

# CITY OF OAKLAND



## Oakland Police Commission

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**TO:** NSA Parties

**FROM:** Oakland Police Commission (OPC)  
Dr. Tyfahra Milele, Chair

**SUBJECT:**

**DATE:** September XX, 2023

### I. Introduction

We are pleased to provide an update on the progress made by the Oakland Police Commission (“Commission”) since our last memorandum dated March 30, 2023. In this memorandum, we describe the steps taken to reform the internal affairs investigation process of the Oakland Police Department (“OPD”). Beyond this, we present a set of community-driven recommendations designed to address the enduring cultural challenges faced by OPD since the initiation of the Negotiated Settlement Agreement (“NSA”). It’s important to emphasize that these challenges are not unique to Oakland; experts across the nation have recognized the need to address police culture as a pivotal component of effective reform.<sup>1</sup>

The Commission stands as a distinctive oversight body, marked by its civilian leadership and commitment to the community it serves. It is comprised of community members and operates independently from the City of Oakland (“City”). We actively seek and value community input, championing community oversight priorities. In this capacity, the Commission proudly represents the formal community voice in matters concerning OPD oversight.

Following the NSA case management conference held on April 11, 2023, in the case of Delphine Allen, et al., v. City of Oakland, et al., the Commission immediately set its sights on addressing the Court’s concerns. Our objective was to infuse a community perspective into the cultural dilemma faced by OPD, notably its struggle with “OPD’s inability to police itself, to hold itself and its officers accountable without fear or favor.”<sup>2</sup>

To this end, the Commission continued its work with its advisory committee on the NSA (“ad hoc”) in June 2023. This committee embarked on a series of meetings to formulate recommendations for how OPD could effectively address its cultural challenges, particularly within the context of NSA Task 5 and 45. Those recommendations are outlined in Section III.

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<sup>1</sup> Highlights: Improving Police Culture in America, last accessed on September 9, 2023 at <https://www.brookings.edu/articles/highlights-improving-police-culture-in-america/>

<sup>2</sup> April 11, 2023, CMC TX 5:23-6:6.

Before we delve into the recent initiatives and developments, it is important to acknowledge the efforts undertaken by the Oakland Police Department (OPD) over the past two decades. Since the inception of the Negotiated Settlement Agreement (NSA), OPD has embarked on a journey of transformation. From its early days under the NSA to the present, the department has made strides in reshaping its practices and has achieved substantial compliance with nearly all the NSA tasks, marking a significant milestone in this ongoing process. They have worked to reduce disparities in stops and have successfully completed the majority of the required policy changes outlined in the NSA.

This progress evinces OPD's commitment to reform, transparency, and community engagement. It is a testament to the dedication and hard work of the department's personnel, who have diligently strived to improve and align their practices with the evolving standards of constitutional policing.

Building upon this foundation of progress, the Commission remains dedicated to its role as a facilitator of continued improvement and as a partner in the ongoing transformation of OPD. Our collective efforts are driven by the belief that the path to lasting change requires acknowledging accomplishments while also identifying areas where further enhancements are needed.

Our reflection on the Court's question on culture change and efforts to make improvements on OPD culture does not necessarily mean that we believe the city is out of compliance with the NSA. Both can exist at the same time: changing the culture of OPD and being in compliance with the NSA. Compliance with NSA is the minimum, the floor.

In this spirit of collaboration, we now describe the recent initiatives and recommendations that will help shape the future of OPD's culture and practices in the context of NSA Task 5 and 45.

## **II. Follow-up and Progress Since the March 30, 2023 OPC NSA Memorandum**

Since our memorandum dated March 30, 2023, the Commission has been advancing the cause of reforming the internal affairs investigation process within OPD and ensuring sustained compliance with NSA Task 5 and 45. This comprehensive plan also included the groundwork necessary for transitioning the role of the Court Monitor to Full Community Oversight of OPD by the Commission, aligning with the spirit and intent of Measures LL and S1, as envisioned by the community.

The recommendations we put forth in our March 30, 2023 memorandum were driven by a fundamental principle: for effective oversight of the Department, the Commission requires the same timely access to information about OPD as the Court Monitor, especially in cases involving command-level staff investigations.<sup>3</sup> Achieving this parity in access to information is essential for the Commission to fully realize the community's trust and responsibility vested in us by

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<sup>3</sup> While the Commission does have similar access to the Department as the Court Monitor, there are procedural steps to obtaining information that hamper the Commission's timely access to such materials (e.g., a Commission vote on a request for information for a body that meets twice a month, Brown Act compliant notice of such a request.)

Measures LL and S1. It's worth noting that the information gap the Commission faced earlier this year hindered our ability to carry out our functions and responsibilities in a timely and effective manner.

In keeping with this principle, on August 24, 2023, the Commission took action by voting to empower Commission Counsel to:

- Formally request from the City of Oakland an expanded definition of "serious incident," encompassing internal investigations involving command-level staff;<sup>4</sup> to include internal investigations into command-level staff that may not involve crimes;
- Extend invitations to the Court Monitor for regular closed session briefings to be presented to the Police Commission, the CPRA, and the OIG, offering valuable insights into the status of Compliance Issues;
- Develop a standardized practice enabling the Commission to access confidential files and records essential for fulfilling our oversight function; and
- Establish an enhanced system for managing requests for confidential records and files, ensuring timely and thorough responses to the Commission's needs for confidential documents.

These proactive steps underscore our unwavering commitment to transparency, accountability, and effective oversight, all vital components in our journey towards building a stronger, more resilient, and community-focused OPD.

### **III. Charting the Path Forward**

As an initial matter, the ad hoc identified OPD's current culture and identified goals for the culture in the future. As Oakland Mayor Sheng Thao stated at the April CMC, the best way to change OPD's culture is by "continuing to weave the Department into the fabric of Oakland and Oakland's culture" such that it is "part of the community and that it is truly sharing the community's values."<sup>5</sup> This vision underscores OPD's aspiration to not just exist within the community but to authentically embody the community's values.

With these clear cultural objectives in mind, the ad hoc committee embarked on the mission to identify three priorities, each with potential for positive change. It's important to note that these recommendations do not target the specific IAD procedures outlined in Task 5 and Task 45. Rather, they encompass a broader approach, recognizing that the cultural challenges embedded within these tasks transcend policy alterations alone.

For each of these priorities, the ad hoc committee engaged in a thoughtful exploration to unravel their potential impact on cultural transformation. They considered the strategies and actions that the department can employ to bring these priorities to life, recognizing that a multifaceted approach is key. Then they assessed the insights and expertise that various sources and experts could bring, understanding that collaboration is the cornerstone of sustainable change.

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<sup>4</sup> Oakland Municipal Code § 2.45.010.

<sup>5</sup> April 11, 2023, CMC TX 47:9-21.

In essence, this memo serves as a testament to our belief in the power of community led change and our collective commitment to ushering in a future where OPD's culture aligns harmoniously with the values and aspirations of the Oakland community.

a. Cultivating a Brighter Future for the Oakland Police Department's Culture

When we look at the Oakland Police Department's culture from a public perspective, it becomes evident that there is an opportunity for positive transformation. In April 2023, the court astutely noted the need for change, emphasizing the importance of OPD evolving into an entity that can self-regulate, hold itself and its officers accountable, and uphold the principles of integrity and constitutional policing. Specifically, the court observed that there was “a cultural inability of OPD to police itself, to hold itself and its officers accountable without fear or favor; a culture that lacks integrity; a culture that plays favorites and protects wrongdoers that undercuts the foundations of constitutional policing.”<sup>6</sup> The observations highlighted several facets of the current culture that require attention:

- **Addressing Historical Challenges:** Acknowledging a historical backdrop of racial profiling and racial disparities, which regrettably persist in certain aspects of the department's culture.
- **Fostering Empathy:** Encouraging the development of empathy towards the community that OPD serves, recognizing that true understanding and compassion are essential.
- **Upholding Professionalism:** Elevating professionalism within the ranks to ensure that officers represent the highest standards of law enforcement.
- **Rebuilding Trust:** Taking deliberate actions to rebuild trust within the community, as past actions have, at times, contributed to a sense of mistrust.

We envision a near future where the Oakland Police Department's culture aligns seamlessly with its own mission statement<sup>7</sup>, vision<sup>8</sup>, and core values<sup>9</sup>, as outlined in its strategic plan.<sup>10</sup> These guiding principles are not mere words, but a blueprint for the department's transformation. Mayor Thao, in her vision for OPD, further emphasized the cultivation of values such as compassion, service, and accountability, envisioning a culture that embodies these ideals.<sup>11</sup>

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<sup>6</sup> April 11, 2023, CMC TX 5:23-6:6.

<sup>7</sup> Mission Statement: “The Oakland Police Department’s Mission is to provide police service focused on public safety and the sanctity of life, to hold ourselves accountable to a high standard of conduct, efficiency and efficacy, and to promote mutual respect between the Department and the Communities of Oakland.” (emphasis in original)

<sup>8</sup> Vision: “We will work in partnership with our Community, recognize the successes of our staff, build a team of professionals who are trained and developed to provide top quality Service, hold ourselves and each other accountable, and continually seek to be the exemplar for 21<sup>st</sup> Century Constitutional Policing, Community engagement, and positive employee morale within the police profession.”

<sup>9</sup> Core Values: Fairness, Integrity, Respect, Service, and Teamwork.

<sup>10</sup> Oakland Police Department Strategic Plan 2021-2024, accessed at <https://cao-94612.s3.amazonaws.com/documents/OPD-Strategic-Plan-Final-Armstrong-v2.pdf>.

<sup>11</sup> April 11, 2023, CMC TX 47:12-16.

Additionally, members of the ad hoc committee have envisioned several aligned key characteristics for OPD's future culture:

- **Empathy for All:** A culture where demonstrated empathy is a cornerstone, extended equitably to all individuals in a culturally competent manner.
- **Wellness as a Priority:** Prioritizing the physical and mental wellness of officers, enabling them to be their very best while serving the community.
- **Inspiring Trust:** Cultivating trust in the community through officers' conduct, transparency, and unwavering commitment to accountability.
- **A Focus on Service:** Embracing a customer-service-oriented approach that allows the community to not just seek justice but also experience a heightened sense of public safety.

The road ahead is one filled with promise and opportunity. It's a journey towards a transformed culture that not only aligns with the values of Oakland but also sets an inspiring example for law enforcement agencies everywhere.

- b. Embracing the Lessons of the Past for a Brighter Future
  - i. Acknowledging the past, especially when it's marred by mistakes and misconduct, is a vital step on the path to meaningful change.

In the case of the Oakland Police Department (OPD), this recognition is not just about fulfilling the requirements of the NSA but also confronting a history tarnished by incidents like "The Riders," sexual abuse cases involving "Celeste Guap," the tragic killing of Joshua Pawlik, the Instagram scandal of 2021, and well-known and flawed internal affairs investigations. OPD's evolution towards a better future relies on openly acknowledging these past failures and, most importantly, integrating the lessons learned into every facet of the organization, including training, promotional interviews, assignment changes, and regular information updates.

This recommendation holds the potential to catalyze a profound cultural shift within OPD:

**Fostering Historical Awareness:** By instilling a fundamental understanding of OPD's complex history, this step equips its members with the knowledge needed to comprehend why reform efforts are imperative. It also empowers them to avoid repeating the mistakes of the past, as they gain insights into the historical context driving these changes. Furthermore, it allows officers to gain a deeper understanding of the roots of community mistrust, setting the stage for rebuilding trust through informed actions.<sup>12</sup>

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<sup>12</sup> "A community member shared a relevant anecdote with the ad hoc. The community member spoke to a young and upstanding officer who did not understand the tension between the community and OPD. The community member suggested to the officer that to learn about the history between the community and OPD the officer should read "The Riders Come Out at Night," a book by Ali Winston and Darwin BondGraham. The young officer declined." To the community member, this exchange reflected the officer's lack of empathy and lack of understanding about the historical trauma that OPD had inflicted on the local community. This, in turn, would lead to greater potential divisions between the officer and community members in future interactions. Other community members shared their concerns that it reflected the officer's unwillingness to learn a truth other than what they learned on the job or in the academy.

**Aligning Career Progression with Ethical Growth:** Incorporating an awareness of OPD's troubled past into the criteria for career advancement creates a powerful incentive for officers to uphold ethical standards in their work and mindset. It essentially links an officer's career trajectory to their commitment to learning from OPD's past missteps. This approach ensures that officers seeking career progression demonstrate that they have internalized the critical lessons from OPD's history, preventing a recurrence of past errors.<sup>13</sup>

Moreover, this initiative encourages officers to delve into OPD's historical relationship with the community, fostering a deeper understanding of the community's collective trauma in relation to the department. This understanding, in turn, enhances the likelihood of officers empathizing with the community, ultimately leading to positive shifts in their attitudes and behaviors.

In essence, this recommendation serves as a powerful catalyst for culture change within OPD. By embracing the lessons of the past, the department can pave the way for a future where integrity, trust, and empathy are at the core of its operations, fostering a renewed sense of faith and partnership with the community it serves.

## ii. Illuminating a Path to Transformation: Implementation Strategies

To usher in a brighter future, OPD can take several steps to implement this crucial recommendation:

**Comprehensive Department-Wide Training:** OPD should embark on an ambitious endeavor, conducting extensive training for all its staff, both sworn and non-sworn, that delves into every scandal and major failure since the inception of the NSA. This comprehensive training should not merely recount historical events; rather, it should provide a deep understanding of the facts, policy violations, and ethical issues that underpinned these transgressions. Importantly, it should spotlight the tangible policy and procedural changes that have emerged as a direct response to officer misconduct. This training can serve as a cornerstone for cultural transformation within the department.

**Leveraging Existing Training Modules:** OPD already possesses valuable training modules that can be adapted to accommodate this new educational initiative. The existing smaller module for police academy recruits, featuring insights from respected figures like Jim Channin, Ali Winston, and Darwin BondGraham, is a strong starting point. Additionally, Project Reset<sup>14</sup>, a four-week course introduced in 2021 aimed at empowering officers as culture change agents, presents a promising framework. Collaborative efforts with local community members, focused on reshaping the department's culture, can ensure these trainings are effective.<sup>15</sup>

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<sup>13</sup> An OPD representative shared an observation that while most officers are aware of the mission statement, vision, and core values of the Department, only those who are taking exams for career advancement can express a deeper understanding of what those ideals mean and how to incorporate them into daily practice.

<sup>14</sup> Project Reset is a training program kicked off in 2021 with a pilot group of officers. Developed in conjunction with resources from the Stanford SPARQ program (Co-Director Jennifer Eberhardt). "The main purpose of the training is to harness the science of culture - how it can be created, reinforced, and changed - to empower police officers to become change agents within the department."

<sup>15</sup> The ad hoc recognizes that there are many logistical challenges presented when recommending a department-wide training, including who creates the training, how much it will cost, and how it will be implemented. It is the intent of the ad hoc to continue developing this training in the weeks after the September CMC.

**Embedding Lessons in Career Advancement:** Another key step involves infusing the critical lessons from each instance of major misconduct into promotional, lateral movement, and assignment examinations. While it need not mandate rote memorization of historical facts, it should encourage thoughtful consideration of those or similar ethical dilemmas. By evaluating officer candidates with hypothetical scenarios inspired by these incidents, OPD members can actively demonstrate that they've internalized the lessons, fostering ethical growth as a cornerstone of career advancement.

**Regular Debriefing Sessions:** OPD should establish a culture of continuous learning by regularly conducting debriefing sessions. These sessions should encompass not only major misconduct incidents but also instances of exemplary ethical conduct, drawing insights from within OPD, other local departments, or even nationally recognized cases. Engaging command staff, mid-level managers, and line officers in these discussions will promote a deeper understanding of the complexities involved and help instill a culture of accountability and excellence.

Incorporating these recommendations into OPD's practices and training initiatives represents a significant stride toward fostering a culture defined by integrity, ethical conduct, and a relentless commitment to serving the community. By proactively embracing these transformative measures, OPD can pave the way for a brighter and more promising future, strengthening its bonds with the community it serves.

iii. Harnessing Expertise for Positive Change

To chart a clear course toward change, the ad hoc committee recommends engaging a diverse array of sources and experts to help shape these transformative endeavors. Their collective insights and expertise will be invaluable in realizing a brighter future for OPD:

- **Experts in Organizational Change:** Collaborating with seasoned experts in organizational change will provide OPD with essential guidance to effectively implement this recommendation. Their wealth of knowledge in fostering transformation within institutions can be instrumental in steering OPD toward a culture of accountability and integrity.

- **Jennifer Eberhardt:** A notable figure with extensive experience in studying OPD, Jennifer Eberhardt, the Co-Director of the Stanford SPARQ program, offers a unique perspective. Her previous studies and reports on OPD can serve as a valuable resource for the department's journey towards cultural reform.

- **Darlene Flynn:** As the Executive Director of the Race and Equity Department in the City of Oakland, Darlene Flynn brings a wealth of expertise in promoting equity and fairness. Her perspective can be instrumental in aligning OPD's culture with the values of the community it serves.

- **Keith Ellison:** Drawing upon the insights of Keith Ellison, Minnesota Attorney General and author of "Break the Wheel: Ending the Cycle of Police Violence," can provide OPD

with a fresh outlook on breaking free from the patterns of police violence. His perspective can inspire innovative approaches to transforming the department's culture.

- **John Burris and Jim Chanin:** With their roles as Plaintiffs' Attorneys in the NSA, Jim Chanin and John Burris bring a wealth of knowledge about OPD's history and its reform efforts. Their experiences can shed light on past challenges and inform strategies to overcome them.

- **Ali Winston and Darwin BondGraham:** Authors of "The Riders Come Out at Night," Ali Winston and Darwin BondGraham possess a deep understanding of OPD's past and the issues it has faced. Their insights can help OPD avoid repeating historical missteps and contribute to a more positive future.

- **Community Members as Presenters:** Lastly, involving community members as presenters offers a grassroots perspective that is vital for fostering trust and understanding between OPD and the community. Their lived experiences and insights can guide the department in building meaningful connections and enhancing its service to the community.

By harnessing the collective wisdom of these diverse sources and experts, OPD can embark on a journey of positive transformation, one that strengthens its commitment to the community, upholds the highest standards of ethics and accountability, and builds a brighter future for all stakeholders.

c. Strengthening Discipline for a Culture of Accountability

- i. In pursuit of fostering a culture of accountability within the Oakland Police Department (OPD), the NSA ad hoc committee advocates for a positive shift in discipline policy and the discipline matrix.

This recommendation addresses concerns related to perceived accountability gaps and the potential for officers to evade consequences through policy loopholes.<sup>16</sup> The underlying goal here is to transform OPD's culture by promoting transparency and fairness in discipline procedures. By thoroughly examining and addressing these concerns, OPD can ensure that instances of policy violations are met with appropriate disciplinary actions, dispelling any perceptions of leniency.

The revision of discipline policies and the discipline matrix is not about punitive measures but rather about upholding the highest standards of conduct and ethics within the department. It sends a clear message that misconduct will not be tolerated, and officers will be held accountable for their actions.

This approach fosters a culture of accountability where all members of OPD understand the importance of adhering to policies and ethical guidelines. As discipline is consistently and fairly

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<sup>16</sup> A process that employers use to correct performance or behavior involving a series of increasingly formal steps that provide clear and constructive feedback to give employees an opportunity to correct issues before escalating punishment.



applied, it acts as a deterrent against future policy violations. By eliminating ambiguity and ensuring that consequences align with the severity of the misconduct, OPD can pave the way for a culture defined by responsibility and integrity.

In the pursuit of these changes, the Commission, guided by its authority under Oakland City Charter section 604, can hold hearings, propose procedural adjustments, or provide critical feedback to reinforce the principles of accountability within OPD. This endeavor is not punitive but rather a positive step toward building trust, enhancing transparency, and ultimately, fostering a culture of accountability that aligns with the values of the community and the department itself.

#### ii. Implementing a Robust Discipline Policy for Positive Change

To implement this recommendation effectively and engender a sense of positive change within the Oakland Police Department (OPD), collaboration with community partners is key. The first step is to ensure that these vital documents comprehensively cover all types of misconduct that warrant disciplinary action. By leaving no room for ambiguity, OPD can build a stronger foundation for accountability. It is a proactive approach that emphasizes clarity and fairness.

Furthermore, OPD should consider whether the current discipline ranges align with the severity of the misconduct. This analysis ensures that consequences are commensurate with the actions, reinforcing the idea that accountability is essential within the department.

Progressive discipline, when applied judiciously, can be a powerful tool for positive transformation. OPD should carefully evaluate its use, ensuring it is applied in situations where it is most effective and conducive to behavioral change.

In the spirit of innovation and improvement, OPD may also want to explore other disciplinary options as recommended by the Reimagining Public Safety Task Force Report (#32). This forward-thinking approach can open doors to alternative methods of addressing misconduct, promoting growth, and fostering a culture of learning within the department.

Through a collaborative effort with community partners, these steps can be taken with an optimistic outlook, aiming to enhance the overall functioning of OPD and build bridges of trust with the community it serves. By embracing change as an opportunity for positive growth, OPD can set a precedent for accountability and integrity, reflecting the values of the community it is dedicated to protecting and serving.

#### iii. Bringing Expertise to Drive Change

To facilitate the transformative changes envisioned for the Oakland Police Department (OPD), the ad hoc committee recommends drawing upon a diverse range of sources and experts. This collaborative approach seeks to harness the collective wisdom and insights necessary for driving positive cultural change within OPD. The following experts and resources are recommended:

**1. Training Bulletin V-T.1 and V-T.2 and Discipline Matrix:** A thorough examination of existing training bulletins and disciplinary guidelines will provide essential insights into areas requiring improvement and alignment with cultural change objectives.

**2. Internal Investigation Procedure Manual:** A review of the internal investigation procedures is vital to ensure they are consistent with the overarching goal of fostering accountability and transparency.

**3. April 23, 2020 Oakland Police Department Police Discipline Disparity Study:** The findings from this study conducted by Hillard Heintz offer valuable data and perspectives on discipline within OPD, serving as a foundational reference for reform efforts.<sup>17</sup>

**4. CURYJ (Communities United for Restorative Youth Justice) – Violence Interrupters:** Engaging with violence interrupters from CURYJ can shed light on the root causes of untruthfulness within the department and offer insights into addressing these issues effectively.

**5. Kevin Grant, Oakland Unite’s Violence Prevention Coordinator:** Mr. Grant's expertise in violence prevention can contribute significantly to the cultural shift sought within OPD.<sup>18</sup>

**6. Reygen Cunningham, Co-Director at The California Partnership for Safe Communities:** Drawing upon Mr. Cunningham's experience as the former City of Oakland Ceasefire Project Manager can provide valuable guidance on community-based solutions.

**7. Former OPD Captain Ersie Joyner:** Leveraging the knowledge and experience of a former captain can offer unique insights into the operational aspects of OPD.

**8. Pastor Michael McBride, Live Free USA:** Pastor McBride's perspective can be instrumental in aligning OPD's culture with community values and fostering accountability.

**9. Family Violence Law Center:** Collaborating with this center can help ensure that the department addresses sensitive issues related to family violence effectively and compassionately.

**10. Reimagining Public Safety Task Force Report recommendation #32:** This comprehensive update recommendation, accompanied by provided resources and contacts, can serve as a roadmap for reforming both MOR and the Discipline Matrix.

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· Recommendation Summary:

([https://drive.google.com/file/d/1L2k9\\_Vr3zm3ZUOd\\_y0b9q56SctZ3pb2K/view](https://drive.google.com/file/d/1L2k9_Vr3zm3ZUOd_y0b9q56SctZ3pb2K/view))

· Recommendations:

(<https://drive.google.com/file/d/1NTrxKGhpEbGxJKjylfB8ImUXABhK7U8f/view>)

d. Fostering Ethical Leadership: A Culture-Shaping Initiative

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<sup>17</sup> Accessed at

<https://cao-94612.s3.amazonaws.com/documents/Hillard-Heintze-Report-for-the-Oakland-Police-Department-04-23-20-1.pdf>

<sup>18</sup> <http://oaklandunite.org/blog/kevin-grant-honored-with-california-peace-prize/>.

- i. OPD should amplify its efforts in promoting ethical leadership and management among low- to mid-level managers.

Within any organization, including police agencies, the culture is upheld, nurtured, and safeguarded by its employees with four to eleven years of experience. Among these, field training officers and sergeants play a pivotal role in shaping culture and behavior through their supervision, management, and training practices. They serve as guides, influencing newer officers in their approach to policing and the standards they uphold.

Elevating individuals with strong ethical values to positions of field training officers and sergeants is a catalyst for fostering ethical leadership and management within the department. This ethical foundation, in turn, becomes instrumental in upholding and enforcing high standards of conduct. By providing training and guidance to these key personnel on ethical leadership and management, OPD can instill a culture of ethics throughout its ranks.

While acknowledging OPD's compliance with Task 42 and Task 43 of the NSA, the ad hoc committee recognized the need to amplify its efforts in promoting ethical leadership and management among low- to mid-level managers. While these tasks have made substantial progress, the ad hoc committee believed that further emphasis in this area was essential for driving lasting cultural change. The Commission, empowered by Oakland City Charter section 604, is well-equipped to hold hearings, propose procedural adjustments, or review and offer insights on these vital aspects, ensuring that the journey towards a more ethical and responsible police culture continues to evolve positively. This commitment to fostering ethical leadership underscores OPD's dedication to a brighter and more accountable future.

- ii. Strategies for Cultivating Ethical Leadership

To bring about a profound transformation in the department's culture towards ethical leadership, OPD should embark on a multifaceted approach:

**1. Revamping Screening and Promotion:** OPD should critically review its current screening and promotional exams for field training officers, sergeants, and captains. A substantial portion of these assessments should focus on evaluating candidates' commitment to ethical behavior. This ensures that those who ascend to these influential roles are not only skilled professionals but also unwavering champions of ethical conduct.

**2. Community Involvement in Screening:** Incorporating community input into the screening and promotion process for field training officers and sergeants is essential. Ethical evaluations should not rely solely on official complaints. Instead, a more comprehensive and nuanced perspective, including insights from the community, should guide these crucial decisions.<sup>19</sup>

**3. Enhancing Training Practices:** OPD should conduct a thorough review of its training methodologies for field training officers, sergeants, and captains. This assessment should aim to strengthen the emphasis on ethical behavior throughout the training process. Introducing

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<sup>19</sup> This recommendation is also in line with the Reimagining Public Safety Task Force Recommendation #22 – Updating the Promotional Process for OPD officers.

scenario-based ethics training and testing can provide practical guidance, reinforcing ethical decision-making under real-world conditions.

**4. Innovative Leadership Development:** To nurture ethical leadership, OPD should develop non-standard organizational leadership training programs. These initiatives should be designed to instill integrity, accountability, and ethical values into all aspects of leadership within the department.

**5. Ongoing Supervision and Monitoring:** The department should implement rigorous supervision and monitoring practices for field training officers, sergeants, and captains. This ongoing oversight is vital to ensure that the core values of integrity and accountability are consistently upheld throughout the entire organization.

By diligently implementing these strategies, OPD will take significant strides towards cultivating ethical leadership within its ranks. This proactive approach not only strengthens the department's commitment to ethical conduct but also fosters a culture where integrity and accountability are the guiding principles, ultimately enhancing public trust and safety.

iii. Expert Resources for Ethical Leadership Development

To facilitate the development of ethical leadership within OPD, we recommend engaging the following sources and experts:

- **IACP Code of Ethics:** Leveraging the International Association of Chiefs of Police (IACP) Code of Ethics as a foundational guide to ethical conduct in law enforcement.<sup>20</sup>

- **Chief Charles Ramsey:** Drawing insights and best practices from Chief Charles Ramsey, a respected authority with a wealth of experience in law enforcement leadership and ethics.

- **The President's Task Force on 21st Century Policing:** Reviewing the valuable recommendations made by The President's Task Force on 21st Century Policing from May 2015 as a reference point for modernizing law enforcement practices.<sup>21</sup>

- **Oakland Inspector General's Compliance Evaluation of DGO B-08:** Field Training Program, dated 9/7/23: Oakland Inspector General's evaluation of the Field Training Program and recommendations.<sup>22</sup>

- **Reimagining Public Safety Task Force #22:** Exploring the insights and recommendations presented in Reimagining Public Safety Task Force #22, which offers innovative perspectives on police reform.

<https://drive.google.com/file/d/19ETpSnGMqAc6nVqgVD5tN-wLyBI2mlaU/view>

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<sup>20</sup> <https://www.theiacp.org/resources/law-enforcement-code-of-ethics>.

<sup>21</sup> [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf)

<sup>22</sup> <https://www.oaklandca.gov/documents/departamental-general-order-b-08-compliance-evaluation>.

- **John Burris and Jim Chanin:** Engaging the perspectives of Jim Chanin and John Burris, Plaintiffs' Attorneys involved in the NSA, who bring a unique legal and community-focused viewpoint to the discussion.

- **Ali Winston and Darwin BondGraham:** Drawing upon the expertise of Ali Winston and Darwin BondGraham, authors of "The Riders Come Out at Night," who have a deep understanding of the historical context and challenges within OPD.

- **Deacon Reginald W. Lyles:** Involving Deacon Reginald W. Lyles, a community leader and representative, to provide insights into the community's expectations and aspirations regarding ethical leadership in law enforcement.

By incorporating these diverse perspectives and resources, OPD can forge a path towards ethical leadership that aligns with best practices, community values, and the evolving landscape of modern policing. This collaborative approach will contribute to a culture of integrity, accountability, and trust within the department.

#### **IV. Conclusion:**

In closing, the journey toward reform and cultural transformation within the Oakland Police Department (OPD) is one marked by dedication, collaboration, and a shared commitment to building a safer, more accountable, and equitable community. This memorandum serves as a testament to the relentless efforts undertaken by the Oakland Police Commission (OPC) and the ad hoc committee to address the multifaceted challenges facing OPD's culture and operations. We acknowledge the progress made over two decades and the strides made in reducing disparities, implementing policy, and embracing a vision of community-oriented policing.

However, our collective resolve remains unwavering in our pursuit of excellence. We firmly believe that, guided by the principles of transparency, accountability, and inclusivity, OPD can continue to evolve and align its culture with the shared values of the Oakland community. The recommendations outlined herein provide a roadmap for this transformative journey, emphasizing the importance of ethical leadership, policy refinement, and cultural adaptation. In the coming months, the Commission will continue to develop the priorities laid out in this memorandum into real, actionable steps that OPD can take to transform its culture.

As we look toward the future, we do so with optimism, recognizing the potential for a harmonious coexistence between OPD and the community it serves. The collaborative spirit embodied by OPC, community leaders, and dedicated professionals within OPD underscores our faith in the prospect of lasting positive change. Together, we shall continue to strive for a safer, more just, and compassionate Oakland, where the integrity of our police force and the trust of our community stand as pillars of progress.

In unity and resilience, we remain committed to the mission of fostering enduring change and a brighter future for all residents of Oakland.