



OAKLAND POLICE COMMISSION

AGENDA

October 25, 2018

6:30 PM

City Council Chamber, 3rd 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 October 11, 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**
Chief Anne Kirkpatrick will report on OPD's practice of asking police applicants being asked whether they were sexually assaulted and planned changes, if any, moving forward. The Commission will also ask the Chief what knowledge, if any, she has of the transcript marked BEY005778 concerning racial profiling.
 - a. Discussion
 - b. Public Comment
 - c. Action
- VI. **Proclamation for Commissioner Mike Nisperos**
A proclamation will be offered to Commissioner Mike Nisperos recognizing his service on the Oakland Police Commission.
 - a. Discussion
 - b. Public Comment
 - c. Action

VII. Election of Alternate Commissioner to Fill Commission Vacancy

Measure LL states, "For vacancies occurring for reasons other than the expiration of a regular member's term, the Commission shall select one of the alternates to replace the regular member for that regular member's remaining term of office." The Commission will elect one of the two alternate commissioners to fill the vacancy due to Commissioner Nisperos's resignation.

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

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION IN CITY HALL BUILDING BRIDGES ROOM, 3RD FLOOR AND WILL REPORT ON ANY FINAL DECISIONS IN THE CITY COUNCIL CHAMBER DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

VIII. Closed Session

PUBLIC EMPLOYEE PERFORMANCE – Step Increase in Salary
Govt. Code § 54954.5 (e)

Title: (Interim Executive Director of the CPRA)

- a. Action – Report out of closed session
- b. Public Comment

IX. Oral Report of Disclosable Final Decisions Made During Closed Session

- a. Report of disclosable final decisions, if any
- b. Public Comment

X. Performance Review Processes

The Commission will discuss the performance review process for the Interim Executive Director and the Chief of Police. The Commission will also discuss and consider a performance review process for commissioners.

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

XI. 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

XII. Administrative Analyst Selection and Placement

The Commission will report on the placement of the Administrative Analyst for the Oakland Police Commission.

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

XIII. Proposed Amendment of Measure LL to Confirm Commission Access to Community Police Review Agency Investigative Files for the Purpose of Assessing Whether to Support or Deny Case Closure.

The Commission will discuss making a legislative recommendation to City Council to clarify that the Commission has access to personnel records and/or reports in closed session so that it can make an informed decision whether to support or deny case closure.

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

XIV. Social Media Policy

The Commission will consider development of a social media policy and whether to approve the use of Twitter and Facebook to reach out to and communicate with Oakland residents on matters relevant to the Commission's work.

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

XV. Standing Committee Application Process

The Commission has authorized a request for City Council to approve a Personnel Standing Committee (approved June 28, 2018) and Community Outreach Standing Committee (approved May 24, 2018). Counsel Brown was directed to prepare the requests to City Council and will provide an update on their status. The Commission will report on progress and consider additional standing committees, such as a policy and procedures committee.

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

XVI. Review of Agency's Administrative Closures or Dismissals

Mr. 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 to approve CPRA recommendation for dismissal or closure of cases or reopen the investigation , if any

XVII. Agenda Setting and Prioritization of Upcoming Agenda Items

Thomas Lloyd Smith will engage the Commission 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

XVIII. Adjournment



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