



# OAKLAND POLICE COMMISSION

## AGENDA

August 23, 2018

6:30 PM

Hearing Room 1, 1st Floor  
1 Frank H. Ogawa Plaza, Oakland California

**I. Call to Order**

Thomas Lloyd Smith

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

Thomas Lloyd Smith

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

Thomas Lloyd Smith will welcome and call public speakers.

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's policies, practices and customs to meet or exceed national standards of constitutional policing and to oversee the Community Police Review Agency that investigates police misconduct and recommends discipline.

**IV. Approval of Draft Commission Meeting Minutes for July 26<sup>th</sup> and Aug. 9<sup>th</sup> 2018**

Thomas Lloyd Smith will offer the draft minutes for approval by the Commission.

- a. Discussion
- b. Public Comment
- c. Action

**V. Oakland Police Department Report (~30 minutes)**

Chief Anne Kirkpatrick will report on (1) the status of the investigation of the police involved shooting incident Joshua Pollack on March 11 and (2) the status of the investigation of the in custody death of Marcellus Toney on September 28, 2017. The Chief will also report any information that is publicly disclosable regarding the investigation of IAD 13-1062. The Chief will also discuss whether there is a liquidated damages or similar provision in Dr. Eberhardt's contract.

- a. Discussion
- b. Public Comment

**VI. Commission Policy Review Process**

The Commission will review, discuss and formulate a policy review process. Alternate Commissioner Maureen Benson has submitted a draft proposal.

- a. Discussion
- b. Public Comment
- c. Action, if any

**VII. OPD Departmental General Order R-02: Searches of Individuals on Probation or Parole**

The Commission will review an OPD policy proposal concerning when to use probation and parole/PRCS searches for individuals on probation with certain court-imposed search clauses and individuals on parole/PRCS (Post-Release Community Supervision), who are subject to warrantless searches by law enforcement.

- a. Discussion
- b. Public Comment
- c. Action, if any

**VIII. Ad Hoc Committee to Update of Rules of Procedure**

The ad hoc committee tasked with updating the Commission's rules of order will report on its progress and make recommendations for adoption to the Commission.

- a. Discussion
- b. Public Comment
- c. Action, if any

**IX. Recess (~6 minutes)**

**X. Executive Director Recruiting Process for the Community Police Review Agency**

The Personnel Ad Hoc Committee will provide an update on the Executive Director recruiting process.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XI. Oakland Police Commission Retreat II: Prioritization of Agenda Items**

The Commission engage in planning for its second retreat including prioritization of items for a proposed agenda, scheduling, training sessions, facilitators, and location.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XII. Training: Discipline Committee and City of Oakland Employment Policy and Procedures Training**

The Commission will discuss scheduling discipline committee training and training on City of Oakland employment policies and procedures.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XIII. Commission Review of Community Police Review Agency Cases Proposed for Dismissal or Closure**

Interim Director Finnell will report on the CPRA's proposed dismissal or closure of complaints of misconduct involving Class I offenses. The Commission will consider

whether to close the case(s) or direct CPRA to continue or reopen the case(s) and investigate the complaint in accordance with Oakland Police Commission Enabling Ordinance § 2.45.070(M).

- a. Discussion
- b. Public Comment
- c. Action, if any

#### **XIV. Agenda Setting and Prioritization of Upcoming Agenda Items**

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

- a. Discussion
- b. Public Comment
- c. Action, if any

#### **XV. Adjournment**



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