



**CITY OF OAKLAND  
POLICE COMMISSION SELECTION PANEL  
(SPECIAL MEETING)  
Meeting Agenda  
Thursday, May 30, 2024  
6:00 PM**

Oakland City Hall, Hearing Room 2  
1 Frank H. Ogawa Plaza  
Oakland, CA

Selection Panel Members: Chair Rickisha Herron (District 6), Brendalynn Goodall (Mayor), Gay Plair Cobb (At Large), Vice Chair Don Link (District 1), David Kakishiba (District 2), Vacant (District 3), Lorelei Bosserman (District 4), Monique Rivera (District 5) and Bill Thomasson (District 7).

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**PUBLIC PARTICIPATION**

The Oakland Police Commission Selection Panel encourages public participation in their board meetings. The public may observe and/or participate in this meeting in several ways.

**OBSERVE:**

- To observe the meeting by video conference, please click on this link:  
<https://us02web.zoom.us/j/82832448748> at the noticed meeting time.

+1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799. For each number, please be patient and when requested, dial the following Webinar ID: 828 3244 8748

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting By Phone.”

**PROVIDE PUBLIC COMMENT:** There are two ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment directly to the Selection Panel and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to Felicia Verdin at [fverdin@oaklandca.gov](mailto:fverdin@oaklandca.gov). Please note that eComment submissions close one (1) hour before posted meeting time. All submitted public comment will be provided to the Selection Panel prior to the meeting.
- Complete a speaker card during the meeting.

If you have any questions about these protocols, please e-mail Felicia Verdin, at [fverdin@oaklandca.gov](mailto:fverdin@oaklandca.gov).

**CITY OF OAKLAND  
POLICE COMMISSION SELECTION PANEL  
(SPECIAL MEETING)**

**Meeting Agenda (Continued)**

**Oakland City Hall, Hearing Room 2  
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**Thursday, May 30, 2024  
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**1. Roll Call and Determination of Quorum**

**2. Public Comment**

All speakers will be allotted a maximum of two minutes unless the Chairperson allocates additional time.

**ACTION ITEMS**

**3. Approve Selection Panel Meeting Minutes**

- May 21, 2024

**4. Annual Training and Orientation to City Charter Section 604 – Police Commission**

In accordance with Oakland Municipal Code Section 2.45.030(F), the Selection Panel shall receive training and orientation regarding City Charter Section 604 Police Commission on an annual basis, to occur at the regular meeting each May.

- Presentation Slides – Annual Selection Panel Orientation – Measure LL and Measure S1

**5. Nomination of Vice Chair**

The Selection Panel will nominate a vice chair. The Panel will discuss and take possible action on their nomination. (Memo with roles of Chairperson and Vice Chairperson Responsibilities attached)

**6. Discuss the Police Commission Recruitment and Nomination Process for 2024**

The Selection Panel will discuss and take possible action on its process for appointing Police Commissioners during the current selection process, including the following:

- Update on recruitment process and timeline
- Review nomination process
- Set future meeting dates
- Discuss evaluation tools

**7. Update by the ad-hoc committee on filling the Selection Panel's District 3 vacancy and other potential vacancies**

The Selection Panel will discuss and take possible action on creating a recruitment process to fill vacancies on the Selection Panel.

**CITY OF OAKLAND  
POLICE COMMISSION SELECTION PANEL  
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**Meeting Agenda (Continued)**

**Oakland City Hall, Hearing Room 2  
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**8. Agenda Building**

The Panel will discuss their next meeting agenda.

**9. Adjournment**

The meeting will adjourn upon the completion of the Selection Panel's business.

Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email [fverdin@oaklandca.gov](mailto:fverdin@oaklandca.gov) or call (510) 238-3128 or (510) 238-2007 for TDD/TTY five days in advance.

¿Necesita un intérprete en español, cantonés o mandarín, u otra ayuda para participar? Por favor envíe un correo electrónico a [fverdin@oaklandca.gov](mailto:fverdin@oaklandca.gov) o llame al (510) 238-4756 o al (510) 238-2007 para TDD/TTY por lo menos cinco días antes de la reunión. Gracias.

你需要手語,西班牙語,粵語或國語翻譯服務嗎?請在會議前五個工作天電郵 [fverdin@oaklandca.gov](mailto:fverdin@oaklandca.gov) 或 致電 (510) 238-4756 或 (510) 238-2007 TDD/TTY.



**CITY OF OAKLAND  
POLICE COMMISSION SELECTION PANEL  
(SPECIAL MEETING)  
DRAFT Meeting Minutes  
Tuesday, May 21, 2024  
6:00 PM**

Oakland City Hall, Hearing Room 2  
1 Frank H. Ogawa Plaza  
Oakland, CA

Selection Panel Members: Chair Rickisha Herron (District 6), Brendalynn Goodall (Mayor), Gay Plair Cobb (At Large), Vice Chair Don Link (District 1), David Kakishiba (District 2), Vacant (District 3), Lorelei Bosserman (District 4), Monique Rivera (District 5) and Bill Thomasson (District 7).

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**1. Roll Call and Determination of Quorum**

In attendance: Chair Rickisha Herron, Brendalynn Goodall, Gay Plair Cobb, Vice Chair Don Link, Lorelei Bosserman, Monique Rivera and Bill Thomasson

Absent: David Kakishiba

**2. Public Comment**

All speakers will be allotted a maximum of two minutes unless the Chairperson allocates additional time.

No Public comment.

**ACTION ITEMS**

**3. Approve Selection Panel Meeting Minutes**

○ **April 18, 2024**

Panelist Don Link made a change on page 3 of the minutes in the second paragraph, the last sentence change participant to participate. On page 10, change last sentence to meeting was adjourned. In the future, add the time meeting was adjourned.

Panelist Goodall moved to accept the minutes with changes and Panelist Thomasson seconded the motion. The minutes were approved with the following Panelist voting yes: Herron, Link, Bosserman, Goodall and Cobb.

Panelist Rivera and Thomasson abstained.

**4. Update on Selection Panel Documents will be provided by Panelist**

The Selection Panel will discuss their documents.

Staff updated the Panel on the documents that are maintained in a shared file in the City Administrator's Office and recommended that the Panel consider putting two (2) documents on the website. The documents that staff recommended putting on the

**CITY OF OAKLAND  
POLICE COMMISSION SELECTION PANEL  
(SPECIAL MEETING)**

**Meeting Agenda (Continued)**

**Oakland City Hall, Hearing Room 2  
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website include the procedure manual and evaluation tool. Panelist Rivera advised to include the documents with the most recent revised date. The Chair agreed to add the documents on the website.

**5. Alternate Police Commissioner Nomination Process**

The Selection Panel will discuss and take possible action on appointing an Alternate Police Commissioner for the term to end on October 16, 2025, for the position vacated by Ricardo Acosta-Garcia upon his appointment to the Police Commission. This item will include an interview of reserve pool candidate Omar Farmer. At the Chairperson's discretion, the Selection panel may ask questions to clarify any statements made by the candidate.

Chair Herron introduced the item and invited Panelist to ask Mr. Farmer questions. Panelist Goodall asked Mr. Farmer why he was still interested. He indicated that he is still interested in serving on the Police Commission due to his ongoing interest in the interest of the Commission's work.

Panelist asked him about his current commitments and availability. Mr. Farmer provided a brief update on his work with the Public Safety and Services and Oversight Commission (SSOC). He stated that he is available to serve on the Commission.

Panelist Link moved to nominate Omar Farmer as an Alternate Police Commissioner. Seconded by Panelist Cobb. The motion passed unanimously.

**6. Update by ad-hoc committee to review the Selection Panel Procedures Manual**

The Selection Panel's ad hoc committee will provide an update on proposed edits to the Procedures Manual to comply with the City Charter requirements and the terms of the approved Settlement Agreement. The Panel may take action on this item.

Chair Herron provided an update on the changes to the Selection Panel's procedure manual. The edits were provided to the Panel in the agenda packet. In the draft document, the Procedure Manual will include a new section titled: Selection Panel members. Chair Herron read the new language into the record, and it was included in the agenda packet, emailed to Panelist and posted on the Selection Panels May 21 agenda on the City's website.

Panelist Bosserman suggested changing the title of the section to: Selection Procedure for Selection Panel Members and the second section will read Selection Procedure for Police Commission.

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**Meeting Agenda (Continued)**

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Panelist Rivera moved to accept the updates to the Selection Procedure with the addition of changes to the naming convention as discussed. Second by Panelist Goodall. The motion passed unanimously.

**7. Discuss the Police Commission Recruitment and Nomination Process for 2024**

The Selection Panel will discuss and take possible action on its process for appointing Police Commissioners during the current selection process, including the following:

- Update on recruitment process and timeline
- Review nomination process
- Set future meeting dates
- Discuss evaluation tools

Staff provided an update to the Panel on the recruitment process, reviewed the nomination process and timeline. Staff indicated that the Panel would need to nominate two Commissioners this term to fill the seats currently held by Commissioner Angela Jackson-Castain and Commissioner Karely Ordaz (scheduled to resign on June 30, 2024). Commissioner Jackson-Castain could be appointed to a full term if the Panel so chooses.

Staff also provided an update on the recruitment effort. As of this meeting, the Panel had received no applications, however; staff did receive applications from the Mayor's portal and will send those applicants the Police Commission application.

The Panel chose the following meeting dates: July 10, July 24, 25 and August 1. These dates will be updated in the nomination schedule.

The chair requested that the recruitment chart is included in the packet for each meeting until the June 14, 2024, meeting deadline.

Panelist Bosserman requested that announcements regarding the recruitment are made at each Police Commission meeting.

**8. Update by the ad-hoc committee on filling the Selection Panel's District 3 vacancy and other potential vacancies**

The Selection Panel will discuss and take possible action on creating a recruitment process to fill vacancies on the Selection Panel.

Staff reviewed the draft "Apply to Serve on the Police Commission Selection Panel" that was emailed to Panelist and posted on the website.

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Ad-hoc committee member Panelist Cobb indicated that the goal is to fill the District 3 vacancy and make the process simple. Information about the vacancy will be posted on the Selection Panel's website and on social media, including Nextdoor. Panelist Cobb requested that Panelist promote the vacancy through their networks.

Any recommendations from the Police Commission Selection Panel for candidates to serve on the Selection Panel must be confirmed by City Council. The new rule is outlined in the procedure manual approved by Panelist during this meeting.

Panelist Goodall indicated that applicants could apply to serve on the Panel using the boards and commissions portal on the City of Oakland website:  
<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/41204>.

The ad-hoc committee would review any applications and make a recommendation to the Panel to fill vacant seats.

The deadline for this recruitment is Friday, June 7.

**9. Agenda Building**

The Panel will discuss their next meeting agenda.

The Panel discussed the next meeting agenda. Panelist Link recommended that a nomination and election of vice chair is added to the next meeting agenda. His last meeting is May 30.

Other items will include the training and update on the District 3 vacancy.

**10. Adjournment**

The meeting will adjourn upon the completion of the Selection Panel's business.

Panelist Thomasson made a motion to adjourn the meeting, second by Don Link. Motion passed unanimously.

The meeting was adjourned at 8:02pm.

# Annual Selection Panel Orientation – Measure LL and Measure S1

Oakland City Charter Section 604

Presented by Jady Leung  
Office of Oakland City Attorney Barbara J. Parker



# Required Training

- ▶ Enabling Ordinance, section 2.45.030(F):

“The Selection Panel shall receive training and orientation regarding City Charter section 604 on an annual basis.”

# Measure LL

- ▶ Measure LL passed by the voters in November 2016 by over 80%.
- ▶ Added Section 604 to the City Charter.
- ▶ City Charter section 604(a)(1): Establishes the Oakland Police Commission.
- ▶ Amended in November 2020 (Measure S1).

# Oakland Police Commission

- ▶ Section 604(c)(1): 7 “regular members” and 2 “alternate members.”
- ▶ Commissioners are volunteers.
  - Term of 3 years, limited to no more than 2 consecutive terms.
- ▶ Three Commissioners and one alternate appointed by the Mayor.
  - At least 1 retired judge or lawyer with trial experience in criminal law or police misconduct.
- ▶ Four Commissioners and one alternate appointed by the Selection Panel.
- ▶ Three-year terms; may serve up to 2 consecutive terms.
- ▶ Section 604(c)(10): City Council may remove for cause.

# Oakland Police Commission

- ▶ **Section 604(c)(7)–(8):**
- ▶ A vacancy on the Commission is whenever a member dies, resigns, ceases to be a resident of the City, is convicted of a felony, or is removed.
- ▶ For vacancies occurring for reasons other than the expiration of a regular member's term, the Commission shall select one of the Alternate Commissioners to replace the regular member for that regular member's remaining term of office.
- ▶ If the Alternate Commissioner chosen to replace the regular member was appointed by the Selection Panel, the Selection Panel will then appoint another Alternate Commissioner. If the alternate chosen to replace the regular member was appointed by the Mayor, the Mayor will then appoint another Alternate Commissioner.
- ▶ Must have 2 Alternates at all times
- ▶ **Section 604(c)(1):**
  - “Alternate Commissioners shall be eligible to serve on any Commission standing or ad hoc committee, including any Discipline Committee.”

# Measure S1 Amendment

- ▶ Section 604(c)(10): City Council can remove or suspend Committee members.
- ▶ Removal for Cause: conviction of a felony, conviction of a misdemeanor involving moral turpitude, a material act of dishonesty, fraud, or other act of moral turpitude, substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office, **absence from three consecutive regular Commission meetings or five regular meetings in a calendar year except on account of illness or when absent by permission.**
- ▶ After a hearing, City Council may suspend for cause, and also has power to rescind suspension by an affirmative vote of at least 5 Councilmembers.

# OPC's Charge

- ▶ Section 604(a)(1):
  - OPC “shall oversee the Oakland Police Department (hereinafter, Department) in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing.”

# OPC Powers and Duties

- ▶ Section 604(a)(1):

“The Commission shall have the functions and duties enumerated in this Section, as well as those assigned to the Commission by ordinance.”

# Section 604(b): Powers & Duties

- ▶ Subsection (1): Oversee the Agency and the OIG. (Measure S1)
- ▶ Subsection (1): Contract with professional service providers. (Measure S1)
- ▶ Subsection (2): Conduct public hearings, at least once a year, on Department policies, practices and General Orders.



# Section 604(b): Powers & Duties

- ▶ Subsection (3): Issue subpoenas for documents and/or testimony on any matter before the Commission.
- ▶ Exception (Measure S1): “the Commission shall not have the authority to issue subpoenas for the purpose of investigating any City employee, including an Agency employee, who is not a police officer.”

# Section 604(b): Powers & Duties

- ▶ Subsection (4): Propose Changes to Department policies, procedures, customs or General Orders which govern:
  - Use of Force;
  - Use of Force Review Boards;
  - Profiling Based on Protected Characteristics;
  - First Amendment assemblies; or
  - Elements expressly listed in federal court orders or settlements which pertain to the Department.

# Section 604(b): Powers & Duties

## ▶ Subsection (4):

- All proposed changes & modifications must be submitted to City Council for approval or rejection.
- City Council has 120 days to approve or reject.
- If City Council does nothing, changes or modifications become final.

# Section 604(b): Powers & Duties

- ▶ Subsection (5): Approve or Reject the Department's proposed changes to all policies, procedures, customs or General Orders which govern:
  - Use of Force;
  - Use of Force Review Boards;
  - Profiling Based on Protected Characteristics;
  - First Amendment assemblies; or
  - Elements expressly listed in federal court orders or settlements which pertain to the Department.

# Section 604(b): Powers & Duties

## ▶ Subsection (5):

- Department must submit proposed changes to the OPC.
- The OPC has 120 days to approve or reject the proposed changes.
- If OPC does nothing, Department's changes become final.
- If OPC rejects Department's changes, notice must be submitted to City Council.
- If City Council does nothing within 120 days of submission, OPC's decision becomes final.

# Section 604(b): Powers & Duties

- ▶ Subsection (6): OPC may review and comment on all other Department policies, procedures, customs, and General Orders.
- ▶ All comments must be submitted to the Chief.
- ▶ If requested by OPC, the Chief must provide a written response.

# Section 604(b): Powers & Duties

- ▶ Subsection (7): Department's Budget
  - Review the Mayor's proposed budget to determine whether budgetary allocations are aligned with the Department's policies, procedures, customs, and General Orders.
  - Must conduct at least one public hearing on the Department's budget per budget cycle.
  - Must forward recommendations for change to the City Council.

# Section 604(b): Powers & Duties

- ▶ Subsection (9): Report at least once a year to the Mayor, to the City Council and to the public regarding information contained in the Chief's annual report, in addition to other matters relevant to OPC's functions and duties.
- ▶ Subsection (11): Send the Chair, Agency Director or Inspector General (Measure S1) to serve as a non-voting member of any Level 1 Oakland Police Force Review Board.



# Section 604(b): Powers & Duties

## ▶ OPC & the Chief

- OMC Section 2.29.020: The Chief is responsible for the management and operation of the Department, “subject to the direction of the City Administrator.”
- Subsection (8): Require the Chief to:
  - Attend Commission meetings (Measure S1);
  - Submit an annual report on matters OPC requires, including expenditures on community priorities (Measure S1);
  - Respond to Commission’s requests and provide an estimate of time required to respond (Measure S1).

# Section 604(b): Powers & Duties

- ▶ Subsection (10): Together with the Mayor, remove the Chief “by a vote of not less than 5 affirmative votes.”
- ▶ Acting alone, OPC must make a finding of “just cause” and “must follow a process for notification, substantiation and documentation which shall be defined by ordinance (Measure S1).”
- ▶ No person appointed to position of Interim Chief may hold simultaneous City employment or act as City officer or official. (Measure S1)

# Section 604(b): Measure S1 Amendment to Powers & Duties

- ▶ Subsection (12): Hire legal counsel.
- ▶ Commission “shall consider the candidate’s familiarity with laws applicable to public entities, public meetings, employee privacy, labor relations and law enforcement.”

# Section 604(d): Meetings

- ▶ Subsection (1):
  - Must meet at least twice a month.
  - At least twice each year, OPC must meet in locations other than City Hall.
- ▶ Subsection (2): OPC must establish rules and procedures for the conduct of its business.

# Section 604(d): Meetings

## ▶ Subsection (3):

- Quorum is five members.
- If quorum not established by “regular members,” Chair may designate one or more alternates to establish quorum and cast votes.
- Motions may be approved by a majority of Commission members present.

# Measure S1 Amendment: Office of Inspector General

- ▶ Created by Section 604(a)(2).
- ▶ Section 604(f)(5). OIG shall audit:
  - Department's compliance with NSA & make recommendations;
  - Lawsuits and investigations “by, against or involving” Agency & Department to ensure thorough investigations and identify systemic issues.

# Measure S1 Amendment: OIG Access to Information

- ▶ Section 604(f)(5). OIG shall have access to:
  - Department data, investigative records, personnel records and staffing information as permitted by law.
  - Agency data, investigative records, personnel records, and staffing information.
  - OIG access to non-sworn employee personnel information limited to training records.

# Measure S1 Amendment: Civilian Inspector General

- ▶ Section 604(e)(6):
  - OPC hires the Inspector General.
  - OPC conducts periodic performance reviews.
  - Inspector General has authority to hire and fire OIG staff.
  - OPC may remove Inspector General upon an affirmative vote of at least 5 members, and only after making a finding of cause as defined by City ordinance.



# Measure S1 Amendment: Civilian Inspector General

- ▶ Subsection 604(e)(3): Inspector General may identify special qualifications and experience that candidates for OIG staff positions must have.
- ▶ Section 604(e)(6): Inspector General has the authority to organize and reorganize the OIG.
- ▶ Section 604(e)(7): OIG staff are civil service employees.

# Community Police Review Agency

- ▶ Section 604(a)(2) establishes CPRA
- ▶ Section 604(e)(2):
  - Within 60 days of City Council's confirmation of first set of Commissioners, CPRB disbanded and business transferred to the Agency.
  - All CPRB staff transferred to the Agency.

# CPRA: Executive Director

- ▶ Section 604(e)(2):
  - Executive Director of CPRB became Interim Executive Director of Agency.
- ▶ Section 604(e)(6):
  - OPC hires Agency Director.
  - Commission conducts periodic performance reviews.
  - Agency Director has authority to hire and fire Agency staff, and organize and reorganize the Agency.
  - OPC may remove Executive Director upon an affirmative vote of at least 5 members, ~~or by an affirmative vote of at least 4 members with the City Administrator's approval.~~ (Measure S1)

# CPRA: Staffing

- ▶ Section 604(e)(1): Two full-time legal advisors (“Agency Attorneys”) (Measure S1).
- ▶ Section 604(e)(3):
  - OPC may identify special qualifications and experience that candidates for Agency staff positions must have.
- ▶ Section 604(e)(7):
  - Agency (& OPC) staff shall be civil service employees.

# Measure S1 Amendment: Staffing

- ▶ Section 604(e)(5):
  - City Administrator to assign a staff member to act as liaison to the OPC, and to provide administrative support.
  - OPC budget shall include 1 full-time civil service employee who reports to Agency Director, provides administrative support to the Commission, and attends Commission meetings.

# CPRA: Additional Staffing

- ▶ Section 604(e)(4):
  - One line investigator for every 100 officers, to be determined at the beginning of each budget cycle.
  - At least one investigator shall be a licensed attorney.

# CPRA: Investigations

- ▶ Section 604(f)(1):

CPRA shall “receive, review and prioritize all public complaints concerning the alleged misconduct or failure to act of all Department sworn employees.”

# CPRA: Investigations

- ▶ CPRA is required to investigate public complaints involving:
  - Uses of Force;
  - In-Custody Deaths;
  - Profiling based on protected characteristics;
  - Untruthfulness (Measure S1); and
  - First Amendment assemblies.
- ▶ OPC may direct CPRA to investigate any other possible misconduct or failure to act of a Department sworn employee, whether or not the subject of a public complaint.



# CPRA Investigations: Access to Information (Measure S1)

- ▶ Section 604(f)(2). Commission, Agency and OIG have same access to information relating to sworn employees as IAD, including access to:
  - Department files and records;
  - IAD files and records;
  - Files and records from other City departments; and
  - Electronic databases as permitted by law.
- ▶ Police Officer Personnel Records:  
Commission must articulate “reasonable nexus” to its powers and duties.

# CPRA: Investigations

- ▶ Section 604(f)(3):
  - CPRA shall make “every reasonable effort” to complete its investigation within 180 days of when complaint filed.
- ▶ Measure S1 Amendment: CPRA must complete its investigation within 250 days of when complaint filed unless Agency Director makes finding of “exceptional circumstances.”

# CPRA: Investigations

- ▶ Agency Director issues written findings and proposed discipline to Chair of OPC and the Chief.
- ▶ Measure S1: Agency Director must issue written findings and proposed discipline within 48 hours of completion of investigation in cases involving:
  - Level 1 Use of Force
  - Sexual Misconduct; or
  - Untruthfulness.
- ▶ Section 604(g)(1): If Chief agrees with CPRA, sends notice to subject officer.
  - Chief may send notice before IAD has begun or completed its investigation.

# CPRA: Investigations

- ▶ Section 604(g)(3): If Chief submits findings and proposed discipline to CPRA before CPRA's investigation is initiated or completed:
  - CPRA may close its investigation, or
  - CPRA may choose not to conduct an investigation.
- ▶ If investigation involves Level 1 use of force, sexual misconduct or untruthfulness, ~~required by section 604(f)(1),~~ OPC must approve CPRA's decision by a majority vote (Measure S1).
- ▶ Discipline proceeds as proposed by Chief.

# OPC: Discipline Committees

- ▶ Section 604(g)(2):
  - Formed if Chief and CPRA disagree about findings and/or proposed discipline.
  - Comprised of 3 Commissioners.
  - Chief submits findings and proposed discipline to Discipline Committee. City Administrator has no authority to reject or modify.
  - Agency submits findings and proposed discipline to Discipline Committee. City Administrator has no authority to reject or modify.
  - Discipline Committee may require Agency to further investigate complaint (Measure S1).

# OPC: Discipline Committees

- ▶ Discipline Committee resolves dispute between Chief and Agency based on the record presented to it.
- ▶ Discipline Committee submits its decision to Chief who notifies the subject officer.
- ▶ City Administrator has no authority to reject or modify the Discipline Committee's findings and proposed discipline.

# Measure S1 Amendment: Discipline Committees

- ▶ Section 604(g)(5): OPC may convene Discipline Committee for cases involving Level 1 Use of Force, Sexual Misconduct or Untruthfulness when:
  - Either Agency or Department has not completed investigation within 250 days; or
  - When evidence upon which findings are based does not include available body-worn camera footage; or
  - Body-worn camera footage was required by policy but not recorded or available.

# Due Process Proceedings

- ▶ Section 604(g)(4):
  - Officers still entitled to *Skelly* hearing on proposed Findings and Discipline (whether decided by the Chief, the CPRA, or the Discipline Committee).
  - Officers still entitled to grievance and arbitration procedures after findings and imposition of discipline have become final (if such rights are prescribed in a collective bargaining agreement).
  - Agency Director consults with City Attorney to decide whether Agency Attorney or OCA represents the City (Measure S1).



# Measure S1 Amendment: Performance Audits

- ▶ Section 604(a)(4): City Auditor was required to conduct a performance and financial audit “no later than 2 years after City Council confirmed the first set of Commissioners.”
- ▶ Performance audits must be performed once every 3 years thereafter.
- ▶ Independent contractor may be used for audit; selected by Inspector General in consultation with City Auditor.

# Measure S1 Amendment: City Administrator Authority

- ▶ Section 604(a)(5):
  - No managerial authority over Commissioners, Agency Director or the Inspector General.
  - “The City Administration . . . shall not initiate an investigation for the purpose of removing a Commissioner.”
  - “City employees maintain the right to file, and appropriate City officials and/or staff maintain authority to investigate, complaints alleging violations of applicable” employment-related laws, policies and collective bargaining agreements (MOUs).

**The End.**



# SELECTION PANEL REPORT

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**TO:** Selection Panel for the  
Oakland Police Commission

**FROM:** Felicia Verdin  
Assistant to the City Administrator

**SUBJECT:** Chairperson and Vice Chairperson  
Responsibilities

**DATE:** May 30, 2024

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## **Action Requested:**

For the Selection Panel to:

1. Nominate and select a Vice Chairperson.

## **Background:**

Annually or as needed, the Selection Panel selects a Chairperson and Vice Chairperson to preside over meetings. The Panel will be asked to make nominations and vote on who will represent the Selection Panel in these two positions. The term for the Chairperson and Vice Chairperson will be for a one-year period. Responsibilities for the Chairperson and Vice Chairperson roles include, but are not limited to:

### Chairperson

- Preside at all meetings of the Selection Panel, which includes managing and leading discussion.
- The Chairperson is accountable to the Selection Panel as a whole in setting policy and shall also perform such duties as may be assigned by the Selection Panel.
- Finalize the Agenda for Selection Panel meetings with the assistance of City staff and Vice Chairperson.
- May call special meetings of the Selection Panel.
- Represent the Selection Panel in meetings or communications with City Councilmembers, Police Commission, and members of the public.

### Vice Chairperson

- In the absence of Chairperson, or at the Chairperson's request, preside at meetings of the Selection Panel, which includes managing and leading discussion.
- Work with the Chairperson and City staff in finalizing the Agenda for Selection Panel meetings.
- At the request of the Chairperson, may represent the Selection Panel in meetings or communications with City Councilmembers, Police Commission, and members of the public.

For questions regarding this report, contact Felicia Verdin at (510) 238-3128 or [fverdin@oaklandca.gov](mailto:fverdin@oaklandca.gov).