



CITY OF OAKLAND

Oakland Police Commission

Office of the Inspector General

## AGENDA REPORT

**TO:** Tyfahra Milele  
Chair, Oakland Police Commission

**FROM:** Michelle Phillips  
Inspector General

**SUBJECT:** Office of the Inspector General (OIG)  
Progress Report

**DATE:** April 14, 2022

### PURPOSE

The Inspector General is required to report to the Police Commission and members of the public once a month. Since the Inspector General has been in the role for approximately three months, this report will outline what has been accomplished in that 90 days.

### FIRST 90 DAYS UPDATE

The OIG took time in the first 90 days to do a preliminary needs assessment by listening to resident concerns via the Public Safety committee meetings and Police Commission meetings. The Inspector General also completed Oakland Police Department (OPD) ride-a-longs, reviewed some OPD policies and attended community events to gather additional incite.

The OIG is actively working on the personnel details required to stand up a sound office structure. Thus far, this process has included the completion of job descriptions, multiple staff recruitments, and a draft internal OIG standard operating procedural (procedures and policies). The OIG consults national best practices from the Association of Inspectors General (AIG) and the National Association for Civilian Oversight (NACOLE) for guidance, recommendations and suggestions related to the OIG oversight function.<sup>1</sup>

The OIG continues to participate in OPD risk management and internal affairs meetings wherever scheduling permits to monitor and ensure continued accountability and integrity of the process. The OIG has also observed an OPD sergeants training and plans to attend more trainings as time permits and as staff onboarding expands the office's capacity. Chief and OPD leadership are particularly cooperative with the OIG's full exercise of its Charter authorities and mandates. The Chief makes every effort to ensure all OIG requests received direct, timely, and comprehensive responses. The OIG has met with seven of the eight City Council members at this time and will soon hold a meeting with the eighth member. The OIG will continue to foster internal and external professional and courteous working relationships with City and other government officials, business owners, civic and community leaders, nonprofits, and residents.

<sup>1</sup> The AIG website is <https://inspectorsgeneral.org/> and the NACOLE website is <https://www.nacole.org/>.

The Inspector General completed the Certified Inspectors General (CIG) course provided by the AIG. The course curriculum included the following:

- Context of the inspector general function
- Ethics
- Legal issues
- Public management issues
- Investigating fraud, waste, and abuse
- Audits, inspections, and reviews

The Inspector General obtained the CIG certification in all of these topics.

Additionally, the Inspector General attended and participated in the 4<sup>th</sup> Annual Consent Decree conference held by Tarleton State University and the Federal Bar Association. The panelists included United States District Court Judges from the District of Maryland, the Northern District of Illinois, the Western District of Washington, the Eastern District of Louisiana and the District of Puerto Rico. Additional panelists included current and former independent monitors, compliance directors, Chiefs of Police, Department of Justice (DOJ) civil rights attorneys, state and local representatives overseeing a settlement agreement or currently under a consent decree or settlement agree. The attendees included many jurisdictions, law enforcement agencies, Inspectors General, police oversight directors, auditors, attorneys, monitors, students and others. The conference was a productive step in collecting knowledge, guidance and advice regarding Oakland's NSA process as well as best practices for civilian oversight by individuals that evaluate programs and departments regarding constitutional policing.

### **OIG STAFFING REQUESTS AND MODIFICATIONS**

In an effort for the OIG to have the staffing resources required to complete the Oakland City Charter mandates, enabling ordinances requirements and the daily functions of the office, the OIG requested additional staff. Below outlines what staff positions that were budgeted for the OIG originally and the additional staff positions the OIG requested during the mid-cycle review.

Current budgeted staff positions, five:

1. 1 FTE Inspector General (Filled)
2. 1 FTE Police Program and Performance Audit Supervisor
3. 2 FTE Police Program Auditors
4. 1 FTE Policy Analyst

Additional OIG staffing requests, four:

1. 1 FTE Administrative Analyst III
2. 1 FTE Program Compliance Officer
3. 1 FTE Police Program Auditor
4. 1 FTE Policy Analyst

If the requests are accepted by City Council, that will bring the OIG to a staff of nine full time employees.

### **NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 MANDATE)**

The OIG has been working diligently with the Police Commission, the OPD and several City of Oakland offices to ensure the OIG has resources and staff to fulfill its Charter mandate. The OIG is finalizing the selection and scope of one of the NSA Task audits to begin in the next few months. Additionally, the OIG has been in communications with one of the plaintiffs' attorneys' regarding the NSA, OIG oversight in tandem with the independent monitor, and OIG oversight once the NSA has concluded.

### **THE BEY MATTER REVIEW**

Since the last report out on this matter in March 2022, the OIG has collected supplemental information for review. This review is an ongoing matter, and the OIG will continue to be meticulous and deliberate in its review and assessment of the several concerns voiced by community members, elected leaders, and Police Commissioners that first prompted the OIG's review of the matter. Next steps for the OIG's review include document and supplemental material reviews<sup>2</sup> and a full analysis of the relevant laws and policies within the ambit of the OIG's Charter and municipal code authorities. Per the Police Commission, the scope of the OIG's review is to render policy recommendations for the OPD and the City of Oakland to learn from what happened in this matter and improve any policy or practice shortcomings it reveals. The OIG does not have the authority to conduct investigations resulting in police discipline, but it does full authority to review completed investigations by the OPD Internal Affairs Division and the Community Police Review Agency.

### **PUBLIC AND COMMUNITY OUTREACH**

The OIG will actively continue to engage in community outreach. The OIG met with representatives from nonprofits such as Restorative Justice for Oakland Youth (RJOY), the Urban League, 100 Black Men of the Eastbay and the Lao Family. The OIG is encouraged by the number of community members/groups and nonprofits who are willing to share their frustrations regarding policing and how civilian oversight can assist in their concerns.

### **ACTION REQUESTED OF THE POLICE COMMISSION**

The OIG recommends the Police Commission through the Chair, convene the Community Outreach Standing Committee to assist in the cultivation of community partnerships, education, communication and the creation of established outreach procedures.

For questions regarding this report, please contact Michelle Phillips, Inspector General, at [OIG@oaklandca.gov](mailto:OIG@oaklandca.gov).

Respectfully submitted,




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Michelle N. Phillips  
 Inspector General  
 Office of the Inspector General

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<sup>2</sup> The documents to be reviewed will include complaint documents, relevant policies, reports, statements and other pertinent documents.



# **POLICE OVERSIGHT**

**OFFICE OF THE INSPECTOR  
GENERAL REPORT**

**MICHELLE N. PHILLIPS, INSPECTOR GENERAL  
OAKLAND POLICE COMMISSION MEETING  
APRIL 14, 2022**

# OFFICE OF INSPECTOR GENERAL: FIRST 90 DAYS UPDATE

## Assessment of Needs

- ❖ Met with the Police Commission, Chief of OPD, City Council and City Administrator
- ❖ Participated 2 OPD Ride-alongs
- ❖ Reviewed Policing Guidelines and working with the OPC to develop a community-based dialogue strategy for more robust community engagement
- ❖ Met with Plaintiffs Attorneys and attend NSA site visits

## Office Structure

- ❖ Established Job descriptions
- ❖ Working on establishing Standard Operating Procedures and Policies for the OIG
- ❖ Hired a Chief of Staff
- ❖ Language access plan and equity and Inclusion implementations

## Accountability

- ❖ Attend and observe NSA Site visits, IAD meetings, OPD risk management meetings and OPD trainings
- ❖ Established effective working partnerships with with OPD and the City of Oakland Government
- ❖ Reviewed disciplinary matrix for OPD Internal Investigations and working with CPRA regarding Standard operating procedures

## Education and Action

- ❖ Attended and successfully passed the Association of Inspectors General Certified Inspectors General Course
- ❖ Attended the 4th Annual Consent Decree Conference
- ❖ Completed orientation and training as require by Ordinance
- ❖ Educating the General Public and internal staff on the OIG functions, role and responsibilities

# OFFICE OF THE INSPECTOR GENERAL STAFFING

Budgeted



VS

Proposed



# OFFICE OF THE INSPECTOR GENERAL: PRIORITIES

## Negotiated Settlement Agreement (NSA)

- Finalization of Scope for first task to be audited by the OIG
- Continued attendance at NSA site visits

## The Bey Matter

- Continued reviewed and follow up

## Tentative City Council Audit

- Calls for service data update

## Community engagement and outreach

- Request to convene community outreach standing committee

