



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

May 11, 2023

5:30 PM

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

Chair Tyfahra Milele called the meeting to order at 5:48 p.m. and took roll call.

Roll Call: Vice Chair Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson

Excused: Commissioner Jesse Hsieh; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

Late: Commissioner Marsha Peterson

II. **Closed Session** (approximately 5:30-7:30 p.m.)

The Police Commission will take Public Comment on the Closed Session items.

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

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

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957(b))

Title: Executive Director of the Community Police Review Agency

Prior to closed session, public comment was made by 1 person (Olugbala)

Commissioner Peterson arrived prior to adjourning into closed session.

Quorum was reestablished upon return from closed session:

Present: Chair Milele; Vice Chair Jordan; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Commissioner Marsha Peterson

Excused: Commissioner Jesse Hsieh; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz

Report out from closed session:

I want to take a moment to thank all of our applicants and finalists for participating in the CPRA Executive Director search. I also want to thank the Staff Searches Committee and CPRA staff for their commitment to conducting a robust and equitable recruitment, as well as the public for their insightful perspective and feedback throughout the process. After a six-month national search, including several rounds of interviews and a public forum, tonight in closed session on a motion made by Commissioner Harbin Forte, seconded by Commissioner Jackson, the Commission voted unanimously for one candidate to serve as the Executive Director of the Community Police Review Agency, and the Commission delegated the Chair and Commission Counsel to negotiate the employment contract.



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

May 11, 2023

5:30 PM

- III. Open Forum Part 1** (2 minutes per speaker, 15 minutes total)
Members of the public wishing to address the Commission on matters that are not on tonight's agenda but are related to the Commission's work should submit a speaker card prior to this item. Comments regarding agenda items should be held until the agenda item is called for discussion. Speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2. ***This is a recurring item.***
- Public comment was made by 2 persons (Leonard; Olugbala)
- IV. Consider and Approve Request to OPD and City of Oakland for Investigation Files and Records (Charter § 604(f)(2)) related to IAD Case No: 23-0459. (Attachment 4)**
- Commission Counsel explained that this request is to make sure the Commission has authority to see records related to IAD No. 23-0459.
- Commissioner Harbin-Forte made a motion, seconded by Vice Chair Jordan, to approve the request to OPD and City of Oakland for investigation files and records (Charter § 604(f)(2)) related to IAD Case No: 23-0459. The motion carried unanimously by the following vote:
- Ayes: 6 - Milele, Peterson, Harbin-Forte, Howell, Jordan, Jackson
Nays: 0
Absent: 1 - Hsieh
- V. Office of the City Attorney (OCA) Semiannual Report (Attachment 5 — Supplemental)**
Deputy City Attorney Veronica Harris will provide a semiannual report on behalf of OCA.
- Deputy City Attorney Veronica Harris provided a semiannual report on behalf of the Office of the City Attorney. The report included information regarding OCA's efforts to improve the police discipline process, as well as updates on arbitration decisions and civil matters. Ms. Harris also reported on OCA trainings and recent policy changes with the passage of Senate Bill 1421 and Senate Bill 16.
- Questions were raised by Chair Milele, Commissioner Peterson, and Commissioner Jackson
- Public comment was made by 4 persons: (Grinage; Janks; Cleveland; Olugbala)
- VI. Update from Office of the Inspector General**
Inspector General Michelle N. Phillips will provide an update on the OIG's work. Topics discussed in the update may include project priorities under the City Charter; staffing updates; community engagement and outreach. ***This is a recurring item.*** (Attachment 6)
- Inspector General Phillips provided a report on the Office of the Inspector General, including updates on NSA task audits, staffing, Office of Internal Accountability, and the Bey matter.
- Public comment was made by 3 persons (Leonard; Olugbala; Grinage)



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

May 11, 2023

5:30 PM

VII. Consider Approval of Directing CPRA to Review Bey Case

Chair Milele introduced this item with a brief history of the Bey case and the intention of this fact-finding investigation. Chair went on to describe the unanswered questions and allegations about whether the police properly investigated the murder, whether racism or any anti-Islamic bigotry prevented a proper investigation, and what if anything can be done now and by whom. The Inspector General provided perspective on the matter.

Questions and comments were raised by Commissioner Peterson, Jackson, and Jordan

Public comment was made by 1 person (Olugbala)

VIII. Review and Discussion of 2022 Militarized Equipment Annual Report ([Attachment 8 — Supplemental](#))

Pursuant to OMC 9.65.010(A)(1), the Commission shall place the Militarized Equipment Annual Report as an agenda item for an open session of a regular meeting.

Commission Counsel advised the Commission on a procedural vote to accept supplemental material on the 2022 Militarized Equipment Annual Report.

Commissioner Harbin-Forte made a motion, seconded by Commissioner Jackson, to accept supplemental material on the 2022 Militarized Equipment Annual Report for this item.

Following further clarification on the motion, public comment was made by 2 persons (Lindsay-Poland; Olugbala)

The motion to accept supplemental material carried unanimously by the following vote:

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

Nays: 0

Absent: 1 - Hsieh

Following a presentation by Lt. William Febel and healthy discussion amongst Commissioners, public comment was taken on the substance of the 2022 Militarized Equipment Annual Report itself. Public comments were made by 3 persons (Lindsay-Poland; Olugbala; Leonard)

IX. Discussion and Possible Approval of CPRA Standard Operating Procedures Manual ([Attachment 9](#))

The CPRA Ad Hoc Committee will present on the standard operating procedures and policies developed for the Community Police Review Agency (CPRA).

Commissioner Harbin-Forte and Interim Director Jones gave a presentation on the CPRA standard operating procedures manual. Questions and comments were raised by Commissioners Peterson and Jackson.



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

May 11, 2023

5:30 PM

Commissioner Harbin-Forte made a motion, seconded by Commissioner Peterson to accept the CPRA standard operating procedures manual conditionally with changes to the flow chart. The motion carried unanimously by the following vote:

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

Nays: 0

Absent: 1 - Hsieh

Public comment was made by 2 persons (Gringage; Leonard)

X. **2022 Police Commission Annual Report for Review and Discussion ([Attachment 10](#))**

The Annual Report Ad Hoc Committee (Commissioners Jackson and Peterson) and Interim Chief of Staff Yun will present on the 2022 Annual Report for the Oakland Police Commission.

Commissioner Jackson presented on the 2022 Police Commission Annual Report. After some discussion, Commissioner Harbin-Forte requested the opportunity to submit a redlined version of suggested changes for review at the next meeting. The request was approved.

Public comment was made by 2 persons (Cleveland; Janks)

XI. **Consider Approval of Resolution in Support of Creation of an Independent Sherriff Oversight Board and Office of Inspector General by Supervisor Resolution ([Attachment 11](#))**

Vice Chair Jordan presented on the Resolution in Support of Creation of an Independent Sherriff Oversight Board and Office of Inspector General. After healthy discussion amongst Commissioners, public comment was made by 1 person (Janks).

Vice Chair Jordan made a motion, seconded by Commissioner Jackson, to approve the Resolution in Support of Creation of an Independent Sherriff Oversight Board and Office of Inspector General. The motion carried unanimously by the following vote:

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

Nays: 0

Absent: 1 - Hsieh

Before moving on to the next item, Commissioner Harbin-Forte made a motion, seconded by Vice Chair Jordan, to extend the meeting for an hour. The motion carried by the following vote:

Ayes: 6 - Milele, Peterson, Harbin-Forte, Howell, Jordan,

Nays: 1 - Jackson

Absent: 1 - Hsieh



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

May 11, 2023

5:30 PM

XII. Approval of Meeting Minutes ([Attachment 12](#))

The Commission will review and possibly amend or approve meeting minutes for March 23 and April 27.

Vice Chair Jordan made a motion, seconded by Commissioner Harbin-Forte to approve the meeting minutes for March 23 and April 27, 2023. The motion carried unanimously by the following vote:

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

Nays: 0

Absent: 1 - Hsieh

XIII. Committee Reports

Representatives from Ad Hoc Committees will provide updates on their work.

This is a recurring item. ([Attachment 13](#))

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

The Staff Searches Ad Hoc Committee is responsible for the recruitment and hiring of staff vacancies, including the CPRA Executive Director, Commission Chief of Staff, and OPD Police Chief.

Chair Milele provided an update on the current staff searches, including the Commission Chief of Staff, CPRA Executive Director, and Chief of Police searches.

- **Community Outreach (Commissioners Howell, Jordan, Ordaz)**

The objective of this Ad Hoc is to increase public awareness and knowledge of the Commission's work and ensure broad community voices, especially from the most marginalized, are elevated. This Ad Hoc will also oversee the community engagement and outreach of the CPRA, the IG's office and to some extent the OPD. Additionally, this Ad Hoc will work to set the guidelines for how Commission Ad Hoc's are formed and run.

Commissioner Howell shared that the next ad hoc meeting would take place on June 5th and that there would be a Community Roundtable on the OPD and Commission budget on June 3rd.

- **Staff Evaluations: IG, CPRA (Commissioners Harbin-Forte, Jordan, Howell)**

The mission of this Ad Hoc is to establish the criteria upon which the Inspector General and CPRA Executive Director will be evaluated by the Police Commission.

Commissioner Harbin-Forte shared that the ad hoc committee would be meeting with Commission Counsel on May 22 to address legal issues related to staff evaluations before moving on to set the criteria and matrix with public input.

Public comment was made by 1 person (Kramer)



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

May 11, 2023

5:30 PM

XIV. **Upcoming/Future Agenda Items**

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item. (Attachment 14)***

Commission Jackson recommended ongoing monthly NSA ad hoc report outs and a quarterly budget review. Commissioner Peterson requested revisiting the budget as well. Commissioner Harbin-Forte requested monthly committee report outs from all ad hocs.

There were no public comments on this item.

XV. **Open Forum Part 2 (2 minutes per speaker, 15 minutes total)**

Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should submit a speaker card prior to the start of this item. **Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission's Chairperson. *This is a recurring item.***

There were no public comments on this item.

XVI. **Adjournment**

Chair Milele adjourned the meeting at 10:29 p.m.