



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Chair Milele: Good evening and welcome to the meeting of the Oakland Police Commission, March 10th, 2022 - 5:30 p.m. I'm going to do a call to order. Vice Chair Peterson?

Vice Chair Peterson: Present.

Chair Milele: Commissioner Gage may be joining us a little bit later. Commissioner [inaudible].

Comm. Gage: Present.

Chair Milele: Oh, okay. Commissioner Harbin-Forte?

Comm. Harbin-Forte: Present.

Chair Milele: Commissioner Howell?

Comm. Howell: Present.

Chair Milele: Commissioner Jackson?

Comm. Jackson: Present.

Chair Milele: Commissioner Jordan?

Comm. Jordan: Present.

Chair Milele: And Commissioner Hsieh?

Comm. Hsieh: Present.

Chair Milele: Okay, we have a quorum. So the next item is the adoption of the renewal resolution to continue conducting meetings using teleconferencing. Hopefully this is one of the last times we have to do this. Hold on one second. Okay, so do I have a motion to...

Comm. Jackson: So moved.

Chair Milele: Thank you.

Vice Chair Peterson: Second, Commissioner Peterson.

Chair Milele: Okay, I think at this point we can take public comment.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Comm. Jackson: Yes.

Commission staff: Thank you Chair. Members of the public wishing to make public comment on this item, our ability to use Zoom for these meetings, please raise your hand. I'll call on you in the order that they have appeared.

I see no hands at this time.

Chair Milele: Okay, thank you. So, I believe I can take a vote at this time. Vice Chair Peterson?

Vice Chair Peterson: Yes.

Chair Milele: Commissioner Gage?

Comm. Gage: Yes.

Chair Milele: Commissioner Harbin-Forte?

Comm. Harbin-Forte: Yes.

Chair Milele: Commissioner Howell?

Comm. Howell: Yes.

Chair Milele: Commissioner Jackson?

Comm. Jackson: Yes.

Chair Milele: Commissioner Jordan?

Comm. Jordan: Yes.

Chair Milele: And I also a yes. So, that passes unanimously. Okay, so now we're going to move onto our closed session and before we do that, we will take public comment on closed session items.

Commission staff: Thank you Chair. Members of the public wishing to make public comment on this item, the closed session, please raise your hand. I'll call on you in the order that they've appeared. Give me just one second and I will also start our clock. I see two hands already. Phone number ending in 1779. I've unmuted you on my end when you're ready.

Mary Vail: Good evening, this is Mary Vail, and I want to speak on the second closed session item. The discussion of former Chief Kirkpatrick's lawsuit against the



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

city. I'm concerned that in the desire to contain legal expenses that you would enter into a settlement that would revive her narrative, anti-reform and basically undermine the work that you're doing and that the current chief is doing to reform the culture, the practices in the department and bring it into compliance with the NSA. Her record is clear. She's resisted [inaudible], resisted your commission, tried to remove commissioners, took on the role of the union and defending the officers who were involved in discipline cases because of the fatal shooting of Joshua Pawlik. And basically resisted the NSA and said everything was great and that the media was putting out a false narrative and that the federal monitor and the judge was making things up in terms of the department's problems during her administration with NSA compliance. Where went for compliance with all that three tasks to compliance or only partial compliance with eight tasks. So be very careful. A settlement, basically that gives her some of the money that she would've gotten with severance, with maybe an offset for all the money that city has had to spend against her merit-free lawsuit. That's a possibility.

I understand the city council also discussed this matter on the 24th of February and those discussions should continue and be really, really careful about settling this meritless lawsuit. Thank you.

Commission staff: Thank you, Ms. Vail. Hilary, I see your hand up. I have a unmuted you on my end.

Hilary : Thank you, I hope that I'm not speaking out of turn. I was under the impression that at these various commission and council meetings that the public comments were just public comments in general at the start of the meeting. And I have something very concerning to bring to attention to the police commission. On Sunday evening, I pulled up to my home at about 10-ish p.m., but after 10 there were more than a dozen officers in front of our homes and at least six police cars. It resulted in six officers and a helicopter zooming my backyard searching for my neighbor who has multiple arrest warrants out for him. Since May, when they moved in, there have been an average of five visits from OPD a week. For the last 10 months, that's averaging at least 200 visits from OPD.

The neighbor now has multiple arrest warrants out for him, including one that involves gun violence and he is still not picked up. I was informed of some of this information on Sunday evening by some of the officers that were in my yard. And I was asked to please call it in so that the officers could respond without him knowing they're coming. Because so far, the majority of the times that they come it's because his wife is calling it in over their disputes. Then she helps him flee or hides him so that he doesn't actually get arrested. So, I followed the police's request, called it in Monday evening. The police did not show up



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

discretely. They showed up sirens blaring, lights flashing, pounding on the door, stating that a neighbor called and knows that PO's home. Is he home? A neighbor called it in? They blared. Thank you OPD for endangering my life and the lives of the rest of the neighbors. Inappropriate and unacceptable.

Commission staff: Thank you for your comment, Hilary. I'm sorry your time is up. There is also open forum if you'd like to make general public comment. Ms. Olugbala, I see your hand raised. I've unmuted you when you are ready.

Assata Olugbala: Please help me to understand, are we going to be consistent or inconsistent? Because I've had the occasion to be stopped to say I wasn't speaking to the agenda item. And now we are allowing people to give valuable information, not taking anything away from that. But you constantly say you have to stay on the agenda item. So come on, let's be consistent, please. Especially when you had black people being stopped and then you got white people saying stuff and they're not stopped. It can be presumed you're being prejudice or racist. As it relates to Kilpatrick, Kilpatrick deserved to be fired. One of her many wrongdoings was how she attempted to defame Ginale Harris, and he isn't even including her in this lawsuit. But I find it ironic that people who also defame Ginale Harris and work to get her not to have the opportunity to be replaced on the commission are now speaking about Kilpatrick's wrongdoing.

So, people who, like Mary [Vail], who's on that selection panel and knew fully well what Janelle Cobb said about her being disruptive, it was not true. I just find it so hypocritical that people will get on here and want to attack people for wrongdoing and you participate in the same thing as it relates to Ginale Harris. I will continue to hold people accountable for that. That hypocrisy will not be stood for. And please go back to this. Are we going to allow people to speak off agenda items or are you going to hold people to speak on agenda items. Speak on agenda items.

Commission staff: Thank you, Ms. Olugbala. Chairmen [inaudible], it's back to you.

Chair Milele: So, I believe we're able to adjourn to close session and we're going to try to get back here at 6:30 p.m.

Chair Milele: (Silence). Peterson?

Vice Chair Peterson: Present.

Chair Milele: Commissioner Gage?



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Comm. Gage: Present.

Chair Milele: Commissioner Harbin-Forte?

Comm. Harbin-Forte: Present.

Chair Milele: Commissioner Howell?

Comm. Howell: Present.

Chair Milele: Commissioner Jackson?

Comm. Jackson: Present.

Chair Milele: Commissioner Jordan? And Commissioner Jordan had some technical difficulties earlier. Perhaps he'll be able to make it. Commissioner Hsieh?

Comm. Hsieh: Present.

Chair Milele: Okay. I'm also present.

Commission staff: Anything to report out?

Chair Milele: No reportable actions.

Commission staff: Thank you. Then let me take you into open forum, if I can.

Chair Milele: Yes, thank you.

Commission staff: Thank you. Members of the public wishing to make comment in open forum, ideally on items not on the agenda, please raise your hand. I'll call on you in the order they've appeared. Sorry. One second. I'll get our little clock going. I see three hands. Lorelei Bosserman, you're up first. I have unmuted you my end.

Lorelei Bosserman: Can you hear me now?

Commission staff: I can. Go ahead.

Lorelei Bosserman: Thank you. Good evening, commissioners. I hope things are going well for you so far. Before we hear from Chief Armstrong, I almost called him Chair Armstrong, I want to just remind you, again, as I did at the last meeting, what your mission is. Your mission is not to fight crime, that's OPD's mission. Your mission is to make sure that OPD doesn't violate people's rights, and that is it. That is your whole mission. That is the reason you exist.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Now that includes a lot. That includes police racism, police brutality, other police misconduct, escalating when they should deescalate, handcuffing people who don't need to be handcuffed, arresting people who don't need to be arrested, finding pretexts for searching people's cars, which incidentally I've witnessed twice myself when I was filming the police. You have a lot of work to do, and a lot of people worked really, really hard for years to get the Police Commission created. When we finally saw the Police Commission, the first members actually sit down on the Dias, it was a dream come true. You have a really, really important mission. Please don't lose sight of it, and that's all. Thank you for the work you do. Thanks. Bye.

Commission staff: Thank you, Ms. Bosserman. Rashidah Grinage.

Rashidah Grinage: I really didn't have my hand up. Thank you.

Commission staff: Oh, I see your hand up. I'll lower it for you. Phone number ending in 5802.

Saleem Bey: Saleem Bey. 100 black men of the Bay Area. Who is a 3304 expert on the OPC right now? None of you. And yet you voted to not investigate Muslim cases based on 3304, and you are 3304 trained by Mr. Alden, who is over the systemically racist and complicit CPRA in closing black and Muslim discrimination claims without investigation, which is a violation of LL, as found in the OPC suppressed Ross Report. A lot of black Christians have been taught by white Christianity to be hostile to Muslims. Historically, Islam has been viewed as a threat to Christianity. The ignorance, the weak, the wicked, and the hypocrites of faith hide behind the veneer of the prophet Christ while ignoring the real teachings of Christ that says, every human is equal children in the eyes of the one God. OPD slashes city, small ignorant white supremacist aligned minds show bias and discrimination against black and Muslims in everyday life. Not just this OPC. That is what makes it systemic, racial and religious profiling.

Just look at the Ukraine's immediate response to white people in terror and sympathy while Muslim babies and mothers have been murdered in Palestine and Yemen for decades. This same racist reaction is here in Oakland. New evidence proved six months ago that OPD never investigated my murdered brother YG's case. An officer stole this case file for over a decade. The CPRA closed a complaint about his case while OPD had no case file in their possession. And that there's also at least five black and Muslim community murders directly connected to racist based, criminal profiling misconduct by OPD and IAD131062, that is currently being covered up by the CPRA and the OPC. You're playing admin 3304 sealed gangs for Muslim cases, but non-Muslim cases like the social media IAD complaint was released-



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Commission staff: Any thanks for your comment, Mr. Bey. I am so sorry to have to cut you off. Unfortunately, your two minutes are up. Chair, that seems all we have for open forum right now. Back to you.

Chair Milele: Thank you. Next, I believe we have a presentation from the Public Safety Youth Leadership Council.

Commission staff: That's right, and Ms. Williams, if you are ready, you can try and share your screen.

Brooklyn Williams: All right, can you all hear me?

Commission staff: Yes.

Brooklyn Williams: All right, awesome. Good evening, everybody. Chair, Vice Chair, Commissioners and the community. My name is Brooklyn Williams and I'm the co-founder and advisor to the Oakland Public Safety Youth Leadership Council. Before we get started, I want to thank Commissioner Jackson for inviting us to be here and for all of your support, and also all of your service to the children, youth, and families of Oakland for so many years. I wanted to take the opportunity to say that publicly. Truly an inspiration to many of us, so thank you for your service. And then also, I want to thank the commissioners for your service. I know that you all are volunteers and many of you put in full-time hours, in the name of community oversight. So, thank you for your efforts on that.

We are going to do a brief presentation to just introduce you all to this group and to the work that we have been doing. I'll try to make it brief. I know you have a lot to cover. So just some background about our council. In 2015, Michael Brown was killed in Ferguson and the country was on fire, including Oakland. And there were many protests. The city responded with town halls and hearings and different ways to bring community together to talk about the issue. At the time, the Oakland Youth Advisory Commission lead was a woman named Chantel Reynolds and her and myself noticed that young people were just not at the table. They were not involved in any of this discussions around public's safety, around policing in Oakland. And so, we took the opportunity to come together. We brought 75 young people together from about 15 youth serving organizations in Oakland. It was a very collaborative effort.

And basically, the young people we met in city hall, and everyone came up with ideas and solutions. That we didn't really talk about the problem. We kind of have known the problem. The problems have been around for generations. We went straight to solutions and those solutions were published in a report that the youth commission wrote and presented. We all presented to the Public Safety Committee and they directed the chief at that time to meet with us, to go



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

through the recommendations and to identify recommendations that could be implemented.

So one of those recommendations was the creation of a council that institutionalizes youth engagement that's not a one off, and that is an ongoing space for young people to bring their voices and their expertise, to come up with recommendations and to implement those recommendations. So we started a pilot in 2018, and based on the success of that pilot, were able to raise some funds and fully launched in February 2020, actually a month before the pandemic.

And so, and since the spring of 2022 of this year, Fresh Lifelines for Youth has been the facilitator of this council, in partnership with other youth serving organizations like Youth Alive and the East Bay Asian Youth Center.

So just a real quick background on FLY. FLY was founded in 2000. They do a lot of work to educate young people about their rights. They also do a lot of leadership development with system involve young people. They have mentoring programs, leadership development programs. They are in several counties throughout the Bay Area. They've been in Alameda County since 2015. And based on their work and their history were invited to help facilitate the youth advisory board that was created for the Oakland Re-Imagining Public Safety Task Force, and partnered with many other youth leadership councils, and also the Youth Advisory Commission. And so, and the other thing that Fly is doing recently, you all should know that a Youth Advisory Council has launched for the Alameda County for the Juvenile Justice and Probation Department and the JJDP, which is the Juvenile Justice Delinquency Prevention Commission. That is who that council reports to and FLY also leads that work.

So there should be another slide. Okay, so I am thrilled to be joined... I'm going to stop talking and hand it over to these young people that have taken the time out of their day and their night to be here. I'm thrilled to be joined by Jackie Palma, who is our youth voice coach for this council, and also to other participants, youth participants who will be introducing themselves. I just want to appreciate them deeply in the midst of a global pandemic and our communities hurting in so many different ways. These young people have dedicated their time, have stepped up to the plate and have answered the call for youth leadership in our city. So I hope that you will be attentive and give them your time and just appreciate their efforts as much as I do. So with that, I'm going to turn it over to you, Jackie. Thank you.

Jackie Palma:

Thank you, Ms. Brooklyn. Can you guys hear me okay? Yes? Okay. So good evening, everyone. My name is Jackie Palma. Thank you for having us here today. We're so happy to be here today. I am the youth voice coach for the



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Oakland Public Safety Youth Leadership Council. I first learned about the YLC while I was serving as a peer advisor for the Oakland Youth Advisory Commission. And after earning my degree in criminal justice, I became the allied to support the YLC program.

So in this slide right here, this is our program overview for the Oakland Public Safety Youth Leadership Council. So, we serve Oakland residents ages 14 to 21. They receive training on 21st century leadership skills and learn about public safety systems, and engage with public safety leaders. The council meets twice a month and youth are pay stipends for their work to identify and implement youth led recommendations.

So some of the recommendations that we have worked on is the youth led trainings on adolescence brain development, and youth engagements for OPD patrol officers, Know your Rights trainings for adolescence youth, and youth on OPDs hiring panel. So this is a current project that we're working right now, on a handbook, on the OPD's hiring panel.

So I want to tell you guys about my experience from being in the hiring panel. So it first began in 2018, at the age of 20, I served on OPDs hiring panels and I have used that experience to support the current project that we are working on today. Starting in September of 2021, last year, the YLC began creating a handbook to guide and prepare transition age youth, ages between 18 and 24 to participate on OPD's hiring panels. Our youth have been working really hard on this handbook and throughout the years. And tonight we have two youth who will be speaking on their program experience. With that said, I'll pass it over to one of our youth, Justin.

Justin Boyd:

Hello, everyone. My name is Justin Boyd. I go to Oakland Tech and I live in District Seven. I decided to join the YLC because I wanted to know my rights and I wanted to educate myself. I know that in my community, policing residents don't always get along too well, and oftentimes we're not excited to see the police because of our traumatic experiences. And because of this, I want to help my community heal and change policing so that it's not experienced as a threat. I am enjoying the YLC because I learned something new every meeting and it's very informative. I'm also able to build connections within my community and use my voice to create positive changes. Thank you all for having us. Oh, thank you all for having us.

Medina Wakion:

Sorry, one second. Hi. My name is Medina Wakion, I'm 15 years old and I live in district one. I joined the YOC program to find solutions to support my community. I want to expand my knowledge on resources that the city of Oakland has for residents, especially system involved youth. I know a lot of youth get caught up in the system and need resources and support and



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

guidance to navigate our communities. One thing I am enjoying about the program is working on the handbook for the youth. For these to participate on OPD hiring panels we need youth voices in the hiring process, but youth need to be prepared before participating in majority of adult spaces. I know that I'm making a change in my community by working on this project because youth have a lot of contact with the police by being able to come together with my peers and different leaders from Oakland to make sure youth have a voice in who becomes police officers that will end up helping the youth. Thank you.

Brooklyn Williams: All right, so that concludes our brief presentation. Thank you so much. Medina, Justin, and Jackie. We are going to open it up for any questions that you all may have for us. Thank you.

Chair Milele: Wow. Thank you so much for such a fantastic presentation. I will let the commissioners ask questions. [crosstalk] I could be commissioner [inaudible].

Comm. Howell: Good evening, Brooklyn and Jackie, can I get a copy of that handbook? And what is the handbook? Is it the "know your rights" handbook? Is there a different one for the hiring panels?

Brooklyn Williams: Yeah. Thank you for the question. It's actually currently being written right now. The youth are taking a first pass at a draft from a youth perspective and a youth lens. And then the next step is to engage with OPD around that, to integrate the process on their end and to add the details and to collaborate with them from their lens. And so they're just about, and Jackie, you can add details, but we're just about to the point where we're ready to engage with OPD around the handbook.

Comm. Howell: And then when it's ready, how could I get it? Should I... My email? Or how do I-

Brooklyn Williams: Sure, actually there is another slide. Hopefully we can put up at the end for emails for more information for Jackie's e-mail and also the director of [inaudible]. Thank you for the-

Jackie Palma: The youth can also add into about the handbook. They can pick it back on what you were saying is, Brooklyn. So what's the handbook about?

Justin Boyd: So basically, the handbook is kind of a guide. It's guiding you through the process of the hiring panel. So it's given them the dues and the don'ts just everything they might need to know when joining the hiring panel.

Medina Wakion: Yeah, and we have different sections covering different topics, such as like dress code, the hiring process details, and why the youth voice matters, and stuff like that, and confidence and all that.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

- Comm. Howell: Thank you.
- Chair Milele: Commissioner Jackson, did you put your hand back down or did you have a question or comment?
- Comm. Jackson: No, I was having my life's work out here on mute. So my apologies, I just wanted to say Brooklyn, I want to appreciate you and the work of the organization, especially now. Congratulations to your program coordinator and your young people. They were very well coined and presented, and I hope this won't be the last time that you come before the police commission. Hopefully we can get some of your young people working with us on policies and forums and any number of engagement kinds of opportunities. So thank you very, very much.
- Brooklyn Williams: Thank you, Commissioner Jackson, and thank you for engaging with us as well. Just so you all know, we have a number of public safety leaders in our city meet with our young people. Commissioner Jackson, when she was Chair Jackson, joined us. We've met regularly with Chief Armstrong, who is supportive of this recent project to bring young people on the hiring panel process, as well as other folks who are leaders in our city around public safety. So thank you.
- Jackie Palma: Do you guys have any other questions? Cause we're excited to share about our handbook and the work that we've been doing. So, we're very prepared.
- Chair Milele: Commissioners, we have any other questions? We also are going to take public comment on this, so we might get community questions, but I wanted to make sure all the commissioners were able to ask their questions. I also just want to echo my appreciation, what a wonderful presentation. What worthy work that you're doing and I'm so excited to hear that you have support and that hopefully I can also engage with y'all as well as a development leader myself. So I'm very excited to meet you. And thank you. Commissioner Harbin Forte.
- Comm. Harbin-Forte: Yes. I'd like also to just tell them, thank you. You make me proud and you are clearly our future. You are shining stars, you're bright stars. And I just so look forward to the way you are going to transform Oakland. So good luck to you. If there's anything that I can ever do, but please know that I will be there for you. Thank you very much.
- Youth voices: Thank you. We appreciate it.
- Chair Milele: Commissioner Peterson.
- Vice Chair Peterson: I was just going to echo basically what Commissioner Harbin Forte said. I think this is just wonderful that you all are interested in doing this work and it is essential that the next generation take this work forward. So thank you very



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

much and I do look forward to interfacing with you in any way that I can be helpful.

Chair Milele: Okay. Seeing no other questions, I believe we can take public comment on this item?

Commission staff: I think so, and with pleasure. Members of the public wishing to make public comment on this item, that lovely presentation from the youth council, please raise your hand. I will call on you. I'll also start our little timer in just a second. Hopefully you guys can see the timer.

First up, Rashidah Grinage, I see your hand up. I don't know if you meant to have your hand up this time or not? When you're ready.

Rashidah Grinage: Yes. Thank you, I did. I wanted to appreciate Brooklyn and the youth council for this wonderful work that they've done. And I'm hoping to find one of the members of this group sitting on the [inaudible] as a police commissioner in the future. And I'm hopeful that your work will lend you to that place and also wanted to offer any assistance that we can offer as the coalition for police accountability. I addressed the youth advisory commission awhile back talking about measure LL and how we got the police commission. And so I'm certainly, we would be very happy to engage with any of the youth who would like to have more information and about that or any of the other work that we've done on macro or any of our other projects. So, just wanted to offer that. Thank you so much. And again, congratulations for your work.

Commission staff: Thank you, Ms. Grinage. I think it might be Mr. Saleem Bey 5 8 0 2. You unmuted my end.

No, I'm sorry, try again.

Saleem Bey: Yes. Can you hear me?

Commission staff: I can now. Go ahead, Mr. Bey.

Saleem Bey: Yes, good evening. Saleem Bey. And welcome to the youth council. I'd also like to caution you about dealing with certain organizations because they're full of snakes and the fact that you're navigating the political world to this degree, I'd just say, be aware that not everybody is your friend, especially the CPA. You have to watch what they do and not what they say. My main point though, was that the Ferguson report, there was a Ferguson report done by the federal government that went in and looked at systemic racism, racial profiling against the police department. One of the things that came out of it is that the city of



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Ferguson was deeply intertwined with the police department in terms of attacking the black community.

One of the things that the city was found to do is that they were actually raising revenue on the black community by ticketing them and putting that into the general fund to balance their budget and give themselves raises. One of the things that happens in Oakland is that black people are disproportionately stopped by ticket by OPD. That means that they're paying a disproportionate amount of ticket tax to the city and they're being targeted at rates double. They being yourselves, are being targeted at rates double what the percentile of the population is. That means that's racial profiling for profit. This is something that this OPC should really look into and actually ask some germane questions instead of patting everybody on the back and trying to get out of here early. Thank you.

Commission staff: Thank you for your comment, Mr. Bey. Anne Janks?

Oh, hang on. Go ahead, Anne.

Anne Janks: Good evening. And I'd like to thank the presenters very much for the presentation. I'm very excited to hear about your participation in the hiring panels. It is often in the trenches and doing that kind of work that really does have an impact and bringing your voices and your experiences into that I think is incredibly valuable. And it just really salutes you for doing it. I also wanted to mention to you, just to offer a couple of specific suggestions, that there are some policies that really do need to be addressed that are within the police commissions wheelhouse. And I know that they would be supportive of addressing them, especially if there were some young people who were interested in it and us olds would be happy to give you some support.

One, for example, is that in San Francisco there are police policies specifically addressing some protections for youth when they're engaging with police. We do not have similar policies in Oakland, but we could. And another is that Rashidah Grinage, who spoke earlier, used to be the executive director of an organization that did a campaign that police officers have to give business cards identifying themselves, anytime they interact with anybody under 18, they no longer do this, but it's still on books. And that's the kind of thing that if you all were interested in working on it, you could definitely get that back into something that was happening. And I've talked to a lot of young people who have said it would be very helpful. So just a couple of things to think about in terms of future work through the commission. Thank you, bye.

Commission staff: Thank you Ms. Janks.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Ms. Assata Olugbala, when you're ready.

Assata Olugbala: The young people here, I'm not sure are these high school students? Then the other thing is this body police commission deals with a lot of issues around policing that involves racial profiling and excessive force. I've been involved with this OUSD and one of the issues that has come up last night at the meeting related to disciplining of students and the disproportionately high number of students who are disciplined, who are African American. The enrollment of African American students in OUSG is 21%, but 58% of all the suspensions are African American students. 68% of the students who are expelled are African American students. The district has committed itself to ending this disproportionate discipline issue. The state of California has also mandated that the district in the disproportionately high number of special education students who are suspended.

Along with that, I've been told by a number of individuals within the school district, that we have an issue of girls who are fighting. High numbers of girls who are fighting. So much so, that last meeting, not this meeting, last meeting, they've hired supervisors to be in the hallway to work on that issue. And lastly, the school district is having an issue of racism. And last night they approved anti-racism workshops for staff. And some of that racism is creeping into this disproportionately high number of black students who are disciplined. So it's not just in the police department, we got it in the school district.

Commission Staff Thank you, Ms. Olugbala. I am sorry to have to cut you off. Unfortunately, your two minutes are up. Carina Lieu, I hope I have not mispronounced that.

Carina Now: Good evening. Can you hear me okay?

Commission staff: I can. Yep.

Carina Lieu: Okay, great. Well, I am the staff member for the Oakland Youth Advisory Commission, and it's really great to hear the youth council continue after OYAC recommendations, and then to see the work that Jackie Palma has done being on the YLC. And so I just want to commend the YLC for their work and just continuing the advocacy. It's really a great example of young people being developed and then leading, and then continuing to lead other youth to do more policy work. I'd love to continue to partner with the YLC on behalf of the OYAC and find ways for us to continue to work on violence prevention measures.

There are some opportunities coming up. So if they're... I know you're all getting propositioned in many different directions today in this meeting, which is great. And if you'd like to work on some mini grants with youth and projects that



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

youth are promoting to reduce violence in the community, we'd love to have you come and help us out. So, thank you so much for taking out the time this evening. It is really wonderful to see all the police commissioners today volunteer their time and also for the youth to be here and volunteering their time as well. So, thanks again. Have a great evening.

Commission staff: Thank you. Phone number ending in 9932. Go ahead.

Nino Parker: Hello. Nino Parker, black homeless advocate, Bay area. I like to advise the youth commission to try to be inclusive of the young homeless population here in Oakland. They're subject to a lot of laws and being moved around and not being able to sit or be in certain areas. I think it would be important to include them in the youth that are homeless under 18. Like earlier stated, I'm not sure of your ages, whether your high school or what, but nevertheless, I think it's important. And as to last night, speaking of the school board meeting, it's really sad when they were talking about counselors and I believe the figure was like 450 to 1 for counselors. There's not very many counselors in the school district. And I think counselors are very important in stopping expulsions and suspensions, but it doesn't seem that's available. So when people get... Kids get into altercations, they get ejected from school. So, I think it's important that we check in, the youth check into that as well, but mainly there is a homeless community out there that always gets forgotten. Thank you.

Commission staff: Thank you for your [inaudible] Mr. Parker.

Chair, I see no more hands. Back to you.

Chair Milele: Thank you. Next we have our update from Chief.

Commission staff: Chief Armstrong, can you hear us? Sorry, let me just check that there's nothing up.

Chief Armstrong, can you hear us?

DC Mendoza? I see you on.

DC Mendoza: Good evening. I know the chief is having some challenges and trying to connect with us. I know he's out of town and he is trying to connect with us. I can begin with some of the questions and the report out in regards to our tow process, until we could get the chief on the line, or we can go to another update that you would like to inquire about on his behalf.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Commission staff: Thank you, DC. Mendoza. Chair, how would you like to proceed? We can skip to the next item and then come back. We can start with the DC. It looks like Chief Armstrong has his video working, but not his audio just yet.

Comm. Harbin-Forte: He's muted.

DC Mendoza: Yeah, he's working on getting it together.

Chair Milele: I'm okay with moving to the next item and coming back.

Commission staff: Let's do that. Thank you.

Your next item's up. Your update from inspector general.

IG Phillips: Can you hear me, [inaudible]?

Commission staff: Yes. Go ahead, IG.

IG Phillips: Thank you.

Thank you. Good afternoon, everyone. Chair, Vice Chair, Commission, members of the public. First, before I give an update, I want to thank the members of the public for coming and being so dedicated to this commission, dedicated to police oversight as a whole, as well as the commissioners, as unforgiving job at times. And I understand that and I appreciate all of the overwhelming support since I've been here. This is my first report out. So I'm very excited to address everybody in their totality. I've been here for about two and a half months, and I've been feverishly working on ensuring that I comply with the charter mandate of measure S1. So I've been doing a lot of modules that are required per the charter to ensure that I have the appropriate training on measure LL measure S1 as well as use of force trainings and things of that nature.

I'm almost there, which will allow me to sit in the force review and executive force review meeting. So I'm actually quite happy about that. Additionally, I am working with the chair and others within city government and stakeholders regarding NSA monitoring, strategic planning, and moving forward with a good timeline and strategy as to what is the best way to move forward with oversight and how the police commissions OIG can assist in that positive move forward with police reform.

Furthermore, I am also working on and reviewing the bay matters. I am still in office of one at this point, but I am happy to report out that a temporary position has been posted today. So hopefully by next month, I'll have a little bit of help. So I'm reviewing the bay matters. I have collected a little bit more



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

additional information. I'm cross-checking some archived policies and documents that were relevant at the time of some of those matters and I'm moving forward in cross-checking anything that has happened since, and I've identified some concerns in that, and I've been communicating that with the chair and others to make sure that everybody is abreast of what's going on. And I believe the chair and others are in communications, hopefully, with the family so that they know that things are still moving in the right direction. So I'm working feverishly on those two tasks. They are my priority set forth by the police commission.

Additionally, I've been doing quite a bit of administrative work. I had to write all of the specifications for the positions that I am requesting to staff up the office of the inspector general commissioner Harbin Forte went from my first report out, spoke about some of the specifications that were being utilized and were budgeted that came from the police department. That was absolutely unacceptable to ensure that there was transparency. And there was also a delineation from the OIG within the police department as well as the independent OIG of the police commission. I rewrote those specifications so that we can get a new civil service list in accordance with the charter mandate to ensure that there is no crossover. So, that is also moving forward. And hopefully in the next week or two, fingers crossed, that those will go to the civil service board for review and an approval of hiring is a process. So I'm working on that and continuing on with my work here as well.

So those staffing matters are being addressed. I'm moving forward, communicating with the chair as well regarding community engagement, I think is extremely important to educate not only the community, but the city about what the office of the inspector general's authority and oversight is. I think there has been a little bit of... Not for quite a few of the individuals who are here regularly, but some of the folks in the community and within city government regarding what I can and cannot do. I've also identified some areas within the office of the police commission and CBRA, IAD, things of that nature that have issues that I notice and recommended for transparency purposes to change some different procedures and policies so that there is validity and independence in ID investigations.

And I'll continue to work forward in any of those procedures or policies that I think moving forward need to be addressed. I'll continue to do that. I'm committed to working and moving this forward. I just ask, of course, everybody to continue to support and bear with me as I try to stand the office up, move forward, and comply with the charter mandates that are outlined as well as the enabling ordinances as I'm move forward and continue on with positive police reform and positive police oversight and accountability and transparency while staying with the utmost and high morality and in with my integrity intact. So I



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

thank you all, and I appreciate it. I'm definitely here for any comments or questions from the commission.

Chair Milele: Thank you, IG. Commissioners, do you have any questions?

There we go. Commissioner Harbin-Forte.

Comm. Harbin-Forte: Thank you. I just have a comment. I want to thank the inspector general for her report. She has hit the ground running and I just want to commend you and thank you. Just know that we are here for you, so good luck. You're doing exactly what we knew you would do. Thank you.

IG Phillips: Thank you, ma'am.

Chair Milele: Commissioner Jordan.

Comm. Jordan: Hi there. Thanks for joining us and thanks for giving us update. I'm curious, so you were talking about some of the sort of structural policy changes that you're looking to make, or that have already been recommended without... Maybe you're not prepared to give any sort of detail, but if you are, I'm curious to hear what some of those might encompass or what area that they might be looking at around that.

IG Phillips: Yes, sir. So as the executive director of CPRA reported out at his last report out, there was a recommendation and change regarding the sharing of IAD draft reports with CPRA prior to the conclusion of CPRA's parallel investigations. In an effort to make sure that these in these independent investigations did not have an appearance of collusion and that there were fully independent parallel investigations. My recommendation to the commission was to stop that process and ensure that any methodologies were those of the independent investigative units, so that they can preserve the integrity of those independent investigations. That was one issue that I found both IAD and CPRA. I talked to both and was trying to get a clear understanding as to how investigatively that would help a process and instill trust in the community.

If there are issues and we have an oversight entity that is supposed to be independent and separate of the police department, then those investigations should be also independent and separate. And that's one thing that I wanted to ensure. And that's just, like I said, something that was low and hanging so priorities are that I'm also looking at some other things and I do not feel comfortable with reporting out on any other matters just because those matters are still open and ongoing. And I want to ensure that all the detail and evidence that I need to gather is clear, complete, and concise.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

- Comm. Jordan: Thank you. And I appreciate your not wanting to get into things that you feel like are maybe not fully fleshed out or still, maybe have some due diligence to do around them. And I'm sure that there's a world of fine tuning to be applied to all of this. So, thanks.
- IG Phillips: Absolutely, sir. Thank you.
- Chair Milele: Commissioner Jackson.
- Comm. Jackson: Yes. Thank you, IG Phillips, for your report. I'm very interested in your getting additional support, so you aren't this office of one. You mentioned that there was a posting done today. Do you have any sense of how quickly that will be able to move through the queue so that you can make a hiring?
- IG Phillips: Yes ma'am. So that posting will be posted for 10... Well, two weeks. It'll be posted for 10 days, according to HR, and then we'll have to go through the civil service process, which is in accordance with measure S1. Anybody outside of me who is hired, must go through the civil service process, the equity and inclusion process as well. But we're getting a list together for the E L D E, which is a temp, like I said, a temp hire. So it's a little quicker moving than the full time employees. So we still have to go through the process, get a list, they have to vet. So they're projecting that I will hopefully get somebody in and ready to work before the end of April. That is kind of the timeline that I'm getting from HR. But after the posting closes, I'll be able to get and sift through and vet the qualified individuals, which will be 10 days from the posting date.
- Comm. Jackson: Excellent. Thank you very much.
- IG Phillips: Yes, ma'am.
- Chair Milele: Commissioners, do we have any other questions for the IG?
- I will ask a question. What have you seen so far that you are impressed by that you are happy that you've seen so far since you've been here?
- IG Phillips: One thing I will say is that everybody I think is fully aware of measure S1 and measure LL and the strength that it has. So anytime that I've asked for any documents that I need to review, any information that I need to review, I've been getting it in a timely fashion. That support is there. The overwhelming support of the community is breathtaking for me, especially as an office of one. So I think that warms my heart daily.
- The commission is always ready and available to talk, talking off a ledge. So I definitely appreciate that. I know we're all learning and growing in this, this



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

commission is still quite in its infancy. And I'm here to learn and teach from everybody. I think one of the callers said earlier that everywhere that we go with police oversight is our office. Our office is not just a building.

So one thing I pride myself in is walking around and people are talking and listening and are willing and open to talk about their experiences with the police. And I do appreciate that.

Chair Milele: Thank you. If there are no other questions from commissioners, we can open up for public comment.

Commission staff: Fantastic, happy to. Members of the public wishing to make public comment on this item, the IG's first report out, congratulations IG. Please raise your hand. I'll call on you in the order that they have appeared. I see three already. Give me just a second. I'll get our clock. First up, Rashidah Grinage, when you're ready.

Rashidah Grinage: Thank you very much. I wanted to kind of single out from the IG's comments, her references to the investigative process. I'm so appreciative of her commitment to making sure that CPRA's investigations are in fact parallel and not collaborative with the investigations being done by IAD.

We've been concerned about this for some time and we've made that concern known. And so we are extremely pleased and gratified that the IG has taken it upon herself to ensure that there is a clear policy and directive that these investigations be entirely separate, until the final conclusion of each agency.

At which point, they go to the chief to be resolved in some fashion. So we appreciate that so much. And I just wanted to highlight that from the IG's remarks. Thank you very much.

Commission staff: Thank you Ms. Grinage. Mr. Saleem Bey, 5802.

Saleem Bey: Good evening, Saleem Bey. We are thankful for the IG's attention to starve for justice cases that have been punted down the road by the current commission members for years.

We have been saying since the beginning of this commission was created that the CPRB's lack of community credibility is sustained on the commission's credibility. And now I'm saying the exact same thing to the new IG.

Again, the OPC is playing the admin 33,04 game while not reporting to the NSA black and Muslim complaints, like they did the Pawlik case and the rape scandal that got Swanson, independent investigations at the federal level, and showed that not only was OPD complicit, but also the city. We demand that the OPC



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

hold accountable, the all white NSA court getting paid tax dollars to ignore Muslim and black cases for almost two decades.

This will expose NSA monitor Warsaw for covering up known systemic OPD racial and religious profiling resulting in OPD involved covered up murders, still currently afflicting Oakland's black and Muslim community.

The only people who if bear with the CPRA rubber stamp, and IAD are the CPA. Who rewarded the corrupt CPRB by just changing the last letter to A. Same investigators are [inaudible]. The same non investigators as the CPRB, but now you tell us the CPRA is not going to close all the black cases like they've been doing for the last three years of this commission.

The people who are least affected by CPRA racial bias are the CPA, and who keep putting themselves in between black justice showing how full of themselves they are while they remain silent about Muslim cases. The current CPRA investigators are tainted and their tainted will stink on anyone that continues to use them to not investigate and cover up black cases. The city, OP-

Commission staff: Thank you, Mr. Bey. I am sorry to have to cut you off. Unfortunately, your two minutes are up. Next up, Mrs. Assata Olugbala. When you are ready, Mrs. Olugbala.

Assata Olugbala: Yes. Just to follow up with CPRA, it is unacceptable, and it's amazing. This group, coalition for police accountability has never spoken to the of fact that CPRA has not been able to find officers or sustained, in their findings. Unfounded is mostly what they come to, or I cannot believe that all they worried about is a separate investigation.

And so the results are officers are not being held accounted, because they finding any officers guilty of racial profiling or excessive force. So pay attention to their findings, the inconsistency of how we don't get police officers held accountable, because they don't find any officers guilty of anything. And the Bay case, I hope you can make some forward motion on that, but we can't have CPRA involved in any way with the Bay case. They've done enough damage.

And I don't know how the task force decided that they need to take on more responsibility from the police department based on what? Based on what? They don't have any white investigators. They don't do anything in terms of reporting out how they come to any conclusions. But they continue to say under their leadership, that they're doing good work.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

So we going to, some of the members of the public are continue to call them out. And you got some white folks who going to continue to act like they're doing great work. Coalition for police accountability. I'm finished.

Commission staff: Thank you, Ms. Olugbala. Next up, Cathy Leonard. When you're ready. Oh, hang on. Go ahead, Ms. Leonard.

Cathy Leonard: Can you hear me?

Commission staff: Yes.

Cathy Leonard: Yeah. Kathy Leonard on the steering commission of the coalition for police accountability. Black woman, born and raised in Oakland. I'll say that we have been disappointed as Rashida Grinage said, about the results of CPRA's reporting. And we are more than ecstatic to see inspector general Michelle Phillips on board.

I talked with her recently and I'm very confident in her abilities. I'm glad about the level of reporting that you've done. And I'm also impressed that you've done so much with just one person on your team, if that. So I'm looking forward to your office being adequately staffed so that you can do your great work. I already foresee that you're going to be doing great work. And the coalition stands behind you being appointed. And we can't wait to see what you do. So get the house in order and get some true reporting on what's going on with CPRA. Let's get it done. Thank you.

Commission staff: Thank you. Millie Cleveland.

Millie Cleveland: I might have missed this, but can you clarify, what are the positions that you're submitting to the civil service board for approval? Are these new classifications you're requesting to be included in the personnel system? And so I'm sort of confused if that's true. How do you post for a position that has not been approved by the civil service board? This might be my confusion.

Commission staff: No worries. Ms. Cleveland. Is that all of your public comment?

Millie Cleveland: Yes.

Commission staff: Thank you. Anne Janks. Give me just a second. Ma'am I am so sorry. Anne Janks, did you have your hand up? Can you put your hand up again if you have it up, I'll go to moto g stylus, oh no. I see you. Thank you, Mrs. Janks. Give me just a second. Apologies, technical difficulties, when you're ready.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Anne Janks: Good evening. I welcome to the inspector general. We're just really thrilled to have you. I'm a big fan of transparency and I was pleased to hear you mention it several times. And in that spirit, and please forgive me if I haven't seen it, I didn't see anything written related to your report. But it would be great to hear when you refer to talking to stakeholders, who it is that you're talking to, and who you consider to be a stakeholder.

Mainly the position and the urging that I continue to make is that, everything should be transparent unless there's some very specific reason for it not to be. And it would just be great to know who it is that you're talking to and receiving input from, and through knowing that, we would know if anybody felt that there were some voices that you needed to hear additionally from.

So I would just really appreciate now and in the future, hearing who this stakeholders are that you're talking to. Again, welcome, and thank you for being here.

Commission staff: Thank you, Mrs. Janks. I have a Moto G Stylus. I've unmuted you when you're ready.

Moto G Stylus: Thanks. Can you hear me?

Commission staff: Yes, go ahead.

Moto G Stylus: This is sort of more a general comment, but I think as a member of the public, I would just really prefer that the commission start being a little bit more professional. And it's communications with subordinates and peers, don't congratulate people before they've done anything. It's just a bad precedent to set. And then it becomes difficult to have difficult public conversations.

For example, in today's report, there's a copy of the, I believe it's the draft commission annual report. It's something I've wondered about is how Regina Jackson is still on the commission six months after her term expired. Are you ever going to talk about that? That sets up a really bad precedent where the community selected members are on for a finite period of time. And the mayoral appointees are on for as long as the mayor wants them to be.

And that sets up a very, very awkward power dynamic. It's not personal to Commissioner Jackson, but Commissioner Jackson did serve the last three months of her term as chair in an expired position. That's not fair to the public, whatever you all believe about the merits of doing. That's not a fair way to treat the public, and it's even more unfair not to make that a public conversation. I would appreciate if the commissioners talked about that and what's the



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

rationale for that? What's the commission's response to that and solutions for that? Thanks.

Commission staff: Thank you. I saw a hand go up. I saw a hand go down. I'm going to give it a quick minute. Any more public comment on this item? The IG's report. Yes, I thought so. Lorelei Bosserman. I did think I saw it. I see your hand, when you're ready.

Lorelei Bosserman: Thank you. I was debating whether or not I should say something. I just want to point out that Regina Jackson has only served one term. Commissioners are entitled to two terms, if they are reappointed. I have not heard whether or not the mayor has reappointed her. But in fact, the mayor would be well within her rights to reappoint Regina Jackson for a second entire term.

This came up once before with, I think, Edwin Prather, who also stayed slightly beyond his initial term. But at no point did either of them, at least so far, exceed what they are allowed to be appointed for. Thanks.

Commission staff: Thank you Ms. Bosserman.

IG Phillips: Chief of staff, can I ask through the chair if I can respond to, I believe it was Mrs. Cleveland's question?

Chair Milele: Yes, please do so.

IG Phillips: So Ms. Cleveland, I am posting for temporary position right now. So because it is a temporary position, what in the city, they call it an exempt limited duration position, is so that I can get some help immediately because I just don't have any, it's just me and there's a ton of work to be done. So that's the way that we can do it. It still went through a process, but it's a little bit quicker of a process, and it doesn't have to go through the same stringent, if that makes sense. Process as a full-time civil service employee for the city.

And I think you also asked what positions I'm asking for. So I'm asking for auditor positions within the city to help with the auditing function and the review and inspections function to oversee the tasks that we have in the NSA within OPD.

I'm also asking for policy analysts to help review the policies, especially the very archive policies that we haven't systemically been reviewing. To check if there's any policies that are conflicting, because we've kind of been adding policies and adding policies and adding policies and not going back to see if there's any that we can pull out, any of them that we can put together, just to make sure that they're more cohesive. And then help assist the commission as well with policy review. So I'm asking for those positions, as well as a compliance officer.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

So the compliance officer will help to ensure that any reviews for audits of OPD or CPRA, and CPA, that we're following up in ensuring that recommendations that are accepted by the police commission are also being implemented in a timely fashion and are actually working. And if they're not working the way that we expect for them to work, then we'll have to go back and review that.

So those are the ones that I'm asking for, doesn't necessarily mean that I will get them. And then I have an audit manager program, a performance audit manager for the office of the inspector general.

So all of those were rewritten to actually hone in on what is needed and required for the inspector general's office of the Oakland Police Commission. So I hope that helps for clarity purposes. Thank you.

Commission staff: Okay. Thank you for that. Chair, if you are ready, we can move on back perhaps, to the chief's report. I do believe.

Chair Milele: Yes. Let's go back to that.

Commission staff: Thank you.

Chief Armstrong: Chair, can you hear me this time?

Chair Milele: Yes.

Commission staff: Yeah.

Chief Armstrong: All righty. Sorry about that. I'm out of state. So I was trying to find a way to get my mic working.

Good evening chair, just want to report on a couple things you'll see tonight, that we're going to talk less about crime and more about an analysis report that's included in the packet, but I will start off with talking about our violent crime.

We're currently down 18% overall in violent crime, down 32% in homicides, and 25% in shooting. So we hope that continues to trend that way. We still continue to recover a high number of firearms in our community, which is still concerning.

What I included today based on some of the conversations that we had at the last meeting was our risk analysis report that I spoke to you about. One of the things you'll see in our risk analysis report that's produced on the monthly basis is the amount of information that the department is, not only collecting but



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

analyzing and speaking with our staff about specifically. As you see in the current report that we have in included in today's packet, which is used for our monthly risk management meeting. We can see that we continue to see our overall stops continuing to decline.

And so that is continuous to be something that we continue to believe is actually reducing racial disparities in who we stop. We also continue to focus on traffic safety stops, as opposed to equipment stops. And those are the low level stops that sometimes can have a disparate impact on communities of color, and really focusing on those involved in criminal activity.

So what you'll see in one of those lines is our 60% intelligence led rate, which is essentially something that we created within the Oakland Police Department that allows us to better understand the officer's reason for making the stop. Better understand what that stop is connected to.

We've asked our officers to focus on stops that are connected to violent crime. And so that 60% represents the fact that 60% of our overall stops that are Intel led, we already have a connection to a particular crime.

And so I think that is something that we are leading the country in, as the ability to connect our stops with a specific incident, using the data and intelligence that we currently collect as a part of our stop data collection process.

I think one of the things that you'll also see on this report, is the number of forced incidents we've had over the last month or so. Compared to the same time period in 2021. You'll see that overall, we've seen a slight increase in use of force total. 139 use of force incidents compared to 124 in 2021. That's a 12% increase.

During our risk management meetings we are discussing what is driving those particular increases from the meetings that we've been having. We've seen our level four use of force, which is the lowest level use of force that we collect, be the main driver.

And in most cases it's related to officers encountering armed suspects. And as we mentioned earlier, and it's in our packet, as we've seen these increases in the recovery of the firearms. This is consistent with the stopping of individuals that are armed and then recovering those firearms.

But we continue to exercise great decision making and de-escalation, which is led to the Oakland Police Department having the lowest officer-involved shooting rate of any department in size in the country. And I really think it's a credit to our training, our training staff, and then the City of Oakland's



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

investment in de-escalation technology, which we're using to do consistent training with our staff.

We, if you look so far this year, without an officer involved shooting, which is also listed. One of the things that we are looking into is if you see our K-9 deployments, our K-9 deployments have increased significantly from two in 2021 to six.

So we'll be having those discussions at our risk management meeting about what is driving those K-9 deployments. Are those K-9 deployments within department policy? Looking at how those deployments came about and who was responsible for them. So we'll be looking at those things during those meetings.

We also include our complaint data. And as you see in the report also, we've seen a decline in overall complaints by 16%. And we've seen a decline in overall allegations of misconduct by 34%.

So again, really tracking this information is critical for us on a month to month basis to better understand if we see increases or decreases in complaints. We also look at where those complaints are coming from. From what area in the city or within the department. And that will lead to more substantive discussion about the individual officers that may be driving those complaints, and what we're doing to intervene in that behavior.

The other area of risk that we've been working on, where you also see an increase is the number of pursuits. We have seen an increase, significant increase, in pursuits so far this year from five in 2021. At this time to 17 currently. We have been doing a lot of analysis on our pursuits. And so I've personally been looking at reports. Our command staff during our risk management meetings are discussing each pursuit and looking at the officer's reason for the pursuits. We have pretty strict pursuit policy. Also, we have a pursuit board that reviews pursuits to determine if [inaudible] were in compliance. We haven't so far had a pursuit that was out of compliance with department policy, but that's something that we are looking closely at.

We know that the main drivers of these pursuits has been armed vehicles involved in violent crime, as well as the significant increase in carjacking that we've see in armed carjacking vehicles that we've encountered.

But we also recognize that pursuits are some of the most high risk things that we engage in. So we have to continue to watch those pursuits very closely to ensure that officers are continuing to follow policy.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

The other thing that we are watching is our collisions. Our collisions have went up as well from three to 11. One of the things we know is that those collisions were not connected to pursuits. We've seen these collisions be connected to what we call inattention. Low speed accidents, like backing up and tapping a pole or tapping a vehicle. So low level inattention related vehicle collisions that have led to lots of discipline being issued out. But also to some retraining for officers also.

For some changes in structural things at our Eastmont station, for instance. We have a pretty narrow entry point into our garage below the Eastmont station that officers tend to have a hard time navigating. And so they tend to hit the poles that are actually outside of the gates. And so we've painted those poles yellow, put additional pattern on it, but those are some of the things that we talk about when we say low speed accidents.

We've also seen an increase in our deployment of our armed vehicle, our armor vehicle. And one of the things you'll see in the packet tonight is that during, about two weeks ago, we were encountering armed suspects and we brought out the armed emergency vehicle in order to manage that incident and the individuals within that car, as we seek to attempt to take them into custody, they ran the vehicle, breaking the axle on our suburban vehicle. Which we know is not as sturdy as our other vehicle, but they broke the axle from ramming the vehicle in attempt to flee.

And that vehicle now will cost us about \$30,000 to repair. But we did take the individuals in custody. And if you see our press release on the incident inside the packet, you'll see that they were armed with rifles, as well as extended magazines and involved in crime. And our ceasefire team was involved in taking them down, that's a result of their investigations into groups that were driving violence.

So that is concerning. We'll do what we can and try to get that vehicle fix as soon as we can, but that was a challenge for us. And then I just want to first thank the commission and the leadership of Chair Milele for the focus on the policies that have been required by the by judge Org, appreciate all of the time and energy that the commission is putting into completing those policies.

I believe from chair Milele's leadership is that we're going to get those policies completed in time for our court appearance, which will position us well for hopefully compliance at some point. So we bringing forth those policies, some of which will come next week. But also continue to work with the commission during our Ad Hoc committee meetings.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

With that, last week, we had a secondary request from a commissioner, Hsieh I believe, that wanted us to come back and speak specifically to our tow policies and our tow process. So Deputy Chief Mendoza is here. And chair, if it's okay with you, Chief Mendoza will lead you, the commission through the follow up requested by commissioner Hsieh regarding our tow hearings.

Chair Milele: Should we take some questions from some of the commissioners and then do that part? Just in case it was about your report out?

Chief Armstrong: Yes, yes. Chair. Whatever way you'd like.

Chair Milele: Commissioner Jackson?

Comm. Jackson: Thank you very much chair. Good evening, chief. My question is this. I know that we have often said that training has been the linchpin for success inside Oakland, that we train, we train, we train.

I have heard the city administrator talk about our core values being part of the race and equity toolkit. And I just wanted to know how many of the officers inside the police department have completed the implicit and explicit bias training?

Chief Armstrong: So, what we're doing now, is about three years ago, we had Stanford teach each officer in the department participating in implicit and explicit bias training. Currently right now, we're teaching what we call project reset. Which includes an overview of bias, both implicit and explicit bias.

But also we are working with race and equity director, Darlene Flynn, and she's teaching a weekly class in our continued professional training academy. Which is one in which officers are mandated to attend weekly, and their weekly assign. And every officer will at some point go through it. But director Flynn has been kind enough to teach a race and equity class during that particular training cycle.

So she's there every Monday for about two hours with our team, teaching our officers an update on race and equity and how equity plays a role in everything that we do, in terms of developing policy, how we go out and actually do our jobs every day. And so I think that has also been very helpful. And then what we're doing is currently putting together new race and equity teams across the department to be involved in policy development and policy decision making, if you would. So we're doing some things to address both race and equity, but also implicit and explicit bias.

Comm. Jackson: Excellent chief, thank you.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Chair Milele: Commissioner Hsieh?

Comm. Hsieh: Thank you chair. Good evening, chief. Thank you for your report. I very much do appreciate you including the risk management assessments in these reports. I think it's both important, not just it being publicly available, but being brought to these meetings and hearing what it is that you have to say about these. That you're on top of it, that you're talking about it, that you're addressing it.

These are not numbers that I think necessarily that we may want, as the department. I'm not, sorry that's poorly worded. They're not the numbers that necessarily paint the best pictures of the department. They can be taken in many different ways. I know we talked about it two weeks ago about needing to drill into the data. I'm sure that we'll get some comments about it, but I am very interested in drilling down into the data as you recommended. And as you suggested, specifically on two of the things that we're seeing in the risk management assessment. Specifically, the traffic stops, as well as the use of forces and the numbers and what it means. But nevertheless, thank you for the report shows leadership to be willing to do so.

Chief Armstrong: Thank you, commissioner chief. I think you're muted.

Chair Milele: Okay. Chief, if you wanted to move to Mendoza's presentation.

Chief Armstrong: Yes. Deputy Chief Mendoza, you can present on tow hearings. Thank you.

DC Mendoza: Good evening, commissioners. Thank you for this opportunity. And I am reporting out on the last meeting. There was an inquiry request to the commission to understand how many vehicles from our size show events that actually get towed by the Oakland Police Department that then go to the city of Oakland's hearing officer, to then be released.

And those numbers were gathered for the year ending in 2021. So the City of Oakland has what they call a hearing administrative officer. That hearing administrative officer is assigned to the Oakland department of transportation.

They do have an office here at the Eastmont station, and they are required and they have a listed criteria that falls under the revenue management bureau of the city. Where they, anyone who has a vehicle towed within the sideshow that would like to contest it for reasons that fall within the criteria, they are allowed to request a hearing within 48 hours. At which time they would be given an appointment to present that reasoning to the hearing officer, and to also demonstrate their noninvolvement and activity within the sideshow, that hearing officer is separate from the police department to provide a fair non-bias hearing, that is not connected to the police department.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Those numbers were gathered for the year again, 2021, we had 10,366 tows. Tows related to the sideshow specifically for the California vehicle code 23109, that gave us the authorization to tow those vehicles were 40. Tow hearings that we had for the year ending 2021 were 38 and the sideshow tows released by the hearing administrative officer of those numbers were 19. So those were the numbers specifically for 2021. And again, that authority of the hearing administrative officer falls under the Department of Transportation. But I'm open to any other questions and they do have a selected criteria that they have to ensure that they abide by when they are releasing those vehicles. But I'm open to any questions in regards to that report.

Chair Milele: Thank you, DC Mendoza. Commissioners, do you have any other questions of the chief or of DC Mendoza? I see Commissioner Jackson's hand still up. Is that from before or a new question? Okay. That's gone down. Vice Chair Peterson.

Vice Chair Peterson: Yes. I have a question. Thank you, chair, of Officer Mendoza. And with respect to those tow statistics, are you actually ticketing or towing the cars that are involved, actively doing the sideshow, the donuts and what have you or are you just towing cars that are there observing it? What cars are you towing?

DC Mendoza: Thank you for that question. We have guidelines in authority to tow for very specific tow. Under the California vehicle code, which is 23109. We also have guidance within our policy and procedures for sideshow enforcement. So the vehicles that we're towing are vehicles that are actively engaged and the enforcement that we're trying to stop. What they call the erratic driving of very dangerously, doing what they call donuts, just really spinning out. There may be some violence involved where we have shots fired and our officers have to go in and engage and there's vehicles that are involved with that. But there's also other crimes that are attached to those vehicles that are towed. When we do have violence associated with just not only the size show enforcement, but also we have violent crimes occurring like gunshots or firearms being recovered from those vehicles.

Vice Chair Peterson: One other observation. And, I hope I'm not mischaracterizing what I've heard from the public about some of the sideshows and police officers engagement. There seems to be a perception that the police officers are standing back and not engaged. And that's kind of like where my question came. It's like, if you're towing a car, you have to stop the activity. And so am I to assume, that officers are actively engaged in stopping the activity and towing the cars?

DC Mendoza: So thank you for that question. There are a lot of enforcement strategies. There are other enforcement strategies that we, when it is not safe to enter such a dynamic crowd, where I have rifles being shot in the air within that crowd, there are certain strategies that we approach that group in. So, and there's other



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

strategies that we use after the fact to then circle back and enforce crimes when we cannot, at that moment, meet the standards of having enough officers to enforce such a dynamic crowd, where you have a lot of bottles being thrown at our officers, gunfire being shot from various directions. So we have to approach that tactically and very sound to prevent any injury to anyone else, and also to protect the public who is possibly just caught within that sideshow and is not involved. So we have to be very strategic. There are other strategies, like I said, that we utilize that we don't want to disclose that we do capture events and circle back with our sideshow investigative teams to go be able to go back and hold those individuals accountable.

Vice Chair Peterson: Thank you.

DC Mendoza: Thank you, Vice Chair. Commissioner Howell.

Comm. Howell: Hi. I just wanted to go back over the... Can you hear me?

DC Mendoza: I can. I can, yes.

Comm. Howell: Okay. Okay. So I just want to go back over those numbers. Okay. What was the 10,000, was 10,000...

DC Mendoza: So the 10,366, that is the number of tows for the entire year of 2021. That is not the number of tows specific to size shows. So the number of towed vehicles within the city of Oakland as a whole.

Comm. Howell: Okay. All right. Thank you.

DC Mendoza: You're welcome.

Chief Armstrong: And Chair Milele if I could [crosstalk].

Chair Milele: Yes.

Chief Armstrong: I just want to, if there's not any more questions for sideshow first, I just wanted to end with just a couple of updates for you. Short updates, ma'am.

Chair Milele: Commissioner Hsieh, is your question about the towing or is there something else?

Comm. Hsieh: Oh, I can save it for after.

Chair Milele: Okay, go ahead, Chief.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Chief Armstrong: So, I just wanted to make sure I end by recognizing our current staff. And today we sit at 667 officers. That is well about 60 short. So we have 60 current vacancies, currently. We just started in the academy on Monday, the 188th academy. And that started with 41 officers. It's the highest number of officers that we've recruited in the academy in several years. But we also had a very difficult month in terms of attrition, losing 15 officers in the month of February. So while we continue to hire officers, we still are seeing a large number of officers either retiring or leaving for another agency. So with that, I just wanted to make sure I submit that because I do believe everything that we talk about when it comes to crime, staffing, accountability. I mean, when we talk about accountability, staffing is a huge issue, is our ability to have adequate staffing out there in order to be able to do all the things that the community is asking us to do. So with that, I submits my report.

Chair Milele: Thank you. Commissioner Hsieh. Did you want to ask your question now? No. Commissioner Howell, did you have a new question?

Comm. Howell: I'll just lower my hand.

Chair Milele: Do any other commissioners have questions for the Chief or DC Mendoza? It looks like we can go to public comment at this time.

Commission staff: Thank you Chair Milele. Members of the public wishing to make public comment on this item, the chief's report, please raise your hand. I'll call on you in the order that they prepared, once I get our clock. Okay. First up, Moto G stylus I've unmuted you.

Moto G stylus: Thank you. I have a number of questions that came up here. I don't understand why in the report on this year's policing data, the intel led stops are not broke down for African Americans. That doesn't make much sense. Maybe Chief Armstrong could orally give the number. As far as collisions, I hesitate to just take Chief Armstrong at his word, nothing personal again. I witnessed a collision on December 5th, between... I didn't witness the collision. I witnessed the aftermath between a police vehicle 1861 on December 5th, 2021. Two individuals were taken to the hospital, I was told by an officer at the scene. It was a serious collision on 68th and Foothill. Two people in the civilian vehicle were taken to the hospital. I had put in various records requests for the report and they've been closed improperly. This is to give you an example of how the public is interacting with the Chief in his organization.

There's nothing... There's no data that Mr. Armstrong presented you, that the Level 4 use of force increase is due to apprehending armed individuals, none at all. And at a public safety committee meeting earlier this week, one of Mr. Armstrong's subordinates revealed that 15 officers had recently lost Skelly



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

hearings, where they were seeking to have exemptions from the city's vaccine mandate for employees and they may separate from the department. They may either be fired or quit if they don't get vaccinated. So I think the chief owes you an explanation and update on that as well. That was public information revealed at the Public Safety Committee.

Commission staff: Thank you for your comment. Next up, phone number ending in 5802. I think this might be Mr. Saleem Bey. Mr. Bey?

Saleem Bey: [inaudible].

Commission staff: We could hear you Mr. Bey, try again.

Saleem Bey: That's my fault. So much garbage, where to start. Can you hear me?

Commission staff: Yes. Go ahead.

Saleem Bey: Race and equity class failure. It's obvious. Ms. Flynn has been failing regarding systemic racism with OPD. Ms. Flynn has been employed by the city of Oakland since about 2015. Since that point OPD has continued to fail to stop racially profiling at the exact same percentile rate for all the years she has been collecting a check from Oakland. In fact, we met with Ms. Flynn the first week she was hired in her position, and she has ignored everything and anything about the Bay cases since. So please, when OPD chief says that they are learning, that OPD is learning, not to be racist from a city admin paid director, take it with a grain a salt. Since the same systemic racism presented to the new IG was seen by Ms. Flynn and the chief that had sat on this case since he's been going to the OPC meetings in 2018, listening to us say that an OPD officer stole my brother's cases when he retired, while being investigated for misconduct, right? He hasn't said anything about the Oakland police officers letter about racism and why he hasn't done anything about it.

I just need for the chief as well as the OPD to understand that the chief is not here and the Oakland Police Department is not here to actually work with the OPC. They're only here to get you off their back to the degree that they can continue to racially profile and fail at the NSA for 20 years. While G was a black CEO who made sure 250 black people were paid every month to have his murder treated like an anonymous homeless person with no leads is disrespectful to our community that lost so much. The OPD criminal let off the hook by this chief and the current CPRA repeatedly. Thank you.

Commission staff: Thank you, Mr. Bey. Ms. Olugbala.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Assata Olugbala: The data that is the intelligence data is not broken down by race. The non-intelligent data is broken down by race. Traffic stops, use of force for African Americans in 2020, 64%. African-American, 23% Hispanic, 2021 African-American 65% of use of force, Hispanics 22%. It went up in 2021 use of force African Americans 65%, use of force for Latinos, Hispanic 10%. It went down for them. And 2021 use of force, 72% African Americans, 14% Latinos. What is going on that use of force is impacted you disproportionately over a four year period, according to your data, African Americans at such a high rate when our population has declined 14% over the last 10 years?

At the same time, intelligent led stops... Not understanding exactly what that means. It would seem to be you have some information about a vehicle that would cause you to stop the car. I'm not sure. But I was told at a meeting of the Community Police Advisory Board that all stops are intelligent led.

Commission staff: Thank you, Ms. Olugbala. Phone number ending in 9932, by this... Mr. Parker, I think this might be you, 9932.

Nino Parker: Nino Parker, homeless advocate, Bay Area. I'd like to start off by saying to the lady that's the judge, that's on the commission. I didn't mean any disrespect. I didn't know your former position, but at the same time, I think I probably would've toned it down. But on the other side of that, I did attempt to speak my mind. Like I say, if it's a homeless issue and something happens that day and it's concerning homeless people and the police, I will probably talk about that issue no matter what the agenda item is. But no disrespect to you. As for my futuristic thoughts on how the police department will be all over west Oakland once the ballpark comes in, what I noticed in San Francisco, they have a private police department. They're all over down that ballpark area, Chase Center, all the way over to the ballpark. I get the feeling the regular police department here will be doing something else while all the rich people have their own police department running through the black community out there.

Also, I'd like to say to the legal department in Oakland, there is a police report where I was attacked by [inaudible]. And I want to talk to their legal department about getting their report on their investigation. Sara Bedford and her Office of Human Services, I'd like to have a copy of that. I just wanted to speak [inaudible]. Thank you.

Commission staff: Thank you Mr. Parker. Rachel Beck.

Rachel Beck: Hi, can you hear me?

Commission staff: Yes, go ahead.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Rachel Beck:

Great. Thank you. Through the chair, this is something I would love to hear the chief address, if not at this meeting at a subsequent one. There is a term commonly used in police work to refer to a cluster of symptoms or behaviors, including agitation, elevated temperature, altered state. It's excited delirium. The trouble is the American Medical Association, American Psychological Association, and Physicians for Human Rights all reject that term, observing that it's not a valid medical diagnosis and observing that the of symptoms in the catchall of excited delirium can be caused by anything from alcohol withdrawal to infection to encephalitis. This term has been pushed by Axon, even though there's no medical consensus behind its value or its use.

I'm clear that many of the in custody deaths of people whose death certificates read excited delirium involved positional asphyxia. And due to the commission's work, positional asphyxia is no longer permissible within OPD policy. Still, framing a medical crisis through the lens of a syndrome that does not exist, makes it harder for EMTs to diagnose and treat the actual medical crisis a person in custody is experiencing. And I'm asking the chief, would you please stop using this term in training materials? Unless the training materials that I found online are archival and not current. Thank you.

Commission staff:

Thank you, Ms. Beck. [Reisa Jaffe].

Reisa Jaffe:

Hi. Yes, this is Reisa Jaffe. I'm glad to hear that crime statistics are coming down. That's good news. It's disappointing to hear the chief continue to call out the decrease in the number of police as if police are the only solution to public safety when crime statistics are coming down and the police staffing is lower. I want to share with you all that last night at the Budget [inaudible] Commission, there was unanimous vote just to support the recommendation that came out of the Budget Advisory Work Group on the Reimagine Public Safety who have transparency on the data that's on police staffing and to dedicate a position to make data available public. So we can really look at how our police resources are being used. We can't fund other solutions to public safety if we continue to fund the police department at the level we are. So let's find out what the real needs are, what the... So anyway, I just wanted to share that piece of news. Thank you.

Commission staff:

Thank you for your comment. Anne Janks, just one moment, please, Ms. Janks. Okay, when you're ready.

Anne Janks:

Good evening. I would really ask urge the police commission to find out from Rachel Beck, what training documents there are that reference excited delirium, given that the commission passed a policy that specifically address use of terms like excited delirium.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

But the reason I originally raised my hand... And I would like to thank Rachel Beck for raising the issue. The reason that I raised my hand was I wanted to ask if it's possible to look at officers who were involved in the Instagram scandal and what their level of training was on internal, whatever the phrase is for discrimination and for the anti-racism training. How well trained were they, that they didn't see anything wrong with those postings? And I'd be curious if they were less trained than other officers. How did that... I mean, I think it's an interesting snapshot potentially to look at and decide whether the training that was in place at that point was effective. That's just a question that I have about that data. Thank you.

Commission staff: Thank you, Ms. Janks. Chair, I believe I have no more public comment, but you do have a commissioner with their hand raised.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Thank you, chair. Chair, I hope that we can schedule something with the chief and his risk management people to hopefully get a presentation about a deep dive on the data, I think that was one of the things that the chief mentioned. I don't think it's something that happens every week, obviously, maybe on a quarterly, bi-annual or annual basis. I'm thinking about this commission's goals and sort of its directives. I think it's important to look at the breakdowns on non-intel traffic stop, on tows and on uses of force. And I look forward to that and hope that we can make that request through the chair.

Chair Milele: Absolutely. Thank you. Are we able to move on to the next item?

Commission staff: We are. Hi, it's mine. I'm going to share my screen if that's okay. And probably come on video. Good evening, everyone. Good evening Chair, Vice Chair, commissioners, members of the public. It's lovely to be on camera with you all. I'm sharing my screen to show you this. Agenda item is really hopefully quite quick and a little cursory. It's unfortunate that Mr. Conor Kennedy, our counsel isn't on with us, but I know Natasha is. Huge thanks to Conor because he really did have most of the heavy lift here.

We've redesigned the table that would normally accompany the agenda. That last agenda item, it's been in our park. It's been pages long. It's got colors, it's got ratings. It's also a little bit outdated, so we've redesigned it. And it's a little cleaner, it's in your packet. I'm showing it to you now.

What we've done with it is first off, you will see that we've taken away the grading. It used to be high, medium, low. And we are assuming that everything is important. So there is no low priority. We've also cleaned it up. So anything that was finished is no longer on the list. Because that the last version, again,



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

was kind of a little long, but included everything that this commission had done. So congratulations for that. We are also starting out... And you'll see the comment from Conor on the side there, this is a starting point. And so we're hoping to build on this, but what you are looking at is a clearer and more explicit focus for this commission on its charter mandated activities. And then of course we'll be capturing the agenda asks that stakeholders, members of the public make, as they come in. As you all also ask for them, request them.

What else is worth pointing out? This is going to be a little bit of a work in progress. Something that we are working toward. You'll see the timeline for 2020, hoping to turn this into a little bit of a Gantt chart. So that commissioners, as well as anyone else that starts to look at this, whether it's posted online, can actually track with us and see when in the year the work needs to start, how long it tends to take. So it's just a little... We're going to try and see if we can organize a little, not necessarily differently, just a refresh from what we had. That's all I have for you. And I will see if there are any questions. But we, yes so we're going to start using this, hopefully. Any questions from the commissioners?

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Thank you and Connor for all of your work on this. I know it's not fun updating spreadsheets, but it is quite valuable. Thank you so much.

Commission staff: You're welcome. And it is.

Chair Milele: Other questions from commissioners? Commissioner Hsieh, is that the same hand? Okay. I believe we can take public comment on this item now.

Commission staff: Thank you. Members of the public wishing to make public comment on this item. Please raise your hand. I'll call on you in the order they appear. Just one second. I also set up our timer. Ms. Olugbala.

Assata Olugbala: Yes. The document states that you will be developing the performance criteria for the director and for the police chief. But it doesn't state the development of the performance criteria for CBRA. And that's very important for me. So is that already developed, the criteria or is it just been left out and if so, for what reason? Thank you.

Commission staff: Thank you for your comment, Ms. Olugbala. Phone number ending in... Oh, sorry. I see Ms. Grinage. You have your hand up. Rashidah Grinage.

Rashidah Grinage: Thank you. Yeah, just two points. Certainly I appreciate this effort. It's obviously much more user friendly than the previous version. But two points, I think some



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

of the items really need to have a calendar notation. For example, the budget discussions need to be timed with the action of the council. At a certain point in time, it be too late to weigh in on the budget because the council will already have passed the point of no return. So I do think that there needs to be some element of time sensitivity attached to some of these items. And I think also there might be an urgency factor. For example, the NSA related items that have a court imposed deadline, which we've seen with these three policies. So that's the only kind of suggestion I would make. Thank you.

Commission staff: Thank you, Ms. Grinage. Phone number ending in 5802. Mr. Bey, you're unmuted. If you'd like to start. 5802, when you're ready.

Saleem Bey: Ready, can you hear me?

Commission staff: I can now yes. Go ahead.

Saleem Bey: Okay. Thank you very much. Could you roll that clock from here, please? Saleem Bey. The community has issues with this law firm, its track record isn't pro community. It's really cozy with the city attorney's office. We have seen the letter where Conor Kennedy coordinated the 3304 seal of the Ross Report with the corrupt city attorney's office. The CAO was sued and lost to local reporters in a SB 1421 case, just recently. And the court is forcing the city to release OPD files that the city attorney stood on until a judge ruled that these actual cases did qualify for SB 1421. SB 1421 was updated to SB 16. SB 16 specifically says that there is a complaint that was found sustained and there was also evidence of racial profiling, that case needs to be opened up to transparency of the public.

What we're asking for through the chair is that they require this law firm of Conor Kennedy to put in writing so they can show their legal justification of why SB 1421 and SB 16, do not apply to the Ross Report. Otherwise, all of these behind the scenes things doing, or whispers and the fake training of 3304 from Mr. Alden, who was actually a person who was being investigated by the Ross investigation. So you shouldn't listen to Mr. Alden say that you can't release the Ross investigation, especially when he was a person who was investigated. You shouldn't even been trained by Mr. Alden at a time that this investigation was still going on with him and the CPRA investigators in his supervision.

Commission staff: Thank you, Mr. Bey. I'm sorry to have to cut you off. Reisa Jaffe.

Reisa Jaffe: Yes. I want to support Rashidah Grinage's comment about paying attention to dates and the last budget cycle. You all missed the timing there and the mid cycle budget review is coming up. And so there's an opportunity to be paying attention to get... And the thing I talked about previously, where getting better



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

access to data. If we can get a policy analyst dedicated to doing that would help your work. So I recommend you all follow up on that in a timely fashion. Thanks.

Commission staff: Thank you, Ms. Jaffe. Phone number ending in 1779.

(silence)

Mary Vail: Yes. This is Mary Vail. We're talking about future agenda items. I communicated with former Chair Jackson about this issue. There was a class action settlement last year that requires the police department, which is a big problem with the cities not providing records. Not only under SB16 and SB1421, but generally. And the council to the commission need to familiarize yourself with the settlement and basically request bimonthly or quarterly reports from the chief as part of the chief's report on the department's progress in fulfilling the terms of the settlement. So living settlement will go on for several years, you don't want to be in a situation, of course, you inherited the NSA where things go on and on, because the department's not needing the benchmarks of the settlement.

Or you don't really have any information how the department is complying with the settlement, any challenges they're meeting in complying with the settlement and just how they're progressing. And I think this is a proactive thing that you can do so that the underlying problem and the issues addressed by the settlement get addressed rather than linger on and on. So I would hope you would put that matter on your agenda, set things up for ongoing oversight by the commission of the city's compliance with the settlement. Settlement doesn't address every single case, addresses the cases or multiple parties, including, I believe-

Commission staff: Thank you for your comment, Ms. Vail. I'm so sorry to have cut you off [inaudible] are. Seeing no comments. It's [inaudible]

Chair Milele: Our next item is the review and approval of the commission's 2021 annual report. I don't know if we want to do any discussion on this item. Do any commissioners have any edits, any additions, or anything they want to ask regarding this? Commissioner Jordan.

Comm. Jordan: Yeah. So a couple things reasonably related to me specifically or things I was specifically involved that I noted were potentially incorrect or not included. First under OPD policies and orders, the Bearcat policy that was developed was not included here. So it was essentially, largely the same group that worked on the dedicated arrest team policy, also worked on the Bearcat, but it was distinct process. And the other thing is under listing, and this is, I mean, this doesn't feel



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

super important. But under the title of commission's structure, this is page 10 of the attachments. I don't know, attachment 10 page... I don't know.

So technically I'm listed here as appointed by selection panel, which I was as an alternate, but then I took on the mayor pointy seat that was open in, I guess, 2020. And so I should be listed as mayoral here, even though there is that mixed thing happening. And it seems, to me, that likely my term should be the end of that term not the end of my original appointed term. Which is, I imagine, going to be a challenging point of conversation when my term ends. I mean, essentially what that would mean is I would get two terms, but too shorter, I wouldn't have served my full term. I don't think we need to discuss that now, but I believe it should be 2023. That's all

Chair Milele: Thank you, Commissioner Jordan. Are there any other questions or additions or with the annual report? I wonder if we can entertain a motion to approve it with the caveat that will first confirm Commissioner Jordan's concerns that he brought up we'll look into that and clarify and correct those potential errors. Commissioner Gage.

Comm. Gage: Thank you, Chair. Apologies for the late hand. Was the internal affairs policy and procedure manual something from 2022 or was that a late 2021 policy?

Commission staff: I wouldn't have that information off the top of my head, but I can certainly search. Wait was which one, sorry, which manual?

Comm. Gage: The OPD internal affairs policies and procedures manual. I'm not sure if that needs to be included in this year's report or if that was something we addressed early in 2022. But I'm not particularly clear on the timing there, so we might want to double check if that should also be included as a policy that we passed and a committee work that was completed during this covered period.

Chair Milele: Thank you, Commissioner Gage. Commissioner Hsieh.

Comm. Hsieh: Chair to Commissioner Gage's point, the IAP policies and procedures, I think, was right around May or June 2021, finished because that's around when I joined.

Chair Milele: Commissioner Gage, are your hand up again, or you have?

Comm. Gage: Apologies, I did not lower it. Given Commissioner Hsieh's statement, I would ask that the IAP and P manual will be added to the appropriate sections in this report.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Chair Milele: Any other additions or comments? I would entertain a motion to approve with the caveat that we make those changes.

Comm. Gage: I'll second.

Chair Milele: Commissioner Gage, I think you would be making the motion and I would ask for a second.

Comm. Harbin-Forte: I'll second.

Chair Milele: We could go to public comment at this point.

Commission staff: Thank you, Chair. Members of the public wishing to make public comment on this item, please raise your hand, I'll call on you in the order they've appeared. Ms. Olugbala.

Assata Olugbala: I'm anxious to see what the annual report is going to say about the Bay case. What it's going to say about the black police officer's grievance. What are you going to say about [inaudible]? What are you going to say about the racist and sexist texts and what you've taken these steps on that? What are you going to say about the NSA and how you've been able to do anything related to moving that forward? And what are you going to say about the efforts to increase public inclusion and public involvement with the works of the police commission? I don't know because I haven't read your annual report, but these are some of the areas that I'm how you're going to report out on that, particularly, the Bay case. And I'll be looking forward to seeing the report, I didn't read it. But I got a feeling like a lot of these things, they're not going to be able to be supported in a way where we say, oh, job well done. I'm finished.

Chair Milele: Thank you, Ms. Olugbala. Mr. Bey, 5802.

Saleem Bey: Good evening, Saleem Bay. Just pivoting on what the sister said. I didn't see that the OPC received and rejected the Ross report voting not to investigate systemic racial and religious OPD profiling in violation of the charter and your fiduciary responsibilities up on that virtual dais. Why isn't this in the report? This is the second year in a row that I know some of you people have heard me say this before that it's missing. This only benefits OPD and the Scoff Law City admin, that suckles on OPOA donations. Only to raise the police budget every year and continue to afflict the black community. This affects myself, my family, my community. I'm not just here holding up your ears for nothing, but as long as OPD continues to be a threat to the black community I will be here.

The NSA won't know for sure, because you left it out of the report, we get it. We get the idea. You don't want the NSA to know that OPD deserves to go directly



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

to receivership. That receivership should be overseen by the new IG, a civilian that we can hold accountable. Not 20 years of Scoff Law NSA. They've been wanting to shut down the NSA anyway, but you continue to let it limp along by cherry picking what you send to the NSA, send the Bay case to the NSA, put it in this report, stop white washing it out of history, the public records, and go ahead and do the right thing. Thank you.

Commission staff: Thank you for your call, Mr. Bey. Chair, as if no more hands.

Chair Milele: Okay. Thank you. I believe that we can take our vote now. Vice chair Peterson.

Vice Chair Peterson: Yes.

Chair Milele: Commissioner Gage.

Comm. Gage: Yeah.

Chair Milele: Commissioner Harbin-Forte.

Comm. Harbin-Forte: Yes.

Chair Milele: Commissioner Howell.

Comm. Howell: Yes.

Chair Milele: We should note that Commissioner Jackson left.

Comm. Jackson: I'm still here.

Chair Milele: You're still here.

Comm. Jackson: I'm hanging on.

Chair Milele: Commissioner Jackson.

Comm. Jackson: Yes, please. Thank you.

Chair Milele: And Commissioner Jordan.

Comm. Jordan: Yes.

Chair Milele: I am also a yes. But I do assume that Commissioner Jackson is leaving the meeting presently to rest up and to get better.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Comm. Jackson: Yes, ma'am, thank you.

Chair Milele: Okay. I believe we can go. Okay, great. So for this item committee reports, if you'll permit me, I just would like to read a short statement. So commissioners and members of the public, as you know, for months now we've in trying to balance our role and responsibility to Oaklanders when it comes to reviewing and adopting police policy with the NSA deadlines, and those are often aggressive. We're fast approaching another of these court deadlines, and we've been firing on all cylinders already by standing up three new Ad Hoc's to take on anti-discrimination, risk management, and the social media policy. We learned recently that we'll need to include a fourth policy related to the department's use of cell phones and other electronic communication devices. For that policy, I'd like to assign Commissioner Howell, Harbor Forte and Peterson. All this means is that we're doubling down and will be pushing a little harder and doing things a little differently.

Every one of the policies under review are online through the police commission website for members of the public interested in reviewing and weighing in on police policies, we invite you to visit these pages, review the material and the draft documents. You do not have to wait for a meeting to share your edits and ideas. You can email your written public comment to the office, you can email commissioners directly, and you can call the office number and leave a message. We're listening on all of these channels.

And, of course, we may be able to use this platform, our commission meetings, which is itself a public forum to look at and review these policies. At our next meeting, Thursday, March 24th, we will have dedicated time to review and discuss the risk management policy, starting with a brief, but succinct presentation before opening up for discussion. Please take your time to review that policy and come ready with your questions and suggested edits. We may do the same for the policy on cell phone and other electronic communication devices, also, on the website for people to review. I appreciate everyone's work on these policies. I know it's a lot. Thank you so much for your dedication. Now let's go ahead and hear from our Ad Hoc's.

Comm. Harbin-Forte: I'm up first on the anti-discrimination policy. I'll be reporting on behalf of Commissioner Hsieh and Jackson. We had a public forum last night to receive input on the draft anti-discrimination policy. We were honored to have three subject matter experts, Darlene Flynn, the director of the city's department of race and equity, Catherine Massey, who handles the employment investigations and civil rights compliance for the city administrator's office, and attorney Tinnetta Thompson who's counsel to and director of recruitment for the San Francisco's Department of Police Accountability, which is the equivalent of our police commission. They set the tone for what turned out to be a very engaging



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

and informative discussion about the need for an aggressive anti-discrimination policy. We then had Lieutenant Turner give an overview of the proposed policy, and then heard from members of the public, many of whom had excellent questions for our subject matter experts and OPD and who gave us some excellent suggestions for adding language to the policy to make it even stronger.

We will incorporate just about all of those suggestions into the final policy. And our hope is to present that proposed policy, the final one, to the commission for approval at the March 24 meeting. One of the aspects of the public forum, which I really appreciated, was that as we talked about the fact that this was an internal workplace policy for the commission, someone's raised a point that really the workplace for Oakland Police Department is entire city of Oakland, and many of the things and concepts that are included in our anti-discrimination policy should carry over into the entire city of Oakland into all of the interactions with the police. But our policy is an internal workforce policy. But we also heard some criticism about the process that we used to arrive at the draft policy.

And there were many valid points that were made, which provided us something to think about for future work, such as that we should have allotted two hours for the open forum. And that was a legitimate concern, but others of the complaints and criticisms were not so productive. One example of an unproductive criticism was that we should not have held the open forum at all last night, because it conflicted with another big event going on in Oakland. Another unproductive criticism was based on an erroneous assumption that the Oakland Black Officers Association had not been involved in the Ad Hoc committee. Although it was stated at the outset of the public forum, that all the affinity officers' groups, the OBOA, the Asian officers, Latino officers, the LGBTQ officers, were all involved and served on the Ad Hoc committee.

And the names and members of the Ad Hoc committee were posted on our website. I bring up the nonproductive criticism. Please, I want everybody to understand I'm just expressing my view on this. But I bring it up because I would hope that we can get to the point where people can raise concerns without, first, assuming that there was some kind of bad faith and incompetence on the part of commission members. And I hope that some people start examining their own implicit biases and asserting that something was done wrong just because it was not done in the way that they think it should have been done. There are many ways to approach problems, but it's been my experience living as an African American woman for these 67 years, the first 16 of which were spent in Meridian, Mississippi, that many times when people of color are in charge of something, those who act on their own implicit biases or their own sense of superiority automatically attack the way it was done.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

I hope that people also remember that we as commissioners, and again, I'm speaking for myself, they're all volunteers on these Ad Hocs. We're not the servants of people who think we need to be ordered around and need to be told what to do and how to do it. My hope is that instead we come to the table in a professional, respectful, and collaborative fashion, with an eye toward the future and with the acceptance that everyone is focused on the goal of improving the Oakland Police Department. So the department doesn't repeat the same mistakes of the past and so that members of the Oakland community don't have to pay for those mistakes with their lives. Constructive criticism is welcome, but criticism for the sake of just having something negative to say or for the sake of just feeling superior will not help us advance the important agenda that the police commission has. And with that, I'll ask if Commissioner Hsieh is still here, I believe, Commissioner Jackson has left. Commissioner Hsieh, is there anything that you would like to add to our report?

Comm. Hsieh: No, thank you very much.

Comm. Harbin-Forte: That's our report.

Chair Milele: Thank you. Who is speaking on the community policing Ad Hoc?

Comm. Hsieh: That's me, Chair. I'll take it. Thank you. Community policing Ad Hoc has been going strong, not just our commission members, but also members of the department and are very committed community members who have been going strong for a number of months. We just wrapped up one of the larger sections which was specifically about community resource officers. We are moving into community meetings, which I think are very important. It's the interface between the department and the community, not just who the officers are, what training they undergo, but what they do at these meetings. And I hope that we have robust public input and participation. I know that we will from our featured community participants, but also the participation of the community and giving us their input on this particular subject. It is a very, very large importance to making sure that partnership of community policing is fully realized as it was in measures Y and Z and all the other ones. So, Commissioner Howell, Commissioner Harbin-Forte, anything to add?

Comm. Harbin-Forte: Nothing for me. Thank you.

Comm. Howell: Nothing for me.

Comm. Hsieh: Thank you both. That's our report Chair.

Chair Milele: Thank you. Commissioner Peterson, are you sharing out for our Ad Hoc?



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Vice Chair Peterson: Yes. Thank you, Chair. I am showing up for the chief's performance evaluation. And yes, on that Ad Hoc was Chair Milele, Commissioner Jackson, and myself. So today we are closing out the chief's performance evaluation Ad Hoc. The final evaluation was completed by giving direction to counsel in closed session to make a final series of revisions after which we delivered the evaluation to the mayor and to the chief. I wanted to summarize the last few weeks of work that went into finalizing that document. On February 10th, 2022, the chief's performance evaluation Ad Hoc committee reported the final draft of the chief's evaluation criteria to commission in closed session. The commission gave direction to counsel to make specific revisions to the document, then send off the finalized version to the chief of police. Since then counsel to the commission worked with the chair to obtain paperwork from the chief to properly include a final revision to the document.

With the document revised and finalized, the Chair sent the approved evaluation criteria to the mayor on the week of the 21st. We then sent the final criteria to the chief on Monday, February 28th. The criteria that the commission will use to evaluate the chief is in the packet for everyone to review, everyone can see it. Now that we have completed the important commission function of finishing the evaluation criteria, we can conduct the chief's performance evaluation one year from now in late February 2023. That's the end of my report. Is there anything to add Chair Milele, I know that Commissioner Jackson left the meeting.

Chair Milele: I have nothing to add. Thank you so much.

Vice Chair Peterson: You're welcome.

Chair Milele: And then finally, the risk management policy.

Vice Chair Peterson: That would be me again. Okay, the risk management Ad Hoc is made up of Commissioners Harbin-Forte, Commissioner Howell, and myself. We've met twice with members of the department, including Dr. Leigh Grossman, the department's data manager. We did this to understand how they put this risk management policy together. And what were their references? Did they contact other jurisdictions? We wanted to know how they put together. And what is required, not only for compliance, but the betterment of the department and its members. As you heard the Chair mention, we are not overlooking the need for public voice. The policy and all related documents are available on line and we'll be taking the first part of the next meeting that is scheduled March 24th, to hold a public policy hearing on the risk management policy. It will look a lot like the public forums we've regularly held.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

And that means we will hear from subject matter experts before the department walks us all through the document. We will have a question and discussion period for the public and decide from there, what else needs to happen before this policy is ready for commission adoption. So thank you for your patience. Please, please take the time to review the which, again, is online. And we invite you to send your comments in suggested edits and join us at the next meeting to discuss this very important policy and help us keep moving this work forward. That's end of my report. Commissioner Harbin-Forte or Commissioner Howell, do you have anything more to add?

Comm. Harbin-Forte: Nothing for me. Thank you.

Comm. Howell: No, thank you.

Vice Chair Peterson: Thank you.

Chair Milele: Thank you vice Chair. I believe we can take public comment at this point.

Commission staff: Let's do it. Thank you. Members of the public wishing to make public comment on this item, please raise your hand and I'll call on you in the order they've appeared. Time is going first, Ms. Olugbala.

Assata Olugbala: Yes. I was trying to follow Ms. Harbor Forte an I'm not getting some strong statements that I'm not getting because you didn't call any names and who you're talking about. Because that's a lot to say privilege and all of the things you were saying. But who you're talking about because when I talk about certain... I call people's about I'll call their names. So anyway, maybe you want to expound a little bit more on who exactly you're talking about, then why Jordan included in any of these Ad Hoc's. And the description of the community policing report is the same as what the anti-discrimination report is. I think somebody left something out or duplicated incorrectly.

But going back to this privilege and people with negativity and so forth, now I make it perfectly clear, I got problems with you guys and I'm going to be calling you out. And every chance I get, because mostly about Janelle Harris, mostly because of what CBRA and we are not ending the excessive force, racial profiling and the documents tonight prove that African Americans are the targeted group. After 19 years no other group has taken that lead it's us, and we get no action on that. And that's why I'm here. The Bay case, Jonathan [inaudible] missing person, still nothing happening there or the black police office grievance and how the black officer are declining on the police force and nothing's being said about.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Commission staff: Thank you for your comment. Ms. Olugbala, I am sorry to have to cut you off. Reisa Jaffe.

Reisa Jaffe: Yes. This Reisa Jaffe. I just have a quick question, was the meeting that happened last night recorded and will it be available on the website if it was? That's it.

Commission staff: Thank you. Ms. Jaffe. Lorelei Bosserman.

Lorelei Bosserman: Can you hear me?

Commission staff: Yes, go ahead.

Lorelei Bosserman: Okay. Hi, this comment isn't about anything in particular that I've heard tonight, but just a general statement about the Ad Hoc in general particularly the Ad Hoc that are working on policy revisions. Just want to remind you all how powerful you are, because I've seen commissioners in the past say, "Oh, well, we have to compromise with the police." In fact, you don't, they will probably make you feel like you do, but you don't. It's good to get their input. I would never say don't get their input, but I think, based on what I have seen, there seems to be a tendency for whatever reasons to defer to the police and say, oh, well, they say it has to be this way. So it does.

In fact, you hold the power in that situation, you get to decide what the procedure should say. They do in fact have to go to the city council and the city council can reject them. But I don't think that's a good enough reason not to ask for what you want. And particularly, please look out for letting the police officers run the meetings and be in charge of the revisions. I know it's tempting, they have more staffing than you do. But don't give up your power, your job is oversight. So don't just go in partnering with them, not saying anything against them. The police officers that I've worked with on Ad Hoc committees were great, but they have their perspective, and you have your job. That's all. Thank you.

Commission staff: Thank you, Ms. Bosserman. Millie Cleveland.

Millie Cleveland: I just wanted to ask the commission to encourage the police department when they develop policies for the whole department, that they have to understand that the policies be discussed with more than sworn. There are a variety of civilians that work within the police department represented by SEIU 1021, local 21, IBW, there are a variety of civilians record clerks, dispatchers, code enforcement, crime technicians, parking enforcement, and so on a policy that's for the entire department, particularly an issue like discrimination and harassment, it's important to also have non-sworn way in on those policies,



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

because quite frankly, it is the sworn officers that the civilian workers are often felt to be harassed and discriminated by. So, in the future, when the department develops a policy for the entire department. Please encourage them to present that policy to the non-sworn as well. Thank you.

Commission staff: Thank you for your comment. Ms. Cleveland. 582, I believe that this is Mr. Bey. Mr. Bey.

Saleem Bey: [inaudible] Bey. Speaking of racism, I was standing there in City Hall when CPA, Ms. Bosserman, racially attacked and belittled Commissioner Harris verbally and then later was allowed to vote [Janelle] off the commission based on CPA lies told about her. These are facts never spoken about. I wasn't able to participate in the discrimination Ad Hoc. I'm happy as going forward after for so many years of demanding something be done. I'm not happy that the Mayor's OPC representative is the head of this very important OPD racial discrimination policy. I personally have no confidence based upon past community censorship from Mayor's reps, trying to limit public comment based upon personal feelings and their implicit biases. I would say that individual OPC actions speak louder than words as it applies to equal justice.

Credibility with the community means not putting a judge that represented and thrived and retired in a known, broken black injustice system over racial discrimination in a system that is systemic racial discrimination. The mayor's placed a control person over all racial issues in the Ad Hoc's with a couple being only run by Mayor's people. The Mayor has overseen gentrification ethnic cleansing of black folks en mass out of Oakland with the blunt force of an overfed, over-aggressive OPD. I don't trust the Mayor who tried to choose five failed chiefs and is still running the OPC. When will you see and stop deferring to a lady in the hills who has no connection to OPD overseer on flatland plantations? Thank you.

Commission staff: Thank you for your comment, Mr. Bey. Sorry, give me just a second. [inaudible] James. Go ahead, Ms. James.

Ms. James: So there were several comments from commissioners about how the public can just submit their comments and they'll be considered. That's black box. That's a real black box situation where we send it into a black box, and we see what comes out. We see the result, but we don't actually see what the comments were, what other people's comments were. There's no transparency. You don't get to understand what other members of the public might have recommended and what the commission did or didn't act upon. And that's a real problem. And that's a reason in my mind not to use that kind of a process.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

Anytime that you have an Ad Hoc where you have commissioners sitting down in secret with the police department, there is a basic failure of transparency there, and you are undermining the confidence that the public will have in you. I have an explicit bias and that is that I've seen OPD representatives lie in public. And I have to believe that if they'll lie in public, they'll lie in private. And that's why I believe that transparency in these Ad Hoc is essential to the outcome of a really strong policy. And I've seen stronger policies result when there was community participation and the community was able to watch the actual drafting of the policy. The fact is that when you leave it to OPD that they are the ones to choose the sample policies that are being reviewed, they call them model policies, but they're often not. They're just samples. And they choose who the subject matter experts are. You get a broad review and you get people overlooking what the police department is saying and representing. And that is a fundamental flaw anytime an Ad Hoc is done in secret with OPD. Thank you.

Commission staff: Thank you. Ms. James. Phone number ending in 7935. I've unmuted you.

John Bey: Good evening, this is John Bey. I would just first off like to second everything that Ms. Assata said and ask many of the Ad Hoc leadership to replay what Saleem Bay said about and what was just said about the Ad Hoc committees. And as a commission, you must also look within for areas of improvement. And that's specifically the CPRA arm of the police commission. Anyone associated with the CPRB in its initial format that is still assigned investigations, I won't even say conducting, but assigned investigations, we already have seen their work and we voted them out of power and brought on a police commission [inaudible] didn't want it then, and we don't want it now. Those former CPRB who are now CPRA [inaudible] definitely one of them, they've got to be replaced so that if you're going to have strong investigations, you need investigators who are trained in the way you want to look for your results. Because right now the current people don't have the will to look for what they're supposed to look for, misconduct or whatever the MOR may be in a particular case. And also regarding evidence in information on officers SB 16, SB 14.

Commission staff: Thank you, Mr. Bey. I am sorry to have to cut you off. Unfortunately, your two minutes are done. Chair Milele, no more comments. Back to you and you have two commissioners with their hands raised.

Chair Milele: Before I take you commissioners. I just want to say that the forum is recorded, and I believe it is online presently, is that correct, Rania?

Commission staff: That's correct, yes. And the two Ad Hoc commissioners are nodding. Yes, that's correct. It's online.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

Chair Milele: Okay, and then also we do post written public comment online for our Ad Hocs. So Commissioner Hsieh.

Comm. Hsieh: My comment was about anti-discrimination. So I'll defer to Commissioner Harbin-Forte as the Chair.

Comm. Harbin-Forte: Oh, you may have a different point. I was just going to point out that the anti-discrimination policy that we adopted already applies to all Oakland employees through the city's administrative instruction 71. And what we did with that policy was basically tweak it a little bit to apply to the police department more and add some more specific things. But that policy that we adopted is 99% in existence. And I'm not sure when AI 71 was passed, but this is nothing new in terms of the expectations and the requirements. But that was going to be, to be my point. And it was not just Oakland Police Department involved in the drafting of that policy. There were other city representatives, as well, who know what needs to be in to try to keep the commission from getting sued and try to keep the city of Oakland from getting sued and to make sure that there is adequate protection of all employees.

And just to further my point, I just hope people come together. Let's all work together. I don't believe that we need to be natural enemies of the Oakland Police Department, that we understand. Believe it or not, we do know that we supervise the Oakland Police Department, not the other way around. But that's it. So yes, the recording is there, the video is there, the policy has been in existence. It's been tweaked to apply specifically to OPD, and yeah, we can do things a lot better, but we are doing our best as a commission. Thank you. And again, commissioner Hsieh, you may have had a different point. All right, I'm done. Thank you.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Thank you, Chair. I do encourage people to, if you were part of the public forum to watch the public forum. I think that our subject matter experts were very informative, very well learned, and had a great base of knowledge. And also we were able to allow those who wanted to comment or have suggestions actually discuss individually one on one with subject matter experts or with the department or commissioners. I think in that way, it was much more of a conversation than a public forum and just taking in comment. And it was extremely, extremely effective and beneficial. To Ms. Cleveland's point a little bit earlier, we did figure out, and it was through community that we learned that we did in fact, make an oversight of not thinking about non-sworn officers. And we are working to rectify that. And thank you so much for the suggestion. Thank you.



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

- Chair Milele: Commissioner Harbin-Forte, do you have another comment? Okay.
- Comm. Harbin-Forte: [crosstalk] take it back?
- Chair Milele: Yeah, looks like we can do open forum part two.
- Commission staff: Thank you so much. Members of the public wishing to make public comment on open forum part two, ideally items not on the agenda. Please raise your hand, and I'll call on you. Ms. Olugbala, When you're ready.
- Assata Olugbala: At some point, I'm going to suggest that we actually, before you create any policies or whatever, actually know who are the people that are being impacted by police misconduct. So for each group by gender and by race, what has been happening now and historically that the police have been an issue for misconduct around this group. So as it relates to white people, Asian people, Hispanic people, black people, how have the people negatively impacted their lives to the point that they've been victimized. Let's get the list together. And I have a suspicion. If you ever do it, you're going to see one group of people who are disproportionately impacted by the police. And we never have the discussion. We act as if, and people come to these meetings talking in generalities, very few people consistently report out about the numbers of black people. You heard tonight the report, 70 something percent of the use of force in 2020 to, I'm sorry, 2021, African Americans. Same thing in the school districts. Disproportionate black students are targeted for disciplinary issues. So we got people coming into these meetings and they never bring it up. They don't talk about black people. They don't talk, they don't say nothing about gentrification, the homeless black people, 70%.
- Commission staff: Thank you for your comment, Ms. Olugbala. Mr. Bey 5802.
- Saleem Bey: Thank you. The OPD needs way more than discrimination tweaking. It needs to be torn down and replaced by a department of community safety overseen by a civilian IG we can hold accountable with a new investigative arm that's [inaudible] renamed with all new people. The Oakland Police Department drives into our community to treat our community as enemies. That's fact. To say that the communities they are oppressing should try to be friends with the oppressor, the unrepentive NSA racial stop loss, systemically racist, and abusive OPD. That doesn't make any sense. Department general order DGOM 19 parallels California penal code 13519.4E language, prohibiting racial profiling or profiling under color of the law. That's already in there. Hold them accountable for what you have on the books instead of trying to tweak something and come up with something a year from now, and then don't even hold them accountable for that. You have a law. California penal code makes it illegal, a



OAKLAND POLICE COMMISSION SPECIAL MEETING TRANSCRIPT

March 10, 2022

criminal act, to racially profile. OPD is breaking the law. Hold them accountable. Thank you.

Commission staff: Thank you, Mr. Bey. Chair, no more comments. Back to you. Oh, no. Oh, I'm so sorry. I'm so sorry. Lies. I should give it a bit more of a minute. Phone number ending in 7935. Phone number ending in 7935?

John Bey: There we go. This is John Bey. Ms. Assata hit it on the head once again, and we're not talking about OPD... The OPC didn't come out of something that the community just came up with. The community has been tired of OPD, the mistreatment, the lies, planning of evidence, all these things that OPD has done historically, and apparently still do to this day, including as we speak. So, we can't say that OPD is an office department that needs a tweaking. It needs an overhaul. It has to be understood that the system is corrupt, and most of the corruption grows organically within the department, by their patterns and practices of how they enforce the law in the black communities. And then the officers promote to the top, end up in chain of command after a stint in IAD, which is where they bury all the cases.

IAD has been a problem for OPD for the life of the NSA, since 2003. On record OPD has never met the bill on IAD conducting investigation truthfulness. Those are factors that the department, as a whole, lacks. The department as a whole. You don't have to talk about individual officers. The department failed the officers. So that is what has to be fixed. That's a whole part of the problem. We ain't Shangri-la la dee da, not in Oakland. We got to tell the truth about the police department. In public forums, yeah, they will lie. I've seen it. I've experienced it, living it today. So don't act like we got a great department.

Commission staff: Thank you for your comment, Mr. Bey. I am sorry to have to cut you off. And James, in just a second. Go ahead, Ms. James.

Ms. James: I think that I know what training bulletin Rachel Beck was talking about. I think she was talking about the handcuffing and restraint bulletin. I've been hearing comments for two years asking for that training bulletin to be rewritten. I would hope that when it is rewritten, that there will be transparency in the process. And there was a time that we didn't have access to that bulletin. At that point, Assistant Chief Armstrong said that it would somehow harm their ability to function, if that training bulletin was public. It has subsequently been made public, but you have to go through a maze to find it or any other training bulletin. You go to the Police Department's main webpage, and you click on Data, which it's not data so you wouldn't have any reason to click on it. And then you have to click through another box that is not an intuitive box to get to the training bulletins and policies that are online.



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

But it is one that is of real interest. When you go to community meetings and you talk to people, issues around restraint and handcuffing come up quite a bit. The public defenders also raise it quite a bit. It's an important document. And I think they still have hog tying in it. I think that there are graphics about how to hog tie somebody in it. And I really urge the commission to both consider looking at it sooner rather than later, for the point that Rachel Beck raised as well, and to do so transparently rather than working in secret with OPD. Thank you.

Commission staff: Thank you, Ms. James. For really this time Chair [inaudible]. No more public comments, it's back to you.

Chair Milele: Okay, thank you. Our last agenda item is upcoming and future agenda items. Commissioners, do you have any items you'd like to bring to the agenda? Commissioners Hsieh?

Comm. Hsieh: I'm just re-asking. Thank you, Chair. I'm just re-asking for some sort of presentation from risk management of OPD regarding traffic stops, tows, and uses of force. That may be one, that may be three. Not necessarily for the next meeting. I know that may take some time to prepare. I suppose, for 2021 or halfway through the year for 2022. That's my request. Thank you.

Chair Milele: Thank you, Commissioner Hsieh. Other commissioners? Okay, I believe we can take public comment on this item.

Commission staff: Thank you, Chair. Members of the public wishing to make public comment on this item, please raise your hand and I'll call on you. Go ahead, Ms. Olugbala.

Assata Olugbala: At some point, a policy needs to be developed that the police department will provide equitable services within various communities. I was at Lake Merritt on Saturday, and police cars were waiting and observing parking and approaching any individuals who were double parking. And I had noticed that in the Chinatown community of Oakland, double parking is a common thing. So I drove over to Chinatown, Oakland, and double parked with a lot of different people, but I did it right in front of a police car. And I sat there for 20 minutes, and they didn't tell me anything. Along with that, they had a designated parking space that said for police vehicles only, and public cars were parked in there. Officer didn't say anything. And I notice with the homeless community, a difference of the way they're being approached and how they're dealt with compared to when you deal with other people. And lastly, a hate crime report on what are the data around hate crime, because the Asian community is saying that they are victimized at a high rate. I don't think that's the truth, but let's get a report of hate crime, but equity of services in different communities, a policy that



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

mandates that all communities have to be treated or enforcement carried out the same.

Commission staff: Thank you, Ms. Olugbala. Mr. Saleem Bey 5802.

Saleem Bey: Yes, Saleem Bay. I would like the OPC to aggrandize ending the Mayor's ability to keep outsizes power, control, and seniority over the OPC to the detriment of community representation. I can see why Oakland backs this Mayor, but the forced migration out of overpriced Oakland affects the black community very severely. Measure LL was not intended for the Mayor to control the OPC. In fact, LL never should have included Mayor's ability to appoint OPC members. Ms. [Osama] keeps saying aggrandize addressing the disparities in the selection panel process that has been politicized to the detriment of the black community most affected by OPD. Please aggrandize calling on [Connor] Kennedy and his law firm to produce a legal document justifying 3304 exemptions of the Ross report under the new Senate Bills 1421 and 16. Past mistakes by both his law firm and the city attorney, which has made mistakes and has lost in court most recently, proved the city attorney is not the final say in what applies to public transparency and what doesn't. And since Mr. Kennedy is coordinating with this flawed source of legal representation, we need to find out specifically and in writing for the public so we can see this justification or is it a torture memo, like the person who resides in Berkeley right now. Thank you.

Commission staff: Thank you for your comment, Mr. Bey.

Chair Milele: Commissioner Peterson?

Vice Chair Peterson: So, I've been on the commission almost a year to date. Most of the time was as an alternate and then elevated months later as a full commissioner. Now I'm the Vice Chair, and I want to see a presentation and report on the legislative limitations on what we can and cannot discuss with respect to disciplinary cases. And that's what I want to see. I want to know why we keep hearing these same objections from the public. You need to understand what are the limitations. We all need to understand, and then maybe we can get in hand what we need to do going forward to challenging some of the barriers to maybe being as transparent as the public requests.

Chair Milele: Thank you, Vice Chair. Rania, I think there might be one more public.

Commission staff: Yes, Ms. Rashidah Grinage popped her hand up. Let me come to you, Ms. Grenade. Go ahead, Rashidah Grinage.

Rashidah Grinage: Thank you. I just wanted to respond to Vice Chair Peterson's comment. We are asking the commission to endorse AB 2557, which speaks directly to the issue



OAKLAND POLICE COMMISSION

SPECIAL MEETING TRANSCRIPT

March 10, 2022

that she just raised, which has to do with removing the barriers to disclosure about investigations of police misconduct. And so the city council is prepared to address this on their Rules Committee agenda next week. And we very much would like the Police Commission to sign on and endorse AB 2557 so that these impediments and restrictions on what can be revealed to the public can finally end and that you will be able to offer transparency and information about these investigations publicly. So we certainly look forward to your support, and we would hope that this will be on your agenda on March 24th. Thank you.

Commission staff: Thank you, Ms. Grinage.

Chair Milele: Commissioner Hsieh.

Comm. Hsieh: Thank you Chair. Just sort of piggybacking on those points. I see that AB 2557 was drafted by or being put forth by Assemblyman member Mia Bonta. Perhaps someone from their office could speak to both issues, what is allowable and where this legislation may go. Thank you.

Chair Milele: Thank you, Commissioner Hsieh. I believe we've gone through all of our agenda items.

Commission staff: You really have.

Chair Milele: And we can adjourn. Thank you everyone.