

Nitasha Sawhney: This is Natasha. I'll respond. You can have a meeting on 24 hour notice and that does include the weekends. Obviously it's uncommon to have meetings on the weekends, but I think if you were to announce it today for your public that that's your intention and then we, as quickly as can be noticed, we noticed the meeting, you are allowed to have a meeting on 24 hour notice.

Nitasha Sawhney: The executive orders from the governor did not shorten any of the notice periods for any Brown Act meetings, but it did provide for other easing of other terms of the Brown Act that allow you to meet in this virtual format without all of the addresses and things like that.

Regina Jackson: So Ms. [Sawhney 02:33:00], thank you very much for that. Does that also mean then that we could have a meeting on Monday and not have to have it over the weekend, is that correct?

Nitasha Sawhney: That's correct.

Regina Jackson: Okay. Given that, and I see... Commissioner Harris, did you lower your hand?

Ginale Harris: Yes, Chair. Thank you. I think everybody covered exactly what I was going to say. Thank you.

Regina Jackson: Okay. Great minds thinking alike. Given that, I think that I should receive a motion on whether or not we're going to have a special meeting. And I see Commissioner Prather followed by Smith.

Henry Gage, III: [inaudible 00:13:51].

Regina Jackson: Hold on one sec.

Edwin Prather: If you're recognizing me, Chair-

Regina Jackson: Yes.

Edwin Prather: ... I would move that we have a special meeting and it's to the draft and that that meeting be held on Monday at 5:00 PM. I'm welcoming friendly



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amendments as to the time, because I'm just thinking through the end of the work day. [crosstalk 02:34:22].

Thomas Lloyd Smith: Is that enough time for you to finish the draft, the written work that'll need to be done following the meeting?

Edwin Prather: To be honest, we really have no choice. I mean, to me that's the latest it can be is Monday night.

Thomas Lloyd Smith: Oh no, I was thinking if we had to do it on the weekend to get you enough time, then that's what we need to do.

Edwin Prather: Oh, you mean to turn around and write a letter to the committee?

Regina Jackson: Yes.

Thomas Lloyd Smith: Yes.

Edwin Prather: Yeah, because I think it's a red line with an explanation. So I think the difficult part is the debate and the vote. I don't think that the work product is actually that difficult. I think between Vice Chair Gage and I, we can explain the two sides and have people kind of weigh in on what they think, and then we can just explain our thoughts to the committee thereafter.

Regina Jackson: Okay. Thank you. Commissioner Gage.

Henry Gage, III: If I'm understanding that proposed process, it sounds as if Commissioner Prather and I will meet over the weekend, discuss the draft received, and make recommendations to help guide a special commission meeting on Monday evening. Is that a correct understanding?

Regina Jackson: I'm following that, yes.

Henry Gage, III: Okay. But that is-

Regina Jackson: [crosstalk 02:35:44] I'm sorry, go ahead.

Henry Gage, III: If that is indeed the case, I believe someone was going to make a motion. If not, I would move that the-

Jose Dorado: Edwin already made a motion. I was going to-

Regina Jackson: We're waiting for a second, but I have two hands. But Commissioner-



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- Henry Gage, III: Thank you. I will second the motion to meet myself.
- Regina Jackson: Okay, very good. Thank you. Commissioner Harris followed by Smith.
- Ginale Harris: Supposed to email our comments to Commissioner Gage and Prather before our meeting, or are we going to red line our stuff at the meeting?
- Regina Jackson: No, we will need to have the document that they are working on over the weekend, review it in advance of the Monday meeting, and then make our comments in public.
- Ginale Harris: Okay. So does that include additions to what we believe should be in there?
- Regina Jackson: Absolutely. I mean it sounds like our special meeting will be focused on that subject only.
- Ginale Harris: Okay. So we can do additions at the meeting.
- Regina Jackson: I believe so. I mean, it's for discussion.
- Ginale Harris: Right. So I think what I'm getting at is that I'm not understanding how they're going to work on the document and get it to us before our meeting.
- Regina Jackson: Okay. So let me let Commissioner Prather speak, because his hand is raised so I'm sure he's got an idea.
- Ginale Harris: Okay, thank you.
- Regina Jackson: Commissioner Prather.
- Edwin Prather: Yeah. So I think my thought was that I would talk to Vice Chair Gage and that if there's red lining to be done for a specific reason, then we would address the red lines together and that any red lines would go out before our special meeting Monday at 5:00 PM. I don't know when that would go out, but I would imagine that we could get that out with at least 24 hours... you know, a 24 hour period for you to review the document.
- Edwin Prather: I think if you have additions, then those should be submitted so that they can be included in the red line document and then that can go out to everybody. If we want to submit a red line to the committee, I think that that's fine.
- Edwin Prather: What I don't want to do is wordsmith it, because I think that's a mistake. I think that wordsmithing the document for the committee, something that they've



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already wordsmithed themselves several times, just doesn't make sense. I think going in and addressing big picture issues, like either this should be this or this should be that, I think those are the types of things that I was considering moving forward. Because there are big issues that the committee has to deal with themselves. For example, there's an issue of whether the mayor is going to keep the mayor's selections, or whether those should all go to a selection committee. And it was raised that that's a political issue that many are sort of steering away from. I tend to agree with that. I mean, whatever the point is.

Edwin Prather: But, for example, my intention would be not to wordsmith that part of it. That's a city council decision as it goes to the ballot. That's voters decisions. That not for us to decide a political issue. For us, it's more about the logistics of how we work. The day to day. The things that either affect us or don't affect us and how we are able to do our work, like, for example, what our legal counsel is responsible for and not responsible for. Things like that. The hiring of the [IG 00:19:58]. Those are big picture issues which can easily be put into a letter.

Edwin Prather: So again, my druthers would be not to red line and to discuss big picture issues and to give a letter to the committee. But again, I don't want to commit too much before meeting with Vice Chair Gage and hearing his thoughts and going through the document together and approaching it that way.

Regina Jackson: Thank you, Commissioner Prather. I have Commissioner Harris' hand raised. Go ahead commissioner.

Ginale Harris: Thank you, Commissioner Prather and Chair. My concern is that what was presented at the council meeting had been watered down significantly. I have seen several different perspectives in the community and it looks nothing like what was given. And this is a public commission. This is for the people. I'm not interested in political agendas and I am not interested in how they move. I don't believe that this commission is based... I mean clearly there's a lot of wrongdoings within the administration. I mean, they spent \$50,000 on investigating a commissioner. And nobody seems to want to slap hands in regards to it. There's no accountability. And I think the people of Oakland have had enough. And it's like I am not going to move in a way or vote in a way that is in a consensus just because. Right? I don't believe that. I feel like we are going for real change in Oakland and this commission, despite its differences, has proven that we work for the public. We do not work for the government administration. We do not.

Ginale Harris: And so, that is the message, or my intent. That what good is putting Measure LL on the ballot if we're going to just continue this charade that we've been playing for the last almost three years? I believe, and this is my opinion only, that this



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commission is the best thing that has happened in 17 years. Yes, it's all crazy and we've had a lot of challenges. However, we have been able to do things and move things that others who get paid to do this work have not been able to do. And that's even with one hand tied behind our back.

Ginale Harris: So that is the message I want to send. I understand that there are the Chair of the Public Safety, he has an issue. He went on TV and he has his own opinion. However, he has never approached this commission, not one time, asking or wanting to know what we were doing. And so, that is a concern for me. This city has been under the NSA for 17 years and he is the Chair of the Public Safety and he didn't have a problem with that? And then we make a conscious decision to remove someone who, we don't believe, is going in our direction and has displayed no change for this city and he goes on TV to try to have the Federal Monitor removed. That is unheard of. Right? And we are not politicians, we are community members. And we would be wrong to turn our heads and go with the flow. We will be wrong. The Coalition on Police Accountability have been doing this work for 20, 30 plus years. I don't know how long it's been, but it's long. And something has to give and we are it. We are the give.

Ginale Harris: And so, I just would ask my fellow commissioners just to please absorb that and think about that while we're at this meeting. My thing is we are not here to please city council or make it to way that it doesn't feel uncomfortable. We have to have uncomfortable conversations and we can agree to disagree, but I just don't think by this Measure LL... what they're trying to present has been watered down in so many ways. We are the ones that do the work and we know all the roadblocks, and nobody knows more than me what it feels like to be attacked by this administration. Belittled, attacked, my character they've gone after. And I don't get paid to do this. And that has to be prevented by whoever, City Council. If they're doing that, then that needs to be prevented.

Regina Jackson: I agree.

Ginale Harris: So I just ask that we think about that.

Henry Gage, III: [crosstalk 02:45:29]

Regina Jackson: I agree to that point, Commissioner Harris. Just a moment, Commissioner Gage. And I do believe that we need to give some feedback. When I saw this recent draft, it was very different from the drafts that I've previously seen. And a lot of the changes that were very different were coming from the city attorney's office. We have one moment in time to correct it. I'm very appreciative that Commissioner Prather has offered to lead the way and that Commissioner Gage



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is going along with him and that we will have an opportunity to review, discuss and comment on a final product that goes to the Public Safety Committee.

Regina Jackson: And yes, let's get into some vigorous discussion and debate, because I agree with Commissioner Harris, we have done some extraordinary work. We have replaced people and always improved on the replacement. We've created some exceptional policy and we'll continue to do so. And all this while being volunteers. So that's my soap box. Commissioner Gage, you're on.

Henry Gage, III: Thank you, Chair. I believe there's a motion on the table from Commissioner Prather I'd like to call to question.

Jose Dorado: [inaudible 02:46:57] Chair?

Regina Jackson: Yes.

Jose Dorado: Sorry, before the motion gets voted on, I just wanted to bring up a question for Council through the Chair. The noticing requirement requires us to give notice to the city clerk who does not work on weekends. I believe that 24 hour noticing is usually weekdays only. So Sunday for a Monday meeting might not be legal. And I'll ask council to clarify, because I would hate to vote on a meeting that we can't notice properly.

Regina Jackson: So-

Nitasha Sawhney: My assumption-

Regina Jackson: Go ahead.

Nitasha Sawhney: I'm so sorry.

Regina Jackson: That's okay, Ms. Sawhney, go ahead.

Nitasha Sawhney: My assumption would be that after we receive direction from the commission this evening, we would work with the clerk tonight to have the notice established tomorrow, on Friday.

Henry Gage, III: So-

Nitasha Sawhney: You can always give more notice than the 24 hours, you just can't give less.



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- Henry Gage, III: My question was... Excuse me, sorry. Through the Chair. My question is also notice with respect to whatever items would be included in that agenda package.
- Nitasha Sawhney: Under the Brown Act, documents have to be made available to the public at the same time and moment that they are made available to the legislative body members. So, if in this instance Commissioners Gage and Prather are working on a document over the weekend and the commission agenda is published, let's say, tomorrow evening, a document can be attached on Monday morning and then it can be received by members of the public as well as members of the commission at the same time and remain Brown Act compliant.
- Nitasha Sawhney: Now, I don't know if the city Sunshine Rules have any specific language related to the documents, and I don't have the Sunshine Rules in front of me. It is my understanding from Ms. Love that the Sunshine Rules of the city are-
- Tara Anderson: Relaxed?
- Nitasha Sawhney: ... relaxed.
- Henry Gage, III: [crosstalk 02:49:05] Yes.
- Nitasha Sawhney: Yeah, or have been [inaudible 02:49:07] They're not operative-
- Henry Gage, III: [inaudible 02:49:10] during this time.
- Nitasha Sawhney: And so that may also provide the flexibility of having to comply with just the Brown Act requirements as it relates to those documents.
- Regina Jackson: Thank you Ms. Sawhney. So it sounds like we have a tight window but it's still a window. So it has been properly moved and seconded that we call a special meeting to focus on the draft response to LL, and it happened on Monday, April... I don't have my calendar in front of me, I'm sorry. Monday-
- Henry Gage, III: The 27th. [crosstalk 02:49:55].
- Regina Jackson: Thank you. At 5:00 PM. So just want to be very clear about what we have moved and seconded before we go to our vote. Did I get that correct? Okay, so we're going to call for a vote now.
- Henry Gage, III: [crosstalk 02:50:14] you have a hand from Commissioner Prather.
- Regina Jackson: Okay. I'm sorry, I just saw that. Yes. Commissioner Prather?



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- Henry Gage, III: Just real quickly, thank you Madam Chair. If any commissioners can't make Monday, assuming that this meeting goes forward after the vote, if you want to just get your comments and have your opinion made known, I'm happy to share that. Because I realize that voting on Thursday for a Monday meeting, even though we aren't all physically going in to work, is difficult for folks. So your opinion and voice can be heard. Because I think that's the most important thing, is just to have, make sure everybody has some input into this. And so, to the extent that...I just wanted to offer that.
- Regina Jackson: Thank you. Ms. Sawhney?
- Nitasha Sawhney: Sorry, just a little Brown Act guidance on that. We don't want to create a situation where commissioners are potentially violating the Brown Act, so since Commissioner Gage and Commissioner Prather will be meeting over the weekend, any comments that any commissioners may have need to be received basically not to them. They could be sent to-
- Regina Jackson: Chair?
- Nitasha Sawhney: ... me or to the Chair to be shared [inaudible 02:51:30] really even directly into public comment box for the meeting itself. But you don't want to create a situation where you're seeing and being able to deliberate on comments in advance of the agenda.
- Regina Jackson: Got it. Thank you very much for that reminder. I think we should move forward with the vote to see if we're in fact going to have a Monday meeting. So with that, Commissioner Gage?
- Henry Gage, III: Yes.
- Regina Jackson: Thank you. Commissioner Prather?
- Edwin Prather: Yes.
- Regina Jackson: Commissioner Harris?
- Ginale Harris: Yes.
- Regina Jackson: Thank you. Commissioner Smith?
- Thomas Lloyd Smith: Yes.
- Regina Jackson: Thank you. And commissioner Anderson?



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- Tara Anderson: Yes.
- Regina Jackson: And Commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Excellent. So there's a unanimous vote that we will be meeting on Monday at 5:00 PM for the express discussion of a response to LL. And we will look to Ms. Sawhney to help us get it properly noticed and as well that whatever Monday draft is provided to the commission as well as the community.
- Regina Jackson: Okay. So with that, can we continue with the other commission reports please? Please raise your hand and you can go for it.
- Regina Jackson: Okay. And Commissioner Harris, you're on.
- Ginale Harris: Okay. So a couple of things.
- Regina Jackson: Please state the subject of the either ad hoc or the standing committee before you talk, okay?
- Ginale Harris: Okay, no problem. So I am speaking on the Bay Case ad hoc. I'm the only member on the ad hoc, so I'm just going to give you an update on where we're at. It's been some time now. We submitted a contract to the city attorney's office for signing. It is my understanding that [Knox 02:54:05] and Ross submitted the final papers just before the COVID 19 hit. John checked with the city attorney's office and apparently it is on the city attorney's desk waiting to be signed off. We did get notice to the city attorney's office how important this matter is, and they're aware because I keep asking and asking and asking for a signature. So hopefully I will check in with them again next week to see if it's signed as of right now.
- Ginale Harris: The Bay subpoenas. So the subpoenas that were issued, the response time is May 8th in order to receive-
- PART 5 OF 7 ENDS [02:55:04]
- Ginale Harris: ...is May 8th in order to receive back all of the paperwork that was submitted for all of the subpoenas that went out in regards to the Bay case. So the subpoenas did go out and they have until May 8th to send the responses back to our council.
- Regina Jackson: Yes.



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- Ginale Harris: Okay. So that's all I have to report back in regards to the Bay case.
- Regina Jackson: Very good thank you. For the ad hoc on the police chief search, we have met and are working to establish timelines and review each of the pieces of the work that we need to do. We will be making a more formal report at the next commission meeting.
- Henry Gage, III: Chair Jackson.
- Regina Jackson: Commissioner Gage.
- Henry Gage, III: Thank you Chair. I have two brief reports out, one from the rule of ad hoc, the other from use of force. With respect to the rules committee ad hoc, you're currently scheduled to meet on Sunday morning to discuss some draft documents that we are working on to establish. So their initial matters, things like a set of core values and high level issues to guide further discussion. With respect to the use of force ad hoc commissioners, Harris Anderson and myself have established a recurring meeting of just commissioners in addition to the currently established meeting of a more wholesome use of force ad hoc that includes plaintiff's attorneys, staff from CPRA as well as staff from the police department. These [inaudible 02:56:58] ad hoc of commissioners alone has begun a process of identifying core values to help guide our policy development process as we look forward to a public phase of this policy development. I do need to make a correction to the record here, and this correction is due in a small part to the efforts of Commissioner Harris, because her research has revealed that the commission voted on a policy development process back in September of 2018.
- Henry Gage, III: Now, the minutes of the September 2018 meeting do not reflect the vote that did occur and the vote did occur as it was noted on the video from that meeting. The policy development process that was treated was the result of work by a former Commissioner Benson and on behalf of the ad hoc, we'd like to thank former Commissioner Benson for her work creating that process and that policy. We also like to thank Commissioner Harris for her research that led to her identifying [inaudible 02:57:57] policy. And I've committed to go back and work with staff to ensure that the minutes from that meeting are updated to accurately reflect this vote. Now that we are aware that the commission has a preexisting policy process, we intend to follow it, and we intend to re-examine it because it will likely need to be amended. And we will have further discussions on that matter going forward. That is often a use of force ad hoc committee.
- Regina Jackson: Thank you. I see a hand for Commissioner Harris.



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Ginale Harris: Thank you Commissioner Gage, Vice Chair Gage. Thank you for that. I just want to tell all the Commissioners, I sent you all an email with the do not reply. I even sent it to our council, so they're aware of the process. That is our policy engagement process currently. And I couldn't really explain. I did explain, I thought I explained, but I'm doing so much things I just want to make sure that I reiterate, that was it from 2018. So thank you, and thank you again Commissioner Benson.

Regina Jackson: To your point, Commissioner Harris and Gage, I've made a request of our Admin, Chrissy Love, through John Alden to create a virtual binder, because I believe we have a lot of rules in place and perhaps some, our newer commissioners, might not be aware of them. And some of us older commissioners need to be reminded of them. So that will be being worked on as we go. And to Commissioner Gage's point, we may want to review some of them, find that we need to edit or do away with. There were a lot of practices put in place when we first started that may or may not need to continue. So that's my contribution to that. And I see Commissioner Anderson's hand raised.

Tara Anderson: Thank you Chair. I just wanted to take the opportunity to reiterate the comments of both Commissioner Harris and Vice Chair Gage. Just in appreciation, I think it is worth saying over and over again, appreciation for Commissioner Harris' research on this issue, and again the aforementioned work of former Commissioner Benson in creating and establishing those rules. And just again, reiterating the importance of correcting the record on this, and I look forward to voting on amended minutes for that meeting the next time we convene as a commission.

Regina Jackson: Excellent. Thank you. Are there any other standing or ad hoc committee report outs? I see Commissioner Harris' hand.

Ginale Harris: Thank you, Chair. I just want to just piggyback on what Commissioner Anderson said. I know we need to do the corrections of the minutes, however, I would ask that you assign somebody to do it so it could get done. I'm not real clear on who's supposed to do that for us, but just for the record so we can have some accountability here.

Regina Jackson: Certainly.

Henry Gage, III: Chair Jackson?

Regina Jackson: I believe that Commissioner Gage had already offered to do that. Commissioner Gage?



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- Henry Gage, III.: Okay. My bad. I'm sorry.
- Regina Jackson: No, no, no. That's okay. Commissioner Gage, am I accurate in stating that or did you want offer something else?
- Henry Gage, III: Thank you Chair. Yeah, so we're working with staff to prepare an update to the minutes that [inaudible 00:06:54].
- Regina Jackson: Okay, very good. Thank you very much Chair, I mean Vice Chair. If there are no more updates, I see no more hands. We can move to the next item, the meeting minutes approval. That's item number 13. Are there any edits to the minutes? Oh, I see Commissioner Anderson's hand.
- Tara Anderson: Thank you Chair. My comments are directed towards agenda item 10 and then agenda item 11. Starting with agenda item 10, in reference to the annual report, the motion should be amended to reflect an additional edit that was made or requested to be made to end dates for Commissioner terms. So that is one specific edit. And then for agenda item 11, I recused myself and I left the meeting and I think it's important that the record reflect that I left and returned to the meeting. And I wasn't sure, and this is a question through the Chair for council, about when one recuses and they're not in the room, whether or not they actually count as an abstention. And whether or not... It's just a matter of reflecting that I left the meeting and then returned to the meeting and so I wouldn't have been a part of a vote count at all.
- Regina Jackson: So Ms. Sawhney, can you address that?
- Nitasha Sawhney: Thank you. I think it will be noted just as it is specifically, that you left the meeting and did not participate in the deliberation or the vote. And I believe there wasn't a vote-
- Tara Anderson: Through the Chair, there was a vote to table the item.
- Regina Jackson: Oh thank you.
- Nitasha Sawhney: That's right. Yeah. Yeah. I need to confirm how the vote is recorded, but I think we could just be specific in the minutes as to your non participation, because of conflict of interest that you identified and then record only those votes of the members that participated. Not as an abstention.
- Regina Jackson: Is that okay?
- Tara Anderson: Yes. Thank you Chair. Thank you. And those were the only two edits that I had.



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Regina Jackson: Very good. I see Commissioner Dorado's hand raised.

David Jordan: Yes. Chair Jackson, I think we talked a couple of days before the meeting and I asked to be excused-

Regina Jackson: Yes.

David Jordan: ... From this particular meeting so could the absentee change to excused?

Regina Jackson: It absolutely could. And forgive me, I probably said you'd be absent. Call it the nerves of the very first online meeting. So we could definitely change that. Thank you.

David Jordan: I appreciate it.

Regina Jackson: Certainly.

David Jordan: My apologies to the commission for missing that meeting.

Regina Jackson: We're always better with you Jose, thank you. Are there any more edits to the minutes? Hearing none, I'd like to have a motion to approve the minutes with those edits.

Henry Gage, III: Chair Jackson?

Regina Jackson: Uh oh, and then Commissioner Gage, and then followed by Commissioner Anderson. Yes.

Henry Gage, III: I'll defer to Commissioner Anderson.

Regina Jackson: Oh, okay. Commissioner Anderson?

Tara Anderson: Through the Chair, I figured I had talked the most, so I had the burden of articulating the motion. So that's-

Regina Jackson: Oh, okay. Very good. Very good. Thank you.

Tara Anderson: So I would move that we amend the minutes to reflect, that we move to approve the minutes with the following edits. Changing the reference to Commissioner Dorado from absent to excused, to including an agenda item 10 that the motion to amend reflected an edit to the end dates for Commissioners, for agenda item 11 that Commissioner Anderson left the meeting and returned to the meeting and was not a part of the vote, so it should not be reflected as an



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abstention. With those edits, I move that we accept the meeting minutes from the April 9th, 2020 meeting of the Oakland Police Commission.

Regina Jackson: Well done. Is there a second?

Henry Gage, III: Chair Jackson.

Regina Jackson: Commissioner Gage.

Henry Gage, III: Second, Commissioner [inaudible 00:12:09].

Regina Jackson: Excellent. It has been properly moved and seconded. Since we already took public comment earlier this evening, I am prepared to take a vote. Commissioner Gage?

Henry Gage, III: Yes.

Regina Jackson: Thank you. Commissioner Prather?

Edwin Prather: Yes.

Regina Jackson: Thank you. Commissioner Harris?

Ginale Harris: Yes.

Regina Jackson: Thank you. Commissioner Dorado? Oh wait, if you weren't there, maybe you wouldn't. Would you abstain?

David Jordan: Yes, I abstain.

Regina Jackson: Okay, very good. Thank you. Commissioner... The names keep moving. Prather.

Edwin Prather: You've already called on me Chair.

Thomas Lloyd Smith: How about Smith?

Regina Jackson: Oh yeah. How about that? Okay.

Thomas Lloyd Smith: Yes.

Regina Jackson: Thank you. Now we had Anderson?



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- Tara Anderson: Yes.
- Regina Jackson: Oh yes. Okay. I must be getting tired. Thank you very much. So six affirmatives... And yes for myself, six affirmatives and one abstention.
- Regina Jackson: All right, so now we are moving to the final moment of our evening, item 14, agenda setting and prioritization of upcoming agenda items. So I wanted to say that I know we need to have budget on the next one. I think we need to get back to a training that we were supposed to have from the personnel committee or... Excuse me, human resources. I know that we need to have the ad hoc on police chief search and I'm wondering... We also want to have the minute corrections from 2018.
- Regina Jackson: I think it's timely to have a review on the probation and parole policy impact, and then Commissioner Prather.
- Edwin Prather: Thank you Madam Chair. We can also report on and likely have another proposal on the... Oh I forget what it's called, but Mr. Xevo presented last time on media concerns in his proposal and our ad hoc committee was tasked with going out and contacting others in the field and getting another proposal so we can present that at the next meeting.
- Regina Jackson: Excellent. So that'd be strategic communications was the listing on that.
- Edwin Prather: Hey, thank you for my-
- Regina Jackson: It's okay. It's late. It's late. I see Commissioner Harris' hand.
- Ginale Harris: Thank you Chair. So I believe that we have some outs, we have an agenda list that needs to be looked at. It has quite a few high priority agenda items on there that will be coming up. One is the executive director's review. That needs to be put together by the personnel committee and I think it's coming fairly quickly. So, I mean it's for future agenda items, but I think we have to have a process. We have to have people start working on different things if we could, because there are so many outstanding things on this rolling agenda item lists that have been just sitting there.
- Regina Jackson: Sure. I totally agree with you. And I just recently received an acceptance from Alternate Commissioner Jordan to join the personnel committee, so I think probably the most expeditious thing to do is for us to schedule personnel committee meeting.
- Ginale Harris: Great.



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- Regina Jackson: Okay. And we can talk amongst the three of us about when we can do that. This virtual space makes everything crazy, but thank you for that reminder. And if you wouldn't mind sending me that document again, it does get away from me, so I really appreciate your reminding me of that.
- Ginale Harris: Okay.
- Regina Jackson: Thank you. Was there anything else outstanding on that?
- Ginale Harris: Well, I mean we have a whole agenda item list that I think needs to be looked at. I mean, it's really hard for me to manage it on this Zoom thing.
- Regina Jackson: Right, right.
- Ginale Harris: I just looked at-
- Regina Jackson: That's fine. That's fine. Why don't you send it to me and we can work through what we think needs to go on personnel and the rest that may need to go on the actual next commission meeting?
- Ginale Harris: Yeah, okay. I can do a sidebar with that and I can [crosstalk 03:12:26] everything that we have.
- Regina Jackson: Okay, that sounds great.
- Ginale Harris: Okay.
- Regina Jackson: Are there any other glaring points that anyone else wants to make before I accept a motion to adjourn? Okay, Mr. Alden.
- John Alden: I did not intend to raise my hand. Sorry about that.
- Regina Jackson: Oh, so you were getting in the way of us and our adjournment.
- John Alden: I apologize, I must have-
- Regina Jackson: Commissioner Dorado, your hand is raised.
- Jose Dorado: We'll run a review of the OPD draft policy 1501 at some point, particularly in the critical role I think that the NSCs play or should be playing in terms of block by block organizing in the midst of this pandemic. I think they really need to [inaudible 03:13:25] and put that network together, should have been done 20 years ago. So we identify those vulnerable residents that need resources,



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particularly if we're going to have testing, which is going to identify people that have been exposed or have the virus as well as people that have been exposed in the contact tracing that's going to follow the testing. And that's something that's right up the NSC Valley. So at some point I'd like to see a move on the 1501 draft policy.

Regina Jackson: Okay. Thank you very much. If there are no other hands, I am happy to accept a motion to adjourn.

Henry Gage, III: Chair Jackson.

Regina Jackson: Commissioner Gage?

Henry Gage, III: I move to adjournment.

Regina Jackson: Okay. And I'm going to second. So it's been properly moved and seconded and I'm ready to vote. [crosstalk 03:14:24] Sorry.

Speaker 11: I believe you're convening to close session?

Regina Jackson: Oh [crosstalk 00:19:30]-

Speaker 11: The meeting is not adjourned.

Regina Jackson: Okay. Sorry about that. Excuse me Commissioner Gage, would you make an amendment or change your motion to... What is it? Depart to close session...

Juanito Rus: [inaudible 03:14:52] Chair?

Regina Jackson: Yes Mr. Rouse.

Juanito Rus: You have an item 15 here listed as public comment on closed session items. I don't know if you were going to take public comment again or if that item was best to hold over.

Henry Gage, III: I'll take public comment on closed session.

Regina Jackson: Actually, we took all the public comment during the open forum.

Speaker 11: I'm sorry. [crosstalk 03:15:15]. Correct.

Regina Jackson: Okay. So is there any public comment for the closed session? Did you have anyone, or are you asking? Mr. Rouse?



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- Juanito Rus: Sorry, I was just asking what the process was going to be.
- Regina Jackson: I think you're asking, you're announcing to the-
- Juanito Rus: So we will now open it for public comment on closed session items. If you would like to make a comment, please raise your hand on the first [inaudible 00:20:46].
- Juanito Rus: Seeing no hands raised at this time. I'll pass it back to you Madam Chair.
- Regina Jackson: Alrighty. So we will be keeping this meeting open. The commission will divert to close session and then once we have completed, we will come back and report out and then adjourn the meeting. That all right? Okay. It is 9:45, so we are going to... Well the rest of us are going to divert and then we'll be back. Thank you.
- Regina Jackson: No video.
- Juanito Rus: I've passed the cohost to you, Commissioner Gage.
- Henry Gage, III: Thank you.
- Regina Jackson: Mr. Ruiz, I wasn't able to alert you that we were coming back out of closed session. Mr. Ruiz?
- Juanito Rus: I just made you a cohost.
- Regina Jackson: Okay, very good. Thank you very much. I want to take, I guess, roll call to make sure that everybody's here. Oh no, I don't have to. I can see the participants. Okay, Tara, Janelle, Henry, Jose.
- Juanito Rus: We're currently missing Smith and Prather.
- Regina Jackson: Right, thank you. So at this five minutes, we don't have, well, one, two, three. Yeah, we do have a quorum. Let me see if they're coming back.
- Regina Jackson: I actually think that I can go ahead and report out. We have a quorum so that's not a problem. Okay, reporting out from the closed session. We have nothing to report. Since we had no public comment, I can take a motion to adjourn our meeting. Commissioner Gage?
- Henry Gage, III: Thank you Chair. I move adjournment.



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Regina Jackson: Great. Do I have a second?

Jose Dorado: Second.

Regina Jackson: Second. It has been properly moved and seconded. Are we all in favor, say aye.

Speaker 13: Aye.

Speaker 14: Aye.

Speaker 15: Aye.

Regina Jackson: And I for myself. This meeting is adjourned. Thank you very much. We'll see you on Monday, and check your emails for forwarded documents around Measure LL and other things. Take care, and thank you very much.

ITEM IV

1. What will the new Chief do about still incomplete IAD 13-1062?
2. Will the new Chief investigate why OPD lost all murder victim Waajid Bey's case files?
3. What will the new Chief do about evidence of systemic racial and religious profiling by OPD
4. What will the new chief do about clear evidence tying OPD to gun walking illegal weapons resulting in [non statute of limitations] murders of innocent by standers in the Black community?

Deeds not words, will show who she really is, quick fast

ITEM VI

1. What is the status of Bey complaint?
2. Who will investigate this case?

ITEM XII

Definition of new evidence: Evidence not found or not used before closing the original investigation IAD 13-1062 Closing letter is dated March 18th 2014

The video is dated April 2015 a year after the closing date of March 18th 2014. OPD has not followed up in any way since before this video

The Video is City of Oakland Public Record, Play the original if you like just ask KTOP for it.

The video clearly shows OPD Assistant Chief Figueroa

- a. Accepting responsibility for incomplete to that date, IAD 13-1062 investigation
- b. Figueroa stated that he was "***still working on the case***", still working means Figueroa is admitting that IAD 13-1062 was incomplete on that date April 28th 2015, as the video date stamp clearly shows
- c. NSA Warshaw knows IAD 13-1062 has been incomplete since April 2014, he was updated in 2015, and has ignored the Oakland Police Commission letter dated March 2019, signed by Chair person Regina Jackson, with no follow up for over a year. Beyond legalese we can agree that the White NSA judge and White NSA Compliance Director Warshaw do not care about the suffering of the Black community, because they have never felt it, nor its continued consequences tied to mass incarceration and destruction of the Black family.

These two NSA White men wield ultimate power over the safety and quality of life of the entire Black community, that is why 20 25 years of NSA who cares? Its obvious, the NSA is not a partner with the OPC. The NSA does not share the same mission, nor care if OPD ever emerges from the NSA. Actions speak louder than words, look at the failed NSA 2003 - 2020. They also don't care that as long as there is an NSA, the Black community is suffering the negative future ripple effects of a corrupt and racist OPD. This is why the OPC was created by the people, to demand Justice and a complete end to Profiling of any kind.

d. NSA has ignored the OPC letter clearly noticing the NSA court, Monitor Warshaw, and the City Council of the need to investigate IAD 13-1062. The NSA continues to ignore evidence of Black community racial and religious profiling. [The whole stated reason for the NSA is Black profiling by OPD].

e. The NSA is disrespecting the Oakland Police Commission as a whole, and Mayor appointee Chair Jackson specifically by name, [based upon signature last year]. The most egregious part of ignoring the OPC is, profiling under color of law, is against the law, California Penal Code [CPC] 13519.4[e] and

the Constitution of the U.S., again, its not just in Mississippi or deep south that white courts ignore/suppress basic Black evidence to deny Justice. Here are rich white men who don't live in Oakland and have never stepped foot in the flat lands, getting paid Black tax dollars to maintain a Jim Crow like grip on whether Black people get justice. That will not stand with out being repeatedly called out until we get justice, silence only maintains and supports the status quo.

f. We are requesting that the you Chair Jackson, representing the Commission, the Black community that's affected the most, and the tax payers of Oakland paying millionaire judges and millionaire ex police chief now "Police consultants", overseeing Black Justice.

...to please send an update to the 1 year ignored OPC letter, demanding the same attention and investigative urgency and action to OPD misconduct that the NSA has shown on moving on non-Black Justice, like Occupy, like Pawlik, like the rape scandal.

The evidence has been established as legitimate with the Oakland Police Commission for over a year, and has been enough to commit its puny budget to investigating incomplete IAD 13-1062, ll the while, the federal NSA with the most power over OPD continues to ignore clear evidence of OPD profiling.

In two years we have never changed the charge that OPD aided known community shooters, with known access, to known illegal weapons, these OPD actions resulted in the murder of Chauncey Bailey, Odell Roberson, and Michael Wills [case 07-0553]. Micheal Wills is white if that helps mentioning to the court. .

Justice for our family members shot, and our murdered family members, is our mission until complete. We are on a laser line toward Justice, we do not care who is standing between us and Justice, just another hurdle to climb, ditch to cross, or wall to bust through until Justice is served.

Peace

Bey Brother