



Discipline Matrix Ad Hoc Meeting Minutes (11/13/2024)

Meeting Minutes

Time: 6:05 PM - 8:05 PM

Attendees:

- Chair Ricardo Garcia-Acosta
 - Acting Captain Hubbard
 - Chair Emerita Regina Jackson
 - Chair Emerita Marsha Carpenter Peterson
 - Deacon Reginald Lyles
 - Chief of Staff Montgomery
 - Community Participant: Reisa
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Main Topics

Gang Affiliations Policy

- Definition of subversive organizations and gang activity.
- Discussion of examples such as LAPD accusations of gang affiliations.
- Emphasis on balancing thorough definitions with fair enforcement to avoid mislabeling legitimate groups.

Sexual Activity on Duty

- Clarifying what constitutes prohibited behavior.
- Exploration of on-duty versus off-duty conduct and its implications for harassment, coercion, and intimidation policies.
- Discussion of specific scenarios (e.g., asking for phone numbers during investigations).

Refusal to Testify

- Policies governing officers refusing to testify when subpoenaed or otherwise requested.
- Legal definitions of "competent investigative bodies."

Retaliation Policy

- Inclusion of the Public Ethics Commission as an optional reporting authority.
- Clarification of definitions for adverse actions and retaliation.

Sexual Misconduct Policy Development

- Current efforts by the City Attorney's office to establish a comprehensive policy, using Chicago as a model.
 - Timeline and anticipated challenges.
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Questions and Concerns Raised

- **Gang Affiliations:**
 - How to avoid overreach when defining "subversive organizations."
 - Protecting individuals from being wrongly labeled based on association.
- **Sexual Activity on Duty:**
 - Differentiating acceptable conduct from misconduct (e.g., consensual relationships vs. coercion).
 - Potential legal challenges regarding officers' rights outside of duty.

- **Retaliation Reporting:**
 - Ensuring confidentiality and protection for whistleblowers reporting retaliation.
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Suggestions and Recommendations

- **Gang Policy:**
 - Include clear examples of criminal intent in defining gang affiliations.
 - Balance policy language to protect against arbitrary or biased enforcement.
 - **Sexual Activity on Duty:**
 - Expand and clearly define prohibited behaviors, including electronic interactions (e.g., sexting or inappropriate use of information obtained during investigations).
 - Ensure alignment with broader harassment and ethics policies.
 - **Refusal to Testify:**
 - Include email communications as potential legal requests, clarifying whether subpoenas are required.
 - **Policy Development:**
 - Review drafts of the sexual misconduct policy once available and ensure alignment with existing protocols.
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Next Steps

1. **Acting Captain Hubbard:**
 - Submit homework assignments related to discussed topics prior to next meeting.
 - Continue coordinating with the City Attorney's office regarding the sexual misconduct policy.
2. **Ricardo Garcia-Acosta:**
 - Gather feedback and assign follow-ups for unresolved issues, especially regarding definitions in the policies discussed.
3. **Team:**

- Review further research and potential drafts for gang affiliation and sexual activity definitions during the next meeting.
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Adjournment Ricardo Garcia-Acosta adjourned the meeting.

Chat Comments:

00:06:07 Bryan Hubbard: <https://www.csmonitor.com/1997/0505/050597.us.us.6.html>

00:14:25 Oakland Police Commission: Keep in mind that unfortunately empathy isn't a personality trait everyone has the capacity to employ.

00:31:06 Chair Emeritus Regina Jackson: my apologies I was late tonight. I also won't be able to stay on the entire time since I need to take my dad to an appt tonight

01:11:22 Reisa: ADL is identifying some pro-Palestinian groups as anti-semitic that some of us Jews would not identify as such. Would this catch officers in this dilemma?

01:18:11 Reisa: there is some tricky stuff going on with laws related to boycotting Israel so this is something to consider