



OAKLAND POLICE COMMISSION

REGULAR MEETING MINUTES

March 23, 2023

5:30 P.M.

I. Call to Order, Welcome, Roll Call and Determination of Quorum

Chair Tyfahra Milele called the meeting to order at approximately 5:41 p.m. and took roll.

Roll Call:

Present: Chair Tyfahra Milele; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Jesse Hsieh; Commissioner Regina Jackson; Commissioner Marsha Peterson; Alternate Commissioner Karely Ordaz; Alternate Commissioner Angela Jackson-Castain

Excused: Vice Chair David Jordan

II. Consider and Approve Expanded Request to OPD and City of Oakland for Investigation Files and Records (Charter § 604(f)(2))

Commission Counsel Nguyen spoke to the purpose of this item. The Commission discussed approving the expanded request to OPD and the City for access to documents and confidential information relating to investigation reports on IAD case #23-0034.

Commissioner Peterson made a motion, seconded by Commissioner Harbin-Forte, to request access to documents and confidential information relating to investigation reports on IAD case #23-0034. No public comment was made, and the motion carried by the following vote:

Ayes: 6 - Harbin-Forte, Howell, Hsieh, Jackson, Peterson, Milele

Nays: 0

Absent: 1 - Jordan

III. Closed Session

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957(b))

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) *Delphine Allen et al., v. City of Oakland, et al. N.D.Cal No, 00-cv-4599-WHO*

There was no public comment made. In closed session, the Commission voted for CPRA Director Jones to explore whether CPRA should conduct a parallel investigation by gathering information on the previous 604(f)(2) request IAD 23-0034 on a motion made by Commissioner Jackson and seconded by Commissioner Hsieh. The motion carried by the following vote:

Ayes: 7 - Harbin-Forte, Howell, Hsieh, Jackson, Peterson, Milele, Jordan

Nays: 0

Absent: 0

The Commission then voted to direct Commission Counsel to submit an addendum to the Parties filing in the NSA Allen v. Oakland matter on April 4, 2023, on a motion made by Commissioner Peterson and seconded by Commissioner Hsieh. The motion carried by the following vote:

Ayes: 7 - Harbin-Forte, Howell, Hsieh, Jackson, Peterson, Milele, Jordan

Nays: 0

Absent: 0

After closed session Chair Milele reestablished quorum.

Present: Chair Tyfahra Milele; Vice Chair David Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Jesse Hsieh; Commissioner Marsha Peterson; Alternate Commissioner Karely Ordaz; Alternate Commissioner Angela Jackson-Castain

IV. Open Forum Part 1

Public comments were made by two persons (Olugbala, Farmer).

V. Public Forum for Community Input on NSA Task 5 (Investigations) and Task 45 (Discipline Disparity) & Approval of Reform Plan to Bring the City of Oakland Into Sustained NSA Compliance

Commissioner Harbin-Forte, Chair of the NSA Ad Hoc Committee, led a Public Forum aimed at receiving public input on OPD compliance with the NSA, specifically Task 5 and Task 45.

Public comments were made by 4 persons (Contreras; Farmer; Olugbala; Janks).

An additional Public Forum was scheduled by Chair Milele for March 30th. Comment was also provided by IG Phillips.

VI. Update from Oakland Police Department (OPD)

Chief Allison provided an update on crime and staffing statistics. Included in the update were figures on MACRO criteria and call referral statistics, CARES referrals, police and professional staff vacancies, and a brief update on the ransomware attack's impact on OPD systems. An update was also provided by Dr. Leigh Grossman from OPD's Risk Analysis Unit on IAD data trends.

Questions were taken from Commissioners Ordaz, Jackson, Howell, Hsieh, Jackson-Castain, and Jordan.

Public comments were made by 2 persons (Olugbala; Contreras).

VII. Update from Community Police Review Agency (CPRA)

Interim CPRA Director Charlotte Jones provided a brief update on CPRA systems and data affected by the ransomware attack. Director Jones informed the Commission that IT has been unable to provide a date for the full restoration of data and systems. Also provided in the update was information on triage processes and the resignation of an investigator last month.

Questions were taken from Commissioners Jackson-Castain, Peterson, Ordaz, Howell, and Jackson.

Public comment was made by 1 person (Contreras).

VIII. Presentation and Possible Approval of DGO I-15 Body Worn Camera Policy

Officer Felicia Cervantes presented on DGO I-15, Body Work Camera Policy. Included in the presentation was an overview of the policy and its sections.

Comments and questions were raised by Commissioners Harbin-Forte, Hsieh, Peterson, Jordan and Jackson-Castain.

No public comments were made.

Commissioner Hsieh made a motion, seconded by Commissioner Jackson, to recommend to City Council the approval of DGO I-15. The motion carried by the following vote:

Ayes: 7 - Milele, Peterson, Harbin-Forte, Howell, Hsieh, Jordan, Jackson

Nays: 0

Absent: 0

Commissioner Harbin-Forte made a motion, seconded by Commissioner Hsieh, to extend the meeting one hour. The motion carried by the following vote:

Ayes: 7 - Milele, Peterson, Harbin-Forte, Howell, Hsieh, Jordan, Jackson

Nays: 0

Absent: 0

IX. Presentation and Possible Approval of Police Commission Biennial 2023-25 Budget Proposal

Chair Milele and Chief of Staff Yun presented on the Police Commission Biennial 2023-25 Budget Proposal, including staffing needs and organizational adjustment aimed at achieving the goals of the OPC.

Public comment was made by 1 person (Contreras).

A discussion was had by the Commission, leading to this item being tabled until next week's meeting.

X. Committee Reports**Militarized Equipment (Commissioners Hsieh, Jordan, Jackson-Castain)**

Commissioner Hsieh provided an update on the Militarized Equipment Ad Hoc Committee. Included in the update was information on the ad hoc's current policy work on explosive breaching.

Staff Searches: CPRA Director, Chief of Staff, Police Chief (Commissioners Milele, Jordan, Howell)

Chair Milele provided an update on the Staff Searches ad hoc, including the completion of the second round of interviews for the CPRA Director search. Also provided were updates on the Chief of Staff search currently underway, and the upcoming Chief of Police search.

Questions were taken by Commissioners Ordaz, Jackson, and Peterson.

Annual Report (Commissioners Jackson, Peterson)

Commissioner Jackson provided a report on the newly created Annual Report ad hoc, which will hold its first meeting March 29th.

No public comment was made.

XI. Upcoming/Future Agenda Items

Commissioner Jackson requested that quarterly budget reviews be provided.

Alternate Commissioner Jackson-Castain request for an OPD presentation on misconduct data, specifically how OPD evaluates and addresses misconduct allegations.

No public comment was made.

XII. Open Forum Part 2

No public comment was made.

XIII. Adjournment

Chair Milele adjourned the meeting at approximately 11:15 p.m.