



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES - DRAFT

April 27, 2020
5:00 PM

I. **Call to Order**

Chair Regina Jackson

The meeting started at 5:05 pm.

II. **Roll Call and Determination of Quorum**

Chair Regina Jackson

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

Alternate Commissioners Present: Chris Brown

Alternate Commissioners Absent: David Jordan

Counsel for this meeting: Conor Kennedy and Nitasha Sawhney

III. **Welcome, Purpose, and Open Forum/Public Comment**

All public comments were received during Open Forum.

Comments were provided by the following public speakers:

Rashidah Grinage

John Lindsay-Poland

Michael Tigges

Larry White

Katherine Yagle

Paula Hawthorne

Written comments were submitted by:

Elise Bernstein

Rashidah Grinage

Antonio Abarca Onofre

Bruce Schmiechen

Angie Tam

Allene Warren

Katherine Yagle

IV. **Discussion and Consideration of Action on Draft Revisions to Measure LL**

The Commission discussed and developed comments on the draft revisions to Measure LL.

A motion was made by Ginale Harris, seconded by Regina Jackson, to amend section (b)(10) of the Commission's draft revision to Measure LL by adding that the Mayor is required to articulate in writing the reasons for rejecting any of the candidates for Chief of Police submitted by the Commission. Tara Anderson offered a friendly amendment to include "as allowed by law." The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, and Jackson

No: Gage, Prather, and Smith

A second motion was made by Edwin Prather, seconded by Thomas Lloyd Smith, to clarify previous motion and add a sentence at the end of section (b)(10) of the Commission's draft revision to Measure LL to read: "If the Mayor rejects any group of candidates, the Mayor must articulate the rationale for the rejection in writing and in closed session as allowed by law." The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, and Jackson

No: Gage, Prather, and Smith

A third motion was made by Edwin Prather, and seconded by Regina Jackson, to amend section (b)(11) of the Commission's draft revision to Measure LL to read "Send the Chairperson of the Commission, Agency Director, and the Inspector General, or their designees, to serve as non-voting members of any Department Force Review Board." The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Jackson, Prather, and Smith

No: 0

Abstain: Harris

A fourth motion was made by Edwin Prather, seconded by Regina Jackson, to submit in a letter to the City Council that the Commission takes no position regarding the qualifications or the disqualifying factors regarding the members of the Selection Panel. The motion carried by the following vote:

Aye: Gage, Jackson, Prather, and Smith

No: Anderson and Dorado

Abstain: Harris

A fifth motion was made by Edwin Prather, seconded by Thomas Lloyd Smith, to accept the edits made to section (c)(9) of the Commission's draft revision to Measure LL and add at the end of the first sentence of the edited portion: "on a schedule that is approved by the Commission." The motion carried by the following vote:

Aye: Anderson, Gage, Dorado, Jackson, Prather, and Smith

No: 0

Abstain: Harris

A sixth motion was made by Edwin Prather, seconded by Thomas Lloyd Smith, to insert in section (c)(10) of the Commission's draft revision to Measure LL before the last sentence a sentence which reads: "The City Administrator shall not initiate an investigation of a Commissioner unless required by law or collective bargaining agreement." The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

A seventh motion was made by José Dorado, seconded by Regina Jackson, to accept the edits to section (e)(4) of the Commission's draft revision to Measure LL as drafted regarding changing the number of investigators to one for every 70 sworn officers in the Department. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

An eighth motion was made by Henry Gage, III, seconded by Regina Jackson, that the Commission articulate in its letter to the City Council the concerns raised by CPRA Executive Director John Alden regarding the date of June 1st for determining the number of sworn officers employed by the Department, as well as the language related to the two-year budget cycle. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

A ninth motion was made by Edwin Prather, seconded by Regina Jackson, to accept the edits to the second and third sentences of section (e)(6) of the Commission's draft revision to Measure LL which read: "By affirmative vote of at least five (5) members, the Commission may terminate the Agency Director. The Commission may remove the Inspector General only after adopting a finding or findings of cause, which may be defined by City Ordinance, and by an affirmative vote of at least five (5) members." The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

A tenth motion was made by Edwin Prather, seconded by José Dorado, to reconsider and amend the ninth motion by combining the second and third sentences in section (e)(6) of the Commission's draft revision to Measure LL to read: "By an affirmative vote of at least five (5) members, the Commission may remove the Agency Director or the Inspector General." The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

An eleventh motion was made by Henry Gage, III, seconded by Edwin Prather, to accept the edits made to items (g)(1) and (g)(2) of the Commission's draft revision to Measure LL. The motion carried by the following vote:

Aye: Anderson, Gage, Jackson, Prather, and Smith
No: Dorado and Harris

A twelfth motion was made by Edwin Prather, seconded by Regina Jackson, to adopt section (g)(3) of the Commission's draft revision to Measure LL. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith
No: 0
Abstain: Harris

A thirteenth motion was made by Henry Gage, III, seconded by Edwin Prather, to accept the edits and inclusion of section (g)(6) of the Commission's draft revision to Measure LL. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith
No: 0
Abstain: Harris

A fourteenth motion was made by Thomas Lloyd Smith, seconded by Edwin Prather, that section (i)(2) of the Commission's draft revision to Measure LL be amended to require that the City Attorney action in consultation with the Commission's counsel. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

A fifteenth motion was made by Thomas Lloyd Smith, seconded by Regina Jackson, to amend section (a)(5) of the Commission's draft revision to Measure LL to read: "The City Administration shall not, under any circumstances, investigate a Commissioner or Commissioners for the purpose of removal." The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

Comments were provided by the following public speakers:

Lorelei Bosserman
Rashidah Grinage
Michael Tigges

A sixteenth motion was made by Henry Gage, III, seconded by Thomas Lloyd Smith, that the Commission forward the red-lined document, together with an explanatory cover

letter outlining the substantive changes and position behind such changes, to the City Council for review. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0

V. Adjournment

A motion was made by Henry Gage, III, seconded by Thomas Lloyd Smith, to adjourn the meeting at 10:56 pm. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, Prather, and Smith
No: 0