



# OAKLAND POLICE COMMISSION

## SPECIAL MEETING TRANSCRIPT

January 13, 2022

Chair Jackson: (silence).

...Everyone, to the first police commission meeting of the new year. Today is Thursday, January 13th, it is 5:30 PM, and I'm calling this meeting to order. We're going to do roll call and determine the quorum. Vice Chair Milele?

Vice Chair Milele: Present.

Chair Jackson: Thank you. Commissioner Gage?

Comm. Gage: Present.

Chair Jackson: Thank you. Commissioner Harbin-Forte?

Comm. Harbin-Forte: Present.

Chair Jackson: Thank you. Commissioner Howell.

Comm. Howell: Present.

Chair Jackson: Thank you. Commissioner Jordan.

Comm. Jordan: Present.

Chair Jackson: Thank you. Commissioner Peterson.

Comm. Peterson: Present.

Chair Jackson: Thank you. Commissioner Hsieh.

Comm. Hsieh: Present.

Chair Jackson: Excellent. And I am here, and we definitely have a quorum. So we will move forward, as we have done for the last several meetings, in the adoption of a renewal resolution electing to continue conducting meetings using teleconferencing in accordance with the California government code section 54953(e). Okay, I think in this scenario, are we going to public comment before we vote? I can't remember if we just vote. This is perfunctory, right?

Commission staff: Yeah. I think counsel's on... No, counsel's not on just yet.

Chair Jackson: Okay.

Commission staff: But I think you can go ahead and vote.



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- Chair Jackson: Okay. So I'd like to go through our roll call again. Vice Chair Milele?
- Vice Chair Milele: Are you asking if I am present or if I...
- Chair Jackson: No, no. I'm asking for your vote to adopt the renewal resolution.
- Vice Chair Milele: I think we need to make the motion first.
- Chair Jackson: Okay, let's do that. How about that? Oh, I see Commissioner Harbin-Forte's hand, sorry.
- Comm. Harbin-Forte: It was going to be a process issue. I do think we have to have public comment on it before we talk.
- Chair Jackson: Okay.
- Comm. Harbin-Forte: Thank you.
- Vice Chair Milele: I can make the motion and then we can go to public comment, I believe.
- Comm. Harbin-Forte: No problem.
- Vice Chair Milele: So I move that we adopt this resolution about teleconferencing-
- Comm. Peterson: I second.
- Chair Jackson: Okay. It's been properly moved and seconded. Let's go a public comment, Rania?
- Commission staff: Thank you. Sorry, I'm woefully under practiced. Members of the public wishing to make public comment on this item, the resolution to continue working using Zoom, please raise your hand and I'll call on you. I'm also going to call up our little counter. Okay. I see one hand raised. Phone number ending in 5802, if you have public comment about this item, please go ahead, I've just unmuted you. Phone number ending in 5802.
- Saleem Bey: Yes, good evening Saleem Bey. First, I'd like to state that safety first and we always want to do what it would be best for the people. But on the other side of that, and this is a shame, is that it's too bad that the rotten apples who are on the dais and who are continually against justice can't face the public, and the pandemic makes it such that you can do it behind a computer screen and hit mute so that you don't have to hear the public, or cut the public off when they're saying things that you don't want them to hear.



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The thing that this pandemic does is it affects the first amendment. The first amendment means that the public has the right to speak and that it is not for the government or any agent of the government to state whether or not that public statement is in line with a current agenda item. If that item is in the person who's speaking's mind, then that's all that the first amendment allows. Otherwise, when you cut somebody off, you're telling the person that you and your opinion supersedes that person, and that is a first amendment right, and people will file a complaint, first with the ACLU because we don't believe that they're not going to do anything. But then secondly, we will sue you if you continue to cut people off and try and limit their free speech. We know where this comes from and we will not be silent. Thank you.

- Commission staff: Thank you, Mr. Bey. Chair, seeing no other hands, back to you.
- Chair Jackson: Thank you very much. It was moved by Vice Chair Milele and seconded by Commissioner Harbin-Forte, we collected public comment, and so now I'd like to call for the vote. Vice Chair Milele?
- Vice Chair Milele: Yes.
- Chair Jackson: Thank you. Commissioner Gage?
- Henry Gage: Yes.
- Chair Jackson: Thank you. Commissioner Harbin-Forte?
- Comm. Harbin-Forte: Yes, but correction. It was commissioner Peterson who seconded the motion.
- Chair Jackson: Oh, thank you.
- Comm. Harbin-Forte: Yes, that's all right. But that's a yes for me, thank you.
- Chair Jackson: Okay. I stand corrected, Commissioner Peterson was the second. Commissioner Howell?
- Comm. Howell: Yes.
- Chair Jackson: Thank you. Commissioner Jordan?
- Comm. Jordan: Yes.
- Chair Jackson: Thank you. Commissioner Peterson?
- Comm. Peterson: Yes.



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- Chair Jackson: Thank you. And yes for myself. We are unanimous. We have renewed the resolution for this meeting. We'd like to move forward now to closed session. We'll take public comment on the closed session items, and then we will adjourn to closed session and return with any updates. Rania?
- Commission staff: Thank you, Chair Jackson. Members of the public wishing to make public comment on this item, the closed session, please raise your hand. I'll call on you in the order that they've appeared. We've got our stop clock. I see two hands. Mr. Bey, I think yours is the first, phone number ending in 5802. When you're ready.
- Saleem Bey: Good evening, Saleem Bey. To the new commissioners, who I haven't addressed yet and who haven't made themselves known yet, as well as to the new IG, this is a welcome. And we ask that the IG immediately adopt the findings of the Ross independent investigation, and the IG immediately forward a copy of said Ross report to the NSA judge and the compliance director as federally mandated in the negotiated settlement agreement regarding OPD misconduct related to religious and racial profiling, which resulted in multiple murders inside the Black and Muslim community. To date, every commissioner and the CPRA director is derelict and in contempt of court by not noticing the federal oversight court. Who does it benefit by not doing it? That's the mayor, the city, OPD, but definitely not the Black or Muslim community.
- Finally, we ask that the IG immediately address the Ross report; A, notice the NSA court of the OPD profiling misconduct that's found; B, IG immediately adopt the findings of the report and immediately begin investigating the cases in the Ross report; and C, per California Senate bill 1421 and California Senate bill 16, immediately release the Ross report and all IAD CPRA complaints currently under seal to the public. This includes a copy being sent to the public safety committee, which will meet next month on this very case that has been booted 11 times without an answer. We're ready for the answer, we're ready for the investigation. Thank you.
- Commission staff: Thank you, Mr. Bey. Next up, Ms. Olugbala, I see your hand raised. Let me restart the timer. When you're ready, I've unmuted you my end.
- Assata Olugbala: Yes, I'm not getting clarity on why, and I might be misunderstanding, a performance evaluation tool is being discussed in closed session. I know a person hasn't started working, you're not evaluating them, but you are going to be developing I'm assuming an evaluation form, a performance measure or measures, some guidelines for feedback, if necessary discipline and termination procedures, as well as an evaluation schedule. That doesn't have to be done in closed session. But I'm sure somebody has told you this is the way to do it. Whatever this person is going to do, the number one thing that they have to do



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is start with the Bay case. You said you couldn't present anything to city council related to the Bay case, and until the inspector general was in place to look at that. This individual, I don't know how they're going to do all of this. They're going to be looking at compliance with policies of the police department and police practices. They're going to be looking at police misconduct.

But the number one thing I want to see them doing, that I understand is their responsibility, is reviewing the work of the community police advice board, CPRA. That has to happen, because you've constantly accepted what Mr. Alden says, that CPRA is working, that CPRA is doing a good job. And I know that is not the truth. So let me see what the inspector general says about CPRA. This is going to be important to see if something can work within this police department, but the Bay case will be the true test of whether this inspector general is doing anything worth representing justice for Mr. Bey and his family.

Commission staff: Thank you, Ms. Olugbala. Sorry to cut you off, unfortunately your time is finished. Chair Jackson, no more hands, back to you.

Chair Jackson: Okay, thank you very much. So having heard the public comment, we are now going to adjourn to closed session. We anticipate being back at 6:30, which is our regular start time for the rest of the commission meeting. I want to thank you very much, and we'll see the commissioners in closed session. Thank you. Bye.

Commission staff: Thank you.

Chair Jackson: (Silence) And Rania we're back, right?

Commission staff: Yep. You are back. You are live and it's 6:30.

Chair Jackson: Terrific. Thank you very much. It is 6:30 and we are back. I'd like to reestablish the quorum by taking a roll call once again. I'm watching people's hand cover the... Okay, so I'd like to start with Vice-Chair Milele.

Vice Chair Milele: Present.

Chair Jackson: Thank you, Commissioner Gage.

Comm. Gage: Present.

Chair Jackson: Thank you. Commissioner Harbin-Forte.

Comm. Harbin-Forte: Present.



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- Chair Jackson: Thank you. Commissioner Howell.
- Comm. Howell: Present.
- Chair Jackson: Thank you, Commissioner Peterson.
- Comm. Peterson: Present.
- Chair Jackson: Thank you. Commissioner Hsieh.
- Comm. Hsieh: Present.
- Chair Jackson: Thank you. And I'm here as well. We do have a quorum. There are no reportable items from closed session and [crosstalk] I'm sorry.
- Comm. Jordan: Pardon me. Sorry. I'm also there. This is Commissioner Jordan.
- Chair Jackson: Oh, I am so sorry. Commissioner Jordan. I keep looking at screens. Are you here, Commissioner Jordan?
- Comm. Jordan: I am.
- Chair Jackson: Okay. I appreciate that. And forgive me. I'm so sorry. And so with that, I'm going to turn it over to Rania Avan to open up the open forum part one.
- Commission staff: Thank you, Chair. Members of the public, wishing to make public comment on this item, open forum, please raise your hand and I'll call on you in the order that they have appeared. I will so share our little timer. All right. So far one hand. Phone number ending in nine, nine. Oh, yep. No. Okay. Phone number ending in 5802. 5802. I have un-muted you when you are ready. Go ahead. 5802.
- Saleem Bey: Yes. Good evening. Saleem Bay. Can you hear me?
- Commission staff: Yes.
- Saleem Bey: Very good. Yes. Saleem Bay. I'm calling in to discuss the fact that the Ross Independent Investigation of the Bay cases is currently scheduled to be on the public safety committee's first meeting in February. This will be the 11th time that this has been scheduled at the city council and all 11 times, all 10 previous times, excuse 12 times, all previous 11 times somebody or 10 out of the 11 times somebody came from the OPC and said, there's nothing that they can say. That's incorrect. According to Senate bill 1421. Now after the first of the year, it's incorrect as of Senate bill SB-16, I'd really asked that Commissioner Milele



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research Senate bill 16, before she comes back. If she does come back to the public safety to speak on the Ross report and find out that what she's saying is not correct, that there can be public disclosure.

The fact that the social media was complained about in '21 and its findings were released in September '21. So January '21 to September '21, the findings were released. Whereas in this case, these are from cases from 2007, 2013, 2016 to 2020. And none of these cases can be released. That is a lie, and it's time for this lie to finish that we want these reports forwarded to the negotiated settlement agreement court as required by the negotiated settlement agreement, federal consent decree. We also want this, the findings in that report to be executed, namely, to investigate these murder cases associated with my brother that, or my brothers, that have not been investigated by OPD. In fact, my-

Commission staff: Thank you, Mr. Bey. I'm so sorry to cut you off. Unfortunately, your two minutes are up. Phone number ending in 9932, please. When you are ready.

Nino Parker: Hello, my name is Nino Parker. I'm the homeless black advocate Lake Merit. I like to say, Happy New Year. Commissioner Gage, I hope that young one's growing up fine and healthy. I have to say today, an article came out in the East Bay Times concerning an incident I had at Lake View Tiny Home Village, where I was assaulted by Adam McGarrett Clark. I made a police report and not only that I filed assault charges and that seemed to be as ignored in the article. As well as that day, I went to the hospital, then following up that because of my hip being bruised. I had to go back to the hospital again, a few days later and get crutches. I couldn't even walk, but I just want to bring to the attention of the police commission and any police officers that would be there such as maybe the police chief to understand that I was assaulted. It wasn't a mutual combat. I did not, in any way, touch this person. This person pushed me so hard I went back approximately five feet and Mari, the city administrator, deputy administrator, was standing right there and witnessed it.

So I don't like the fact that the newspaper is trying to play it off like it was some kind of little push. Marcel [Kindle] you have to write the facts right. When you're going to write a new story about a black man being assaulted by Adam Garrett from Tiny Logic, which is a part of this issue at Tiny Homes where you have black people on one side and white people on other side from Alameda with a fence separating them, with the white people having advantages over the black people. They need to take the fence down. That's why I'm protesting. And that's why I was assaulted. It was no mutual combat. It was not an altercation. It wasn't a confrontation. It was an assault. Let's please understand that and keep that understood and not minimize me being victimized by-



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- Commission staff: Sorry, I was muted. Thank you, Mr. Parker. Sorry to cut you off. Unfortunately, your two minutes are up. Phone number ending in 7935. When you are ready. 7935.
- John Bey: Yes. This is John Bey. First of all, Brother Nino, please keep us surprised and make sure that the police commission exercises its oversight duties in your case. And I would also like to mention that again, the Knox & Ross report that the police commission requested and paid for needs to be made public. It is not a personnel matter. It is a departmental policy matter. The policy and practice of discrimination, racial and religious discrimination, throughout the police department.
- As we have said, the Oakland Police Department is a continuous failure. We are proven correct by once again, by the NSA court, Judge Orrick came in with the intention to get rid of the NSA because he didn't want that lame dog hawking his career, but he couldn't because OPD is so polluted with failing promoters, and all due respect our current chief. We haven't seen anything different from Chief Armstrong regarding addressing the truth and the facts of the Bay cases that are contained in the Knox & Ross report. So until he has the wherewithal to stand up and do what's right, he's going to fail as well because he's following the same playbook that all of the other 15 failed chiefs in the 19 year failed Oakland Police Department, federally recognized failure. The department there's going to be no change. Yet we are saying everything that needs to change. Every case that comes out shows what we say is factual, every action that OPD takes is a failure.
- Commission staff: Thank you Mr. Bey.
- John Bey: But we need some-
- Commission staff: I appreciate that. And I'm sorry to cut you off. Unfortunately your two minutes are up. Chair Jackson. No more hands.
- Chair Jackson: Okay. Thank you very much. We will move on to the next item, which is a welcome to the new inspector general. We've been working at this for a long time. To ballot initiatives to clarify what we thought was clarified. And now she is finally here. Ms. Michelle Phillips landed on Monday, right? Michelle?
- IG Phillips: Yes. Ma'am. That's correct.
- Chair Jackson: Okay, terrific. So I would like to allow both the commission as well as the community an opportunity to welcome Miss Phillips. She has relocated from Baltimore, Maryland and gotten a jump on the work. She's in an office inside... She's in an office, which is a big deal. That was hard coming. But anyway, I'm





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going to ask that if any of the commissioners want to say anything, otherwise, Michelle, if you could just give us a brief overview on your background, because it's been a minute since we had the forum and people probably need to be reminded of some of their credentials. I am not seeing any hands from the commission. So why don't we start with you? Oh, excuse me. Vice Chair Milele. Thank you.

Vice Chair Milele: Just quickly. I wanted to offer, extend a very warm welcome. I'm so excited that you have made it here safely and apparently in good health. It was a pleasure... the interactions we had along the process of hiring inspector general, and I'm really excited for what you're going to do. So welcome.

IG Phillips: Thank you. I appreciate it. Vice Chair Milele.

Chair Jackson: As such, I had the opportunity to meet you in person on Monday, your first day, and was delighted to be able to talk through some of the enthusiastic questions that you had. So we will be working together hand in hand to set up this department and to be able to do what it need it's to do. So thank you. I think at this point, we can go ahead and have you share a little bit about yourself and then we'll go to public comment.

IG Phillips: Thank you, Chair Jackson. Thank you police commissioners, as well as citizens of Oakland and everybody else who is tuning in. As you all know, my name is Michelle Phillips. I do come from Baltimore City, Maryland. I was formally the Deputy Inspector General of Investigations in Baltimore City. I got my collegiate education in Baltimore City. I went to Coppin State University, got my Bachelor's Degree in Criminal Justice. I went to the University of Baltimore and got my masters in Criminal Justice with a specialization in Law and Courts. I also have a background in Police Science Research. I worked at the National Police Foundation and worked on several critical incident reviews, police policy initiatives, as well as responses to critical incidences for large scale police, disturbances, and community policing to include officer involved shooting databases.

So with that being said, I also have a little bit of an auditing... Well, not a little bit, but I'm a Certified Fraud Examiner as well. So I continued and done police audits as well as police inspections and reviews regarding oversight in Baltimore City and other jurisdictions. So I'm extremely excited. I have come in, tried to hit the ground running and talked to quite a few people within this City of Oakland's municipality. And I'm extremely eager to talk to several community activists as well as community organizations regarding any of their concerns and continue to foster a great relationship to continue on with some positive changes and lend some expertise that I have with police oversight and offer that to OPD, the chief, as well as CPRA's director. So I thank you all.



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- Chair Jackson: Thank you very much. Given that I think we can go to public comment. Rania?
- Commission staff: Thank you. Excuse me. Members of the public wishing to make public comment on this item, please raise your hand. I'll call on you in the order that they've appeared. I'm also just setting up our little watch. Three hands. First one, phone number ending in 5802. When you are ready.
- Saleem Bey: Good evening. Saleem Bey. Welcome to Oakland. The OPC has been sitting on the Ross report since July last summer passing the buck to you. The new IG. My brother Waajid was murdered in 2004. OPD admitted in 2020, that his murder case files were stolen over 10 years ago by the officer I complained about to the CPRB in 7/13/07. OPD had no case files when I filed this complaint, yet the CPRB and IAD closed the case repeatedly, including in 2014, at IAD 13 10 62, when it was found out that the officer had stolen his case file. OPC Ginale Harris first discussed the independent investigation of OPD and the CPRB handling of the Bay case files regarding racial and religious profiling in 2018. This is 2022. The city appointed attorney, Ms. Brown lied and said, these cases were permanently closed.
- In 2019, Amy Oppenheimer Law Firm was chosen to do the investigation. And after a couple of weeks, she decided that she didn't want to do the investigation until the investigation came back. The Ross contract was first discussed in 2019. The singular question was, Is there enough new evidence to reopen the Bay cases? That question has been unanswered in the Ross investigation, and we want the new IG to act upon it. The OPC subpoenaed OPD and CPRA documents for Ross. Ross conducted multiple interviews and because the OPC contract was so small, labor hour wise enlisted the aid of black law students from UCSF and UC Berkeley to comb through the gigs and gigs of documentation. I was interviewed by these young and bright future black lawyers interested in civil rights justice who contributed to this still hidden report. Make this report public. I personally testify-
- Commission staff: Thank you Mr. Bey. I'm so sorry to have to cut you off, but unfortunately your two minutes are up. Next up, phone number ending in 7935. When you are ready. 7935.
- John Bey: Good evening. This is John Bey. Welcome to Oakland, Ms. Phillips. We do pray that you are here to do some serious work. As my brother just mentioned, Bey B-E-Y. We had some cases involving murder, fraud, among other things, and the police department, as he said, I just gone to the records. The Sergeant investigating the cases retired, took the case files with him, and no one claimed to know where they were throughout OPDs history from 2005 through 2014. They conducted IAD 13 10 62. Still did not find the files until I told them where to look for the files. This is the same department as you will see, is a massive



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failure regarding racial and religious profiling among other things. And we need oversight. Once our one commissioner Ginale Harris left, so did the will of the commission to pursue the truth in this. That the department is a failure. Thank you.

Commission staff: Thank you, Mr. Bey. Next up phone number ending in 9932. When you're ready. I have unmuted you on my end.

Nino Parker: Hello. My name is Nino Parker. I am a homeless black advocate Lake Merritt of last eight years. I'd just like to welcome Ms. Phillips. Especially being on Zoom, not knowing what you really look like, I'd like to just mention how Oakland has had a lot of inequality when it comes to race and policing and just fairness in general. So I would hope that you would come in and really look at that. There's a woman by the name of Darlene Flynn, which does the equity reports. Basically check in with her so you can start off on the right foot and not be misguided by some of the misguided politics that have happened here when it comes to race in Oakland. And the reason I'm talking about this is it's the Martin Luther King weekend. As you know, our City Council didn't even come back before the 18th to recognize the holiday. So I'm basically, I'm just hoping that you can come in with fairness.

One other incident that happened to me. I was a verbally assaulted by a transgender person that was 6'4", maybe 200 something pounds and threatened to beat the crap out of me during my protest. I know if I hit that person back, I would be probably arrested for hitting a woman, but yet that person could hit me and knock my teeth out. I'm just wondering, this is the second time in three months a transgender person has came up to me that's my size and threatened me, or wanted to fight.

I really don't know what to do. I don't know whether to fight or flight. To me it seems like flight because if I hit someone, I don't know what the law is. If that person's a woman or a man. So I think a person should identify themselves if they're a woman before you run up to a black person and threaten them, or try to fight them, just on general principle. So we don't have any incidents of having a black man being arrested for hitting a woman when he did not know it was a woman. Because a lot of times some of these people haven't gone through this whole oper-

Commission staff: Thank you Mr. Parker. I am sorry to cut you off, but unfortunately your two minutes are up. Ms. Rashidah Grinage, when you are ready.

Rashidah Grinage: Thank you. I just wanted to take a few minutes to welcome Inspector General Phillips. I'm sure that you know that this appointment is a very important one. One as the Chair said, we've been waiting for, for quite a while. And as you also



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know, this is a critically important position with respect to the sustainability of the reforms that are situated in the negotiated silent agreement and the faith that the court needs to have in the ability of the overseer to make sure that these reforms are sustainable. So a very important position and the community is certainly going to stand by and support you and the commission to the extent that we can and wish you good luck. Thank you.

Commission staff: Thank you. Ms. Grinage. Oscar Yassin. When you are ready, sir.

Oscar Yassin: Thank you. Can you hear me?

Commission staff: I can.

Oscar Yassin: A little frog in my throat. Sorry about that. I also want to bid welcome to the new inspector general and just caution not to make the same mistakes that the police commission has been making in getting closer and closer to the police structure, rather than maintaining a sense of distance, a professional sense of distance and cognizance in every interaction that the commission is, the supervisory oversight board and not a co-claimant with the OPD, which has been happening more and more lately, unfortunately. I hope also that that independence is also maintained from the commission given what I've just described and that this office can be used to really get some data, independent data, that the public needs to make decisions. And I believe that would also include how OPD uses its personnel and how it utilizes its budget.

When OPD makes claims about being unbudgeted, under budgeted, when makes claims about how it's academies work and how providing personnel work and all these things where the commission should be providing correct information to the public, to be able to make these decisions they are not. I hope the Inspector General's office becomes what people envision the commission could become. And I think that will only work with a sense of real strident, and friendly, but strident independence from both the commission and the police department and the city and working for the people of Oakland, which is why you were hired. I hope that's foremost in your mind. I would imagine it is in anyone who would want the job. Thank you.

Chair Jackson: Rania. Are there any other people in line?

Commission staff: Sorry. Just Anne Janks. Anne Janks, when you're ready.

Anne Janks: Happy New Year to the commissioners and to the Inspector General Phillips. We're very, very pleased to have you, and we offer a most hearty welcome. I want to assure you that the Bay area has crabs. I'm sure that was one of your major concerns in leaving Baltimore. And one of the things that we are



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particularly looking forward to, and I really regret our welcome for you, includes such a long list of things that everybody wants you to jump right on. But beginning, the commission has really passed seminal new policies, and we've just been really waiting to be able to look at those policies and to look at what the implementation and the impact of those policies has been. For example, around police stopping and searching Oaklanders who are on probation and parole. And we're really looking forward and we'll do anything that we can to support beginning to look at some of those policies and what the implementation and the impacts of that implementation have been. So welcome. And I'm sorry that you've come at a time that we're not actually out and about very much.

Commission staff: Thanks Anne. [inaudible]

Chair Jackson: Thank you very much. Now we will move forward to an update from the police chief, Chief Armstrong.

Chief Armstrong: Yes. Good evening, Chair.

Chair Jackson: Good evening.

Chief Armstrong: I'll start off by saying welcome again to Ms. Phillips, to the City of Oakland and to the OIG role. I'll start off by, you see the first thing we have in the packet is on December 22nd, 2021, we graduated the 186 basic recruit academy. That was 25 new officers to the Oakland Police Department. I'm excited that we were able to graduate this class to help bolster our numbers. Our current numbers are 687 officers. We are authorized to hire up to 737. So still short, nearly 50 officers.

We currently have an academy that has 36 people in the academy now that started in November, the 187th class. The 186 class, again to our delight had six women graduates. In this particular academy, we continue to seek to increase the number of women in our academies. The 187th has nine women in its current academy. And we hope to graduate all nine of those. The 186th was a really diverse academy. And 30% of the graduates was either from Oakland or had some connection to Oakland. So excited to have them in the ranks, as we continue to seek to hire both locally and focusing on our women candidates.

The next thing you'll see is that I pushed out my year-end report that sort of summed up what 2021 looked like in the City of Oakland when it comes to the Oakland Police Department, some of the accomplishments made. Also recognizing the tragic 134 lives that were lost over the 2021 year. Speaking to exactly the work that we did as I took over in February, a couple of initiatives that I pushed forward in particular was the creation of the Violent Crimes



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Operation Center, which I think was really effective this year, netting over 60 arrests of homicide suspects, over 200 arrests for violent felonies, recovering over 200 firearms and being effective at both uniformed operations, as well as undercover operations as well. So they were able to, to follow up on several critical investigations that make key arrests, which I think was good. It also gave us the ability to share intelligence across the department, continuing to make sure that we stay focused on violent crime.

We also had an opportunity to put additional resources into our ceasefire unit. That unit had vacancies for the past year. We were able to, in October, put six additional officers to make sure that we are fully implementing our ceasefire strategy. And as we grow the department and graduate other academies, we will continue to fill the ceasefire unit to full staffing.

I think the other thing you'll see in the packet is just the acknowledgement that I recognize that through the data that 60% of calls of service were coming into East Oakland in particular and the largest percentage of violent crime also occurred in East Oakland. So what I've done as of January 22nd, we will shift from five districts to six districts, adding an additional district into East Oakland, shrinking the current two districts to five beats in each district while expanding the number of resources that we have in East Oakland. So an additional 48 officers coming into East Oakland, and essentially there is no new influx of police officers, but it really is making sure that our staffing and resources are proportional to where calls are actually coming in.

So over 60% of our calls come into East Oakland. So now over 60% of our staff will be allocated to East Oakland to address those calls. My hope is that we're able to prevent crime, be more responsive to crime, and then be able to engage community much more than we have. So we've seen call counts in East Oakland back up significantly. And so we hope that these additional resources will help community get a faster response from the department.

The other thing you'll see in the packet is during our New Year's operation over the New Year's Eve weekend, we deployed additional resources to address potential gun violence that we anticipated coming into the city, potential caravan looting that would be coming into the city. And we ended up recovering over 20 guns during that weekend and was able to toward any potential caravan robberies in the City of Oakland. We know that there were attempts, but we did not have wide scale caravan robberies. And in particular, we worked closely with our marijuana dispensaries on trying to protect them as they have been targets in recent caravan robberies.

One of the success stories I'd like to highlight when it comes to the work that the department has been doing with the police commission around its missing



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persons policy was highlighting how the quick response to a missing young lady, Kyla Peterson. Utilizing all of our social media platforms, as well as our media connections, we were able to disperse her flyers out immediately to the public. And we were able to find Kyla and get her back to her family. I thank Michelle Lozano who was instrumental in that as well, as she sent us some information and asked us to use those platforms and we did. Lastly, last week, we did have our CMC hearing where we did appear before Judge Orrick, the city in the department. We spoke to specifically the things that we have had to address over 2021, which included the social media investigation.

Obviously the judge had some displeasure with that, but we also were able to discuss some of the progress that the department has made over 2021. That when I took over in February, we were nine tasks out of compliance. We now are five tasks out of compliance. So we have made progress. And then we were also able to share with the judge some of the additional progress that we've made, and the hope that we'll be in compliance with additional tasks within the next month or so. In particular task two, which is IAD timelines, Captain Lau expressed to the court that currently for the last quarter of 2021, we are over 90%. And then we will expect to maintain being over 90% into the first quarter of 2022. The threshold for compliance with task two is 85%. So we'll continue to work hard to maintain that 90% hopefully reaching compliance.

I feel strongly about task five, which is IAD investigations. We have been successful at completing quality investigations recognized by the IMT. It was deferred, but we look forward to getting an assessment on task five, which we believe strongly we should be near compliance there as well. Task 25 is one in which we have faced some challenges. And I continue to work with staff to try to make sure that we're holding people accountable when it comes to the late activation of body-worn cameras. Also the quality of our use of force investigations. There's been several concerns that have been brought to the department by the IMT. We have secured new cameras. We have signed a contract with Axon and we are now in possession of new body-worn cameras that are equipped with automatic activation. So we hope that we will significantly reduce the number of late activations that we see over the next several months, as we fully deploy these new cameras into the field and equip all of our officers with this new technology that also includes automatic activation from the car.

So when an officer exits a vehicle, as well as when an officer pulls his or her firearm from the holster, the cameras will automatically activate. We are in the process now of distributing those and training officers on how to use this new technology. And also the new software database that comes with it, evidence.com. It's something that we are also trained into. So it will take a little bit of time as we transition to this new technology, but it should have a



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significant impact on reducing the number of late body-worn camera activations.

We also, when it comes to task 34, again, the department has continued to see a decline in overall stops for the first time in the last quarter of 2021. For the first time, since I've been here over many decades, we have the lowest African-American stop rate that we've had, dipping under 50% at 47% African-American stop rate. In 2016, when we started this stop data in intelligence-led policing that I was overseeing, the number was 68%. And so to get below 50%, it doesn't mean that we have reached the ultimate goal, but it continues to show that the department is making progress. Our stops continue to decline. The number of stops overall continue to decline, which is, again, what I've directed staff is to be more focused on making stops of those involved in violence and quality stops as opposed to stops overall. And that message is resonating with our staff. So we continue to be impressed, and we hope that at some point task 34 will be reviewed and hopefully we can achieve compliance.

Lastly is task 45. Task 45 is consistency and discipline. We have completed all of the recommendations from the Hilliard High study that showed that there were racial disparities in discipline. And so Deputy Chief Lindsey was tasked with leading that follow up work in implementing those recommendations. We have now completed that with the new project reset training that we're conducting. We started that in early December, where we will train all of our department with the help of Stanford who created a curriculum that is centered around culture, understanding culture, understanding how individuals drive the culture of an organization, and also how you achieve cultural change. So we are excited about this training. We have heard from our training team that it is a well put together training, one in which a lot of people believe will be effective, but that will start. It will take us nearly a year to complete that training, but it is a unique training where we're doing it in one hour blocks, four one hour blocks.

As for these one hour blocks, because I wanted it to be a training where officers are required to come back and actually present based on what they learned in the first course. So the courses are split up into one course, and then you leave with follow up work that needs to be done, and then course number two centers around the follow up that you did. So we're excited about that work. I must say that the judge did task us with a couple things that we need to get done before we come back to court in April. One in particular is the creation of a risk management policy, which Assistant Chief Allison is leading an internal team along with the federal monitoring team to help create the draft that at some point will be coming forward to police commission. He also mandated that we complete the OPD anti-discrimination policy, which is one policy that came out of the recommendations from the social media investigation. And then lastly, the third policy we were mandated to complete was a social media policy.





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We are working with the Police Commission, we've spoken with the chair about a path. There is an ad hoc committee already in place for the social media policy, and we are working on a draft for the OPD Anti-Discrimination Policy as well. Those things were tasks that were given to us by Judge Orr.

We also were asked for the first time in my being here, prior to the NSA, for the first time the judge actually tasked the city with coming up with a plan to maybe transition the court out of overseeing the department. This is really important. I heard someone mention it earlier about the role of Police Commission, and how moving forward, hopefully a stronger role of oversight with the Police Commission and OIG. I think it'll be an effective way of moving forward, so we'll continue to work with commission OIG as well as the IMT team and the plaintiff's attorneys to hopefully find an effective transition, at some point, of oversight from the courts to the hands of the Police Commission. With that, Chair, I submit my report.

Chair Jackson: Thank you, chief. I think there is an update on your meeting with the public defender as well though, or are you doing that after?

Chief Armstrong: No. Yes. We did meet with the public defender and his team. They came to the department along with the chair and the vice chair, Police Commission chair and vice chair. We have implemented the recommendations put forward by the public defender. We are assessing the data to determine what changes we see as a result, but Chair, we have implemented all of the recommendations that came from the public defender at this point. I also will be, because we are seeing some things in the data, I hope to convene a meeting in the near future that includes hopefully members of the police commission as well as the public defender so we can look at what impact these changes may have had on crime or the way in which we investigate crime. We have moved forward with that.

Mr. Woods, I believe, has sent an email saying that he felt that the department had agreed to move forward with his recommendations around making sure that young people had an attorney when they were Mirandizing. We are now doing that. We are Mirandizing with the public defender on the phone, able to advise the juvenile prior to taking any statement. That is being done currently. I will hope to convene a meeting where we, at some point, we'll discuss this further. Hopefully, some commissioners will volunteer to be a part of that meeting so that we can, we can have an open dialogue about the effectiveness of it.

Chair Jackson: Okay. Thank you very much. I'll follow my question after Commissioner Harbin-Forte.



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- Comm. Harbin-Forte: Thank you, madam Chair. Question for the chief on the missing person, Tyler Peterson. I just have a question about the release that was issued. She's described as a runaway person at risk. Why use the language runaway rather than simply a missing person at risk, and the reason I ask is that I think people have a different reaction to someone they perceive to be just a runaway. The other question related to that is how do we know that she was a runaway as opposed to having been kidnapped?
- Chief Armstrong: Yeah. That is information that is directly from the complainant, the reporting party, if you would. In most cases, that is a parent who tells us that the child has ran away. Then when we say at risk, there is some additional information that the parent or someone has provided us to make us believe that there is some potential harm that might be there. Maybe she may be with somebody that is an adult, maybe he or she is in a car or somewhere that the parent believes that she could be in harm's way or be a potential, be a risk of injury. It could be mental state, right? It could be a child that has some mental disability and by them being running away or being missing could pose a risk to their safety because they're incapable of taking care of themselves. I think there's all these different factors that we consider when we say at risk, but really when we put missing versus runaway, it is based on the statement that is given into us by the actual complainant.
- Comm. Harbin-Forte: Can I ask, can we just always say missing person? I wasn't so concerned about the at risk language. Can we always just call them a missing person, even though the parents may think they're runaway? There have been numerous cases where parents thought someone had run away and turns out they had not. Is there any reason why we can't just call them all missing persons?
- Chief Armstrong: Well, I think from our standpoint, I think there is laws that cover both missing persons as well as runaways, right? Those two things fall under two different legal, if you would, welfare and institution codes, right? I think we, we try to take the information that is provided to us by the parent and make sure that our report is consistent with what information they're saying. If the parent is saying that this child ran away without my permission, as opposed to someone that is missing, that was expected to be somewhere was expected to be home, or was actually a missing person. I think there's a distinct difference between the two, but I think this is a good conversation that we can continue to have at the ad hoc, and I can have my team, my subject matter experts sit down and talk to staff and pull up a case law about what classifies both.
- Comm. Harbin-Forte: Right. Thank you. One final comment, I'm really pleased that there's progress made on the juvenile Miranda warnings. I want to commend you on that. I've been in touch with the public defender, Mr. Woods and everything, and I've been dealing with him and discussing this issue with him. It is an issue that is



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near and dear to my heart. I have volunteered before to work with other commissioners on, I still offer up my services expertise and time. If I can be of any service as we move on to continue to address the issue and to continue to address OPD's policies regarding Miranda warnings given to juveniles. Thank you.

Chief Armstrong: Thank you, Commissioner.

Chair Jackson: I too want to say that I appreciated your moving so quickly to have the meeting and try to resolve some of the issues, so thank you for that leadership. Commissioner Peterson, your hand is up.

Comm. Peterson: Yes. I'd like to return to one of the points that, and thank you, that the chief made concerning what he is planning in the year ahead. You mentioned, Chief, the Stanford study and cultural training that you would be implementing. Can you speak more to what is the perceived outcome from this training? What are you looking to achieve as the outcome?

Chief Armstrong: Well, project reset was really designed by Stanford to help first, in order to achieve cultural change, people need to understand what the history of the department is, what the current culture, where it came from, how was it built, and then how do we actually learn how to change our own internal culture? How does the performance that, our officers' performance out in the community every day, how does positive interactions impact our ability to change culture? How do we re-shape what the public's view of the department and how each individual officer has a role in that, and starting to better understand what's expected from you and understand how you're expected to interact with the public so that we can achieve the cultural change that we see. To be a better department, to not forget about our history, to acknowledge our history because what we see is that our department is a pretty young department where 70% of the officers have been there less than five or six years, and most of them weren't here even before the NSA.

They are sometimes perplexed why they are disliked, why they face such criticism in the community, but oftentimes that's because they just don't understand the history of the Oakland Police Department and things that led to this moment. That training is designed to first touch on the history, then it talks about, examines about what drives culture, how cultures created within the organization, but then how you shift organizational culture to a positive, what does a positive culture look like within the organization and how do you get there? That's the intent.

Comm. Peterson: Okay. Question, how do you measure success? How do you measure the success of that?



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Chief Armstrong:

Well, I think the reason I did the training in a different way, which was four modules, four one-hour blocks, instead of what we traditionally do is a straight four hour training, was because I wanted to measure it by every time an officer comes back from, actually attends a one-hour training, that they are now sent back into their normal assignments with additional tools on how they can do better, how they can implement some of the things that they've learned. Then what we do is we are bringing back, when they come back to the followup course, they're bringing back body-worn camera footage, they're bringing back reports, they're bringing back notes of did they experience something different as a result of these new tools that we provided them? Every day, every training module, we hope that they continue to take the tools that they're given and get better, get better with interacting, get better with understanding how important it is to be respectful, how important it is to take your time and explain things to people, how important it is that we, as a department, give back to the community and engagement community.

I think there's a bunch of things that they're going to learn in the training that I think will make them better officers, hopefully reducing the number of complaints, reducing the number of negative interactions that we have in the field, hopefully, reducing the number of use of force incidents that we have. I hope that's the overall outcome of the additional training.

Comm. Peterson:

Okay. You will be able to perhaps have a starting point for instance, on how many complaints you received last year, and then perhaps a reduction in those complaints, given this training, or how many use of force incidents happened last year, and then how many were reduced as a result of this training. I'm just trying to understand the measurement tool.

Chief Armstrong:

Yeah. I mean, I just think it's hard to put, in police work, it's hard to put anything black and white, right? These are all dynamic incidents. I can't say simply because somebody went to the training and that means that nobody's going to complain against them anymore. I think when we do what we call biweekly meetings and assess officers' body-worn camera footage to look at their performance, I think we want to see officers in interacting with community members better. We want to see officers listening more, we want to see officers actually problem solving and trying to be better.

Now, I would like to see that use of force reduced. I would like to see particularly demeanor related complaints reduce, but I can't get that's going to happen, but I think that while we are assessing officers performance, I think they'll have the tools now that we have equipped them with to be able to have, I think, more professional interactions, which should lead to less complaints. I do hope that we see less demeanor related complaints, which we track on a quarterly basis as well.



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- Comm. Peterson: Okay. I guess what I'm trying to understand, and forgive me if I'm belaboring this, but there are outputs and then there are outcomes. What I'm trying to understand how this particular output relates to some outcome that we are looking for in policing in Oakland. We'll be able to talk about this maybe more offline. Thank you.
- Chief Armstrong: No problem.
- Chair Jackson: Are there any other questions from the commissioners? Okay. My seeing none, let's go to public comment.
- Commission staff: Madam Chair Jackson, thank you. Members of the public wishing to make public comment about this, please raise your hand and I'll call on you in the order that they've appeared. I'll also just set up our little stopwatch. All right. I see five hands raised, starting with Mr. Oscar Yassin. Mr. Yassin, I've unmuted you when you are ready.
- Oscar Yassin: Thank you. I was hoping through the chair, as someone, I think I'm not alone as a member of the public, hearing for months and years that the Oakland Police Department was incapable of reorganizing itself in a way to be more effective, given that there were realities around both for reasons of budgeting and for reasons of available money, and I'm talking specifically about a time in Oakland's budget history where COVID and over expenditures from the police department, brought the city pretty close to bankruptcy. That level of spending, which has always been buffered by the fact that we end up getting more money because of our runaway real estate market than we "expected" that there's always money to pay for police overages. Well, we didn't have that during the COVID period, and it took a federal bailout to balance the books. Given that we knew that, and we knew that there was a high attrition rate, this is the first time I'm hearing anything that sounds like let's do more with less.
- I think that that is something the commissioners should be very interested in hearing because a cynical way of looking at this would be the Oakland Police Department did not do anything like that, did not work smarter, not harder, did not rely on personnel that they knew weren't there, and instead did the best they could with what they had. They didn't do that so that the crime rate would go up and that they would have an excuse to ask for more and more money, which they've been successful in doing.
- Currently, we have fewer police officers than ever, and yet this is working now? How come it didn't work when we had 54 more officers in the summer? This isn't... I'm frankly shocked that the commission wouldn't be extremely interested in these questions, and I'll wait and see, but I don't think I would be surprised that it won't be asked.



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- Commission staff: Thank you, Mr. Yassin. We appreciate your comment. Next up, phone number ending in 7935. 7935, when you are ready.
- John Bey: This is John Bey. Just to follow up on that last point, the continual refrain from OPD of not having full resources, not being at the levels they should be when they're definitely within the distance that they could accomplish some of the goals that they could at least turn their cameras on, so that has nothing to do with the number of officers you have on the force. In addition to that, the chief should take note that maybe the young officers who are having problems with the history of Oakland is the most of the holdovers from the rampant failures of early NSA are in upper management, are in the chain of command leadership, so the boots on the ground guys may be new, but they just don't know everyone else has failed upward.
- That's where they all are, sitting up in the PAB. We are slowly weeding them out, but they're still on the books for their pensions, and most of them double dipping in the DA's office, so they're taking care of very well. These young people are out on the streets, doing their best with the bad reputation, tell them people the truth, and then maybe they'll, on their own, make inroads into the community. Thank you.
- Commission staff: Thank you, Mr. Bey. Next up, Rashidah Grinage. Excuse me. Ms. Grinage, when you're ready.
- Rashidah Grinage: Thank you. I noticed that the chief, when he talked about the stop data and the reduction in stops of black drivers, failed to mention what he mentioned in court, which is that there's been an increase by five percent of Latino drivers. I'm wondering if he could speak to that, and if he has any understanding of why this is happening. Thank you.
- Commission staff: Thank you, Ms. Grinage. Next up, phone number ending in 5802. 5802, I've unmuted you on my end.
- Saleem Bey: Yes. Saleem Bay. What a confession. That just means that every other OPD chief could have done the same thing with the same resources over the last few decades. Vacancies and cease fire while murder rates skyrocketed in East Oakland where 60% of the violence is, is an admission that OPD is understaffed the black community, AKA East Oakland all the time up until January, 2022. That is incompetence. We have told the chief since 2018, when he attended every OPC meeting that there was racial and religious profiling in the OPD, and that none of my family cases have been investigated. In fact, we documented OPD disparaging Muslims, and it's ignored. This OPC is sold out, except in cultural training in 2022, based upon 2012 Stanford studies, doesn't serve black people by asking today, how are we, OPD, racist against you in 2022? Please explain to



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us, then let us study it for another five years while the black community bleeds every day.

Get out here, please get out of here, and get it straight about the NSA. OPD has not held OPD officers as accountable for racism or so-called bias, implicit or explicit, since 2003. The chief is just blowing OPD smoke. Make sure everyone clenches tight, except for those on the OPD that are cozying up to a 19-year NSA, non-compliance, still systemic racist OPD. Did the chief ever ask about my brother's cases? No. Did he ask about the Ross findings? No. Are all new academies coming up under a corrupt OPD leadership mean that these people, the new officers are going to be corrupt just like the last 19 years? Yes. Does it mean that they fail upwards? Did the chief mention systemic racism to the NSA when he was up there talking about the NSA? No. Did the chair of the OPC, Regina Jackson, mention systemic racism to the NSA as she required to?

Commission staff: Thank you, Mr. Bey. I am sorry to have to cut you off, but unfortunately your two minutes are up. Phone number ending in 1779. 1779, when you are ready, I've unmuted you.

Mary Vail: Yes. This is Mary Vail, district five resident. I want to make two points. First of all, during the violent crime crisis and his 2021 tenure, the chief has slowly started to get rid of officers being assigned to desk jobs and other things outside of OPD's core functions. That needs to continue. We don't need to go back. We don't need to have officers permitting events and patrolling athletic events and cultural events. Those changes need to be made permanent, and I think that the commission should have a discussion with the chief about doing that. Relative to the NSA and the Instagram case, we know from racial profiling, we know from our supposedly groundbreaking original body camera policy, training the officers, writing a better policy. If you stop there, you're not doing the job because officers get to resist policies they don't like with impunity. They're never held accountable.

Relative to the social media policy and anti-discrimination policies, they can be the best in the country, but if there's no accountability, there's just policy rewrites and training, we're going to stay under the NSA, and I'm still very disappointed and insist on bringing up the fact that the leaders in the department, in intelligence and IAD, didn't see Instagram for what it was, may have signaled to officers time to clean up your email, to avoid discipline, and disciplining the officers that had the bad posts only. You're not going to have the cultural change.

Commission staff: Thank you, Ms. Vail. I am sorry to have to cut you off. Unfortunately, your two minutes are up. Ms. Assata Olugbala, you're up next. I've unmuted you.



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Assata Olugbala: It's very despairing that we don't get any updates on the black police officers grievance. When you give the report on staffing and you talk about hiring the openers and women, you don't talk about black officers being hired, at what rate. As it relates to the crime reduction team, how they involved in the Instagram issue and what we're going to do to deal with the vile behavior and the slap on the wrist that they got, most of them white and Latino officers and their attacks on blacks, race and sexist attacks, doesn't get any real discussion.

The stop data, the continual statements that we're make in progress, 47% of the stops African Americans, and we 23% of the population. Of course, there's going to be an increase in Latinos. In East Oakland, they 60% of the population, we 40%, but we get stopped more than they do. Rashidah's worried about a five percent increase. They're going to be an increase. They are increasing in numbers. We decreasing in numbers, and we still have more stops than any other racial ethnic group. Lake Merit, it's a disgrace how you try to make it seem like Lake Merit officers sitting around in cars on Saturday and Sunday on their phones and doing nothing, because there was nothing for them to do that we have this high crime that's going on around Lake Merit. They were put there to watch black people and discourage them from the large numbers of them that were appearing at the lake. There's a study that says training on its own cannot change behavior, so after you have the training, what are the accountability methods that are used to hold people accounting to the training that they have been given? Never discussed.

Commission staff: Thanks for your comment, Ms. Olugbala. I am sorry to have to cut you off. Your two minutes are up. Last up, Anne Janks. When you're ready.

Anne Janks: Good evening. I hope that I misunderstood what Chief Armstrong was saying about upcoming policy work, because it sounded to me like, with the exception of the social media policy, which already has an ad hoc, that he was saying that the police department was again, going to work on the policy internally before engaging the commission and hopefully, when the commission would then also make a more public process available. I think that what we've seen in policy development is that the best policies were developed in the open and with a broad engagement. When policies were developed by the police and then the commission felt a need to rush them through, we've heard more than once the commissioners say, "Well, we can go back and we can fix it." This is an opportunity to insist on your need to be involved and to have the public involved early on, rather than letting the police departments spend a lot of time on their own.

Commission staff: Anything else? Ms. Janks?

Anne Janks: First in... I'm sorry. Did I cut off?





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Commission staff: Yeah, you did. Sorry. Let me pause here. Okay, go ahead.

Anne Janks: I don't know where I cut, and I'm very, very hopeful that I simply misunderstood the chief and it's not their intention to continue to develop a policy before bringing it to the commission, and it's not the intention of the commission to let that happen. Additionally, I just wanted to say that I would be very interested, and I think other members of public would be very interested in hearing the discussions that were being asked around how to determine what the outcomes are. I hope that all of those conversations don't happen without some of it being in the public. Thank you.

Commission staff: Thank you, Ms. Janks. Chair Jackson, that's it for public comment on this item.

Chair Jackson: Thank you very much. A couple things before we go to the NSA case management. I wanted to identify two things. One, which is I heard Chief Armstrong identify progress in terms of the tests. We've gone from nine to five, that's in the right direction. Secondly, I wanted to have Chief Armstrong address the increase in Latinos. I do understand Ms. Olugbala's point that the number is larger, but I'd like to hear Chief Armstrong correlate if there's more than just the number scenario. Chief Armstrong?

Chief Armstrong: Yes, Chair. We have been looking at the increase in Latino stops over the last six months, and we attribute the increase directly to a couple of very specific investigations out of our ceasefire. We've been using the intelligence. We've seen a couple of conflicts between Latino groups and gangs that have led us to actually take our ceasefire approach to enforcement. We also did conduct a call in with only Latino groups and gangs, and so our violence interrupters and our department of violence prevention had a chance to offer services to those Latino groups and gangs, but we have seen an uptick in violence related to our Latino groups and gangs and we have taken some enforcement action that has led to an increase. We have been monitoring it, the IMT and our team had a discussion about this back in September, specifically about the increase in Latino stops. It's something that we've been monitoring at our monthly risk management meetings and having discussions about the increase in what is driving that increase.

Chair Jackson: Thank you for that clarification. Let's see, did any of the other commissioners have any follow up questions based upon that report? Okay. I see none, so we can go ahead and move to the next item on the agenda, the NSA Case Management Conference report out.

I do want to say since the commission asked that I work with counsel to send a letter to the federal monitor, which is in your packet today, our letter to the federal monitor was about beginning a new chapter of the negotiated



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settlement agreement. As the letter said, the monitor should deliver on clear, predictable, and consistent metrics for this police department and its new leadership to achieve on a sustainable basis. We also said that the commission, the CPRA, and the OIG stand ready to continue driving police reform in Oakland, and so the monitor should better coordinate with us and support our operational effectiveness. That has to start with a baseline expectation that the monitor and his team incorporate the commission's charter authorities when they impose new requirements and new deadlines. We also expressed that under new leadership, this department is ready to be held accountable to metrics once they're nailed down.

Our role, and our goal, is to eliminate the need for an NSA by holding this department accountable. That means predictable, transparent reform tasks and sub-tests, and a clear, easy to understand method to define when sustainable compliance must result in full resolution. With that, I will turn to public comment and note that the commission will continue to review monitor reports and respond if it's appropriate going forward.

Commission staff: Thank you chair. Shall I start public comment?

Chair Jackson: Yes. I don't see any hands up from the commissioner, so that would be good. Thank you.

Commission staff: Okay. Members of the public wishing to make public comment about this item, the negotiated settlement agreement, please raise your hand, and I'll call on you in the order that they've appeared. Ms. Olugbala, I see you up first. Please go ahead. I've unmuted you my end.

Assata Olugbala: Yeah. Let me start with this number thing about going from nine to five. Two years ago, we were at three. Then we went to four, and now we at five. It is absolutely ridiculous and unacceptable that we are in 19 years of dealing with having to have a police department eliminate behaviors that result in excessive force and racial profiling. Racial profiling of who? African Americans. It is almost ridiculous that now that you got a five percent increase in Latinos being stopped, and the stop data has nothing to do with ceasefire. Stop data or stopping pedestrians and stopping automobiles or cars, and we have a large, undocumented community. I would assume that we would be stopping people because they don't have driver's licenses, but that's not happening. But going back to the NSA, this is a document that is impacting a disparate group. It's African Americans, and there is nothing that's going on in this city, where it impacts African Americans, talking about gentrification, talking about homelessness, talking about the education at the school board meeting. They refuse to interact with the issues around African Americans. I was just in a meeting before this one, about how the Regional Center of the East Bay is



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denying services to the disabled African Americans. It's unconscionable, how we continue to avoid the issue of the impact... The bay case is another, of African Americans in this city under any umbrella. We're worried about 5% of Latinos increase. Come on.

Commission staff: Thank you, Ms. Olugbala. Up next phone number ending in 7935. 7935 when you're ready.

John Bey: Good evening. This is John bay. Yes, that is absolutely correct. This 19 years of a negotiated settlement agreement. That's 19 years of federal oversight. Since 2013, I believe, when Warsaw took over as compliance director as well, his company has been met and over 2 million a year before that, when he was only in his soul duty, he was getting over 1 million a year, let alone the police overtime, over budget. This police department has cost the city of Oakland so much money, and we still get disparate service. It's disgusting. 2022 and we thought in 2003, this thing would be resolved. And they tried to celebrate cause they caught... they penalized three officers and the other dude is still a felon, living a wonderful life in Mexico or wherever he is. [inaudible] and ain't been seen or heard from since they could have spent money trying to find him.

That would be at least something we could say they put an effort into, but yes, welcome Ms. Phillips. Please listen to who you meet, but weigh what they say with what they do on their job performance. This is a city that pays for its department. Well more than they deserve, and they don't discipline the officers. Black citizens in the city of Oakland, since it was at one point, a predominantly black city have had disparate treatment, underserved. The police department that so-called Rider's case was just an outgrowth of what chain of command, how they operate as an old boys network. There's a lot of skeletons that got to come out of the closet, but 2022, our case-

Commission staff: Thank you Mr. Bey. So sorry to have to cut you off, but unfortunately your time is up. Phone number ending is in 5802, 5802.

Saleem Bey: Good evening. Saleem Bay. Where is the OPC, NSA letter regarding the Bay investigation, independent investigations and the Ross report. Painful silence. The OPC, which represents the defendant city of Oakland in the NSA lawsuit via a charter amendment answers to the NSA, which is a federal consent decree. Ever since the mayor's taken over the OPC, the OPC has supported OPD over the community. This OPC supposedly noticed the NSA in 2018, 2 years before the Ross report via a letter that was never followed up. This OPC has never followed up and has had the Ross report since July with evidence of racial and religious profiling, that would negatively affect the NSA metrics and standing of disparity policing against the black community. This federal oversight of OPD is akin to 1960 southern intervention by the feds here in Oakland.



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It's a shame that it's 2022. The federal court is clear. It says, "Likewise, the city agreed and the court ordered that the compliance director has authority over tactical initiatives that may have a direct or indirect impact on the NSA." Right? December 12th 2012. The compliance director will be empowered to review, investigate, and or take corrective action with regard to OPD. December 5th, 2012. The compliance director will have the power to review, investigate, and take corrective actions regarding OPD policies, procedures, and practices. Why hasn't the NSA been noticed in violation of this? And it says 2012, any city officials or personnel without exception who failed to do so will be subject to show cause hearing before this court as to why sanctions should not be imposed against them. And that counts specifically against everybody on the OPC sitting up on that virtual [inaudible] that they have failed to notice the NS-

Commission staff: Thank you, Mr. Bey. I'm sorry to have to cut you off. Unfortunately, your two minutes are up. Chair Jackson, that was the last of public comment.

Chair Jackson: Okay. Thank you very much. So yeah, no, no, no. Go back. Okay. Go one forward. Yes.

Commission staff: I'm sorry.

Chair Jackson: Where's the missing persons. That's what I have as next. Eight.

Commission staff: I don't know. Sorry about that.

Chair Jackson: No, no, no. Okay. So it looks like you have the wrong slide maybe.

Commission staff: Yeah. It seems so.

Chair Jackson: Okay. So item eight is actually just for the public. Consider approval of revised policy for missing and abducted person's, policy DGO-6. 0-6. So given the fact that commissioner Jordan is under the weather, I'd like to provide just a little overview on the missing persons ad hoc. First off, I think that some really incredible work was done on this ad hoc and partially it was because we actually had the families that had been affected by missing and abducted persons who wanted to have impact on the policy moving forward to ensure that no future family had to go through the kinds of pain that they did.

And that was an extraordinary lift on their part. In addition, we had the contributions of Michelle Lazaneo and former commissioner Harris, but even in addition to that, we did something different, having the department of violence prevention come aboard to help with the sharing of the traumatic storytelling in a protected space, so that the families and those who have been affected could



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share their story and still create some very strong language and recommendations to make the policy that much stronger.

We met with several different subject matter experts. And that was also very helpful. And then just as we were finalizing the policy, I believe it was Michelle and Janelle that found several best practice policies that had just been updated. So we were able to reference those as well. And we obviously had the assistance of CPR, a attorney, the police department, Bridget had just come on board. So it was a wide range of folks in addition to incredible community insight. I'm not sure if anyone else would like to comment on the policy from the commission perspective or if we should go to public comment, but it certainly is my hope that folks have taken a look at this and feel like it's ready to be voted upon.

Okay. I see no hands. So Rania, why don't we go to public comment, please.

Commission staff:

Thank you. And again, apologies about that. The title was wrong. Members of the public wishing to make public comment on this item, the missing persons policy, please raise your hands and I'll call on you in the order that they've appeared. I'll get the stopwatch ready. And first up, Ms. Olugbala. When you are ready, please go ahead.

Assata Olugbala:

I don't know if the policy is inclusive of the national disparity of how when a missing person is black or non-white. Police departments tend to not put the same type of emphasis when the individual is white. Do we have within the policy, the capacity to move away from this national stigma of how, when you are a black person or non-white the police department doesn't respond. I don't know if that can be put into a policy, but that is an actuality of what is happening all around this country. I have to uplift the family of Jonathan Bandabaila, who is still very diligent, even worked with HBO on a documentary and has done many things to continue to outreach on this issue of missing persons. One of the drawbacks for the city of Oakland is when a person is missing, the need for an AMBER alert has to go through the California highway patrol.

The Oakland police department can't on its own the issue, an AMBER alert, and sometime that is time consuming. But the fact that you need to get permission from the California highway patrol to issue an AMBER alert is something that needs to be changed. And I know of a case when an individual, a four year old boy was missing and tried to get some information and they didn't even have records of it even happening. So Jonathan Bandabaila family, this opportunity to thank you and Michelle and Ms. Harris for the work you've done on this, because they are the catalyst for how this got started.



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Commission staff: Thank you Ms. Olugbala. Phone number ending in 0185. When you are ready, 0185. I have unmuted you on my end.

Mary Vail: This is Michele Lazaneo, spokesman for the Bandabaila family, and believe it or not, 987 days have passed since Jonathan Bandabaila was seen. It's been almost three years and we are no closer to finding him or knowing what happened, but there is good news. Jonathan's family spoke up and continued to demand accountability and change. And as a result, OPD has this new missing person's policy being presented to you tonight. This policy incorporates the current best standard practices. Post recommendations just updated in 2021 and input from families of missing persons. OPD has already implemented these changes and it has resulted in a significant increase in their case closure rate. Unlike other agencies, OPD decided to continue to have their media relations office oversee and control their social media platforms and public alerts. These policies need to be prioritized next by this commission. Once departmental general order O-6 is approved, the next task is to bring OPD's communication dispatchers up to date with policy, procedures, and training.

The California penal code and post updates also impact how dispatchers receive document and prioritize missing persons calls. The bad news, OPD currently has only one dedicated missing persons investigator. The other resigned from the department, and yet they still receive approximately 100 cases each month. They need to continue to hire more staff so that eventually they can assign three to four full-time investigators to this division. But what can we do until then?

We need a plan B or a backup plan to address the current understaffing and consider cross training other staff in missing person's investigations. We need you to continue to monitor the missing person's division semi-annually, checking on staffing, open cases, case closure rates, or other significant issues. The Bandabaila family uncovered this issue and his policy is a labor of love for their son, Jonathan. Now they need our support. Soledad O'Brien is featuring a segment about Jonathan Bandabaila on her show, Matter of Fact, TV this weekend. Please tune in and share it on your social media. Someone knows something, and Jonathan deserves justice. Thank you for everyone who participated in this ad hoc committee and provided insight and suggestions, and we already see it working. So thank you.

Commission staff: Thank you so much Ms. Lazaneo. 5802, when you are ready, phone number ending in 5802.

Saleem Bey: Good evening. Saleem Bay. Dr. [inaudible] and Ginale Harris in the back and ignoring Michelle Lazaneo, for all these years in resourcing, the missing persons, which is primarily people of color. It's [inaudible] that is just now coming about.



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I have my own missing person story. In 2004, my brother [inaudible] failed to show up. He was 51 years old. Failed to show up for. He never missed a day in over a decade. My house called to initiate the missing persons to OPD from 3104. My brother was a rare thing in the US, a black CEO who was responsible for over 200 black jobs. OPD failed to investigate his case. The OPD officer ultimately stole his case file and left OPD to become an investigator for the DA. We didn't find out about this for over 10 years until we sued the city of Oakland and got discovery to find out that this was happening.

This took us another three years to get an independent investigation based, on evidence that we know is racial and religious profiling. That became the Ross report. To this day, my brother [inaudible] case has never been investigated by OPD. We don't want OPD to even fake like they're trying to investigate it in 2022, when my brother was murdered in 2004. His body was found six months later by a person walking their dog, in a shallow grave in the Oakland Hills. And since that point OPD hasn't done anything. My brother John took up his case and he was ambushed because OPD didn't investigate the case of the people who killed my brother. My brother was ambushed in Montclair in 2005 by four gunmen in Montclair and OPD closed John Bay's case in 63 days, and then told us they were working on it, but we didn't find out until 2011 that they closed it in 63 days. The same weapon that was used against John Bay ended up two years later, murdering Chauncy Bailey, who-

Commission staff: Thank you, Mr. Bey. I am so sorry to have to cut you off. Unfortunately, your two are up. Anne Janks, you're up next. When you're ready.

Anne Janks: This police commission exists with the strength and the independence and the resources and the power that it has because of the rape scandal of an underaged sex worker in Oakland. And I was disappointed that the sex worker community was not engaged in terms of this policy, because we hear a lot that their concerns when somebody is missing are dismissed or they're threatened since they were arguably engaged in a criminal activity at the time that they disappeared. And I just hope that the commission in the future will remember the unique needs of the sex worker community, especially in engaging with OPD, given that history.

And now that we have an IG, maybe we could have some follow up about how missing persons is functioning with an analysis of the missing person's race, et cetera, as well. And maybe even look into missing people having to do with the sex work community. I encountered a grandmother who was trying to retrieve a child who was being trafficked, and she had evidence of that and having gotten no help from OPD, I connected her with Darrell Allens who got her child home within 72 hours. And I think that we can continue to pay some attention to this in the hopes that we strengthen OPD's effectiveness in this area.



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- Commission staff: Thank you Ms. Janks. Regina Jackson, that was the last of public comment.
- Chair Jackson: Thank you very much. So based upon the public comments and the overview of the policy, can I get a motion to approve this policy, please?
- Comm. Harbin-Forte: I will madam chair.
- Chair Jackson: Yes.
- Comm. Harbin-Forte: Sorry. I will so move. And I will also like to point out, this is for the chief perhaps, that under the definition of the missing persons policy, it includes Ronald Rays. So I would hope that in the future, irrespective of what the parents view or tell the police department, that they can describe this person as a missing person, because it does fall within the definition of the commission. I think people are much more inclined to get involved and worry and start looking if they see it as a missing person, rather than just somebody who's gotten mad at their parents and runaway, which is, I think what many people think of when someone is described as a runaway. But I do-
- Chair Jackson: [crosstalk] is well taken, but I'd like for you to go ahead.
- Comm. Harbin-Forte: I did make the motion.
- Chair Jackson: But can you just clarify it since there was so much other verbiage?
- Comm. Harbin-Forte: No, I made the motion to adopt the policy.
- Chair Jackson: To abduct it? Oh, to adopt it. Got it. Is there a second please?
- Vice Chair Milele: I'll Second.
- Chair Jackson: Thank you. So it has been moved and properly seconded. We have taken public comment and now I'd like to take a vote. So commissioner, excuse me, vice chair Milele.
- Vice Chair Milele: Yes.
- Chair Jackson: Thank you. Commissioner Gage.
- Comm. Gage: Yes.
- Chair Jackson: Thank you. Commissioner Harbin-Forte.
- Comm. Harbin-Forte: Yes.





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Chair Jackson: Thank you, commissioner Howell?

Comm. Howell: Yes.

Chair Jackson: Thank you, commissioner Jordan?

Comm. Jordan: Yes.

Chair Jackson: Thank you. Commissioner Peterson?

Comm. Peterson: Yes.

Chair Jackson: And yes, for myself, we are unanimous and I want to give a great vote of appreciation to commissioner Jordan. He led most of this work, often in my absence, but as I mentioned, I think that this was one of the best processes of participation from all of the different perspectives of people that have been impacted and, or are concerned about missing and abducted persons. So thank you very much commission. Thank you to the public as well. And we now have a new policy. So the next item, I think Mr. Alden, are you addressing us on this? The commission budget and resourcing.

John Alden: I am. Took me a moment there to get the mute off. Thank you for your patience with me. Is my sound quality okay tonight? Can you hear me well?

Chair Jackson: Just fine. Thank you.

John Alden: Wonderful, thanks. So yes, I do have this next item. Thank you, madam chair. Good evening. Commissioner's happy new year. Good to see all of you. We have in October and December of last year, had some conversations about how to approach staffing in general, because we're now in January and we have some budget submissions due soon. I do need to lock down that I have correct direction from you on two items. So after talking to the chair and counsel as well, and Ms. Adwan a little bit, I've narrowed that down to two specific questions that I would like to make sure I have clear guidance on from you tonight. So the first is this next slide that I believe Miss Adwan has, should be up on the screen in just a moment.

And that is to confirm the conversation that we had in December, that staff recommended that we ask the mayor and the city council, as the budgets created this year, to add administrative assistant two and a project manager one, to better support the commission around all of the work that it has to do with ad hocs. We've had several conversations about how it's challenging to support ad hocs and policy work, and keep up with the administrative work of the commission. We had suggested these two positions I understand from our



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last meeting was that the commission agreed that those two positions were the ones to add, but I wanted to make sure we actually had that communication explicitly. Because I just didn't hear any negative feedback and I want to make sure that affirmatively that's what the commission wants us to do. Is that a correct understanding of where the commission is right now?

Chair Jackson: I believe it is. Is this just for CPRA or are you providing an overview on all three of the components IG-

John Alden: Right.

Chair Jackson: Commission and CPRA.

John Alden: Right now I'm only talking about staff who would be helping the commission with its work and not staff changes we might make at the Inspector General's office or CPRA. I know that Ms. Phillips is on the IG. I'm sure she'll want talk to you at some future date about her budget presentation. And we can bring back to you some more conversation about CPRA staff changes. This is just commission serving commission facing staff.

Chair Jackson: Yes, no, I definitely remember that and I appreciate it. I just want to make sure that we can be also efficient and kind of not piecemeal so that we can get all of our asks in at once. But I appreciate your clarifying. Are there any... commissioner Harbin-Forte's hand is up. Commissioner Harbin-Forte, did you-

Comm. Harbin-Forte: Sorry. Sorry. It was up from the last comment, from the last motion. I apologize.

Chair Jackson: Got it. That's all right. Thank you. Are there any other questions from the commissioners? Commissioner. Excuse me, vice chairman Milele.

Vice Chair Milele: This isn't exactly a question to the commission, but to John. You're asking for us to direct you to ask the council for budget to support two new staffers under Rania's position. Is this something that we could vote on today?

John Alden: Yes. The budget submission, the initial budget submission to the city administrator's office, which is the first step in the process is likely to be due at the very beginning of March, end of February. It would be helpful to me if you had a motion saying that you would like to direct us to submit and ask for these two positions in the upcoming budget task, please.

Vice Chair Milele: I definitely support that and I would absolutely move that we do that, madam chair.



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- Chair Jackson: Okay. Thank you. It is moved and I will second, but before we move forward, am I missing the approximate amount that we're asking for?
- John Alden: These are in the supporting material and the memorandum and the agenda.
- Chair Jackson: Okay.
- John Alden: I can talk to that if you want run through the cost figures.
- Chair Jackson: Yeah. I just want an overview. You don't have to break out both of them, but I think since it's on the slide that it might be nice to have kind of a grand total so that we can keep it in our heads.
- John Alden: Sure. The top end salary for the administrative assistant two is \$75,000, which makes the carrying cost with benefits and the like a little over a \$100,000 total for the city. The project manager, one tops out at \$159,000, which makes the carrying cost of that position just about \$200,000 in a year.
- Chair Jackson: Okay. Thank you very much for that clarification. So I think unless there are any other questions from the commissioners, we can go to public comment and then take action. I see no questions, I mean, no hands so Rania.
- Commission staff: You got it. Members of the public wishing to make public comment on this part of this item, please raise your hand and I'll call on you in the order that they have appeared. Give me just a second. I see two. Ms. Olugbala you're up first, when you're ready.
- Assata Olugbala: I can't believe this, but you have reviewed before you... without a job description. What are these people going to be doing? Because that's very important. That's a lot of money for people to be making. And what happened to the auditor's position that you eliminated in order to put somebody else in the place. We need an order. You need a performance order, and you need a fiscal auditor, especially people making 170 and \$200,000. You need to make sure they're doing their job. I don't know how much the inspector general is making, but why did you eliminate the auditor? And you haven't done anything to put it back in place. What is the accountability for this commission and for the people who are with the administrative part in [inaudible]. That's what an auditor would do. And so you keep hiring these administrative people, a lot of money, but there's no accountability in place. Put the auditors position back in place so we can see accountability, which is much needed. I'm finished.
- Commission staff: Thank you Ms. Olugbala. Phone number ending in 5802. You are unmuted when you're ready.



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Saleem Bey: Good evening. Saleem Bay. 100 black man of the Bay area. CPRA has a notorious history of not hiring black candidates. What has Mr. Alden done to address the fact that there are no black senior investigators or any black persons in CPRA management? What has Mr. Alden done to address the fact that CPRA has closed 100% of discrimination complaints made against racist OPD officers by CPRA. If there's a change in law that needs to be made to address this, he needs to be the person that puts forth what the OPC needs to do to change this whole thing. Mr. Alden's silence is complicit with OPD disfunction and negligence. I put in a public records request for the Ross report, citing Senate bill 16 and Senate bill 1421 for transparency.

The contact was said to be Mr. Alden, who is actually a subject of the Ross report and intervened when contacting the city council regarding the Ross report to tell the city council that they can't see the Ross report. Mr. Alden is in conflict of interest. And that's an ethics violation on top of it. The fact that black people make up the vast majority of complaints to the CPRA and yet there's a non-black majority of people who are addressing black complaints and closing them means that the CPRA is getting paid while the NSA, which is about racial, religious profiling, biased, implicit, and explicit racism. You're closing every single one of those cases. If you're not addressing that, that means you're collecting a check and you're not doing anything for the community, which is black, which is the most affected by racial and religious profile. Thank you.

Commission staff: Thank you, Mr. Bey, Ms. Janks I've unmuted you on my end.

Anne Janks: Sorry. I too failed to lower my hand from last time.

Commission staff: Thank you, chair Jackson. That's it for public comment on this section. I do believe director Alden has another section for you.

Chair Jackson: Okay. Thank you very much. And Mr. Alden, just for clarification, you did say that these positions were to support the commission, not the CPRA correct?

John Alden: Absolutely. I'm sure that's one reason I'm bringing this to you. I want to make sure I'm you the support you want. Absolutely are commission serving positions, yeah.

Chair Jackson: And go ahead.

John Alden: Yes ma'am. The second question that I wanted to make sure to resolve. I might need a little help from Mr. Kennedy on this next one.

Connor Kennedy: Right here.



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John Alden: It has to do... thank you, sir. This has to do with the question about what to do with standing committees. We had had some robust discussion in October and December about whether to perhaps drop the two standing committees that are currently on the books, but haven't been used recently and likewise, a conversation about whether to approve a new standing committee with regards to militarized equipment. I ask only because as we're going through the budget process, that will be a question that will naturally come up with council, city council that is to say. And so I want to be sure to have your direction in that regard. I know that the commission had some questions for Mr. Kennedy about how the Brown Act might affect some of those thoughts. And I know he's gotten some material to you. Perhaps Mr. Kennedy might be in a position to speak next, or at least answer any questions if there are some about that topic.

Connor Kennedy: I'll be happy to-

Chair Jackson: Excuse me, Mr. Kennedy. I'm sorry. I know that we had a motion on the first item. And so I think now that we've taken public comment, we need to go ahead and take action on that. And then we can take action-

John Alden: Pardon me.

Chair Jackson: On the second piece. I'm sorry. I missed that.

John Alden: So did I. Apologies.

Chair Jackson: That's okay. Thank you. These packets are so big sometimes I can't what's coming next. So anyway, as it relates to the motion on the floor that has been properly seconded and public, we've received public comment, I'd like to take a vote on item number one, which is to confirm the budget ask for additional commission support of an admin assistant and project manager. Vice chair Milele?

Vice Chair Milele: Yes.

Chair Jackson: Okay. Thank you. Commissioner Gage?

Comm. Gage: Yeah.

Chair Jackson: Thank you. Harbin-Forte?

Comm. Harbin-Forte: Yes.

Chair Jackson: Thank you. Commissioner Howell?



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Comm. Howell: Yes.

Chair Jackson: Thank you. Commissioner Jordan?

Comm. Jordan: Yes.

Chair Jackson: Thank you. Commissioner Peterson?

Comm. Peterson: Yes.

Chair Jackson: Thank, thank you, and I am yes as well, and so the vote is unanimous. Now, maybe we can really begin to move forward. Now back to you, Mr. Alden, on point number two.

John Alden: Thank you madam chair. So again the issue I want to be sure to be following the commission's instructions on here are what we should be as a group, communicating to the city council about whether to keep the two existing standing committees and whether to add another. I recall the commission's conversation. There was perhaps adding one for militarized equipment, and this will also be an issue that'll come up as the budget process moves forward. So I want to be sure I'm communicating your intentions in that regard. I'm not sure in our previous two meetings that I heard a clear statement of the commission's preferred course of action here.

Connor Kennedy: Yeah, and I'll jump on with what director Alden just said, if that's all right chair?

Chair Jackson: Yes, please.

Connor Kennedy: Excellent. Excellent. And so, yeah, I think we have a um... I think that we need to have in some way shape [inaudible] or form a motion, sort of a final motion, because this item is sort of related to budgeting, it's related to resourcing, about whether we need to go and ask city council to create a new standing committee, because those are the rules that apply to the police commission. Now there was a direction to our firm to get some advice about the way that standing committees work and the way that ad hoc committees work. We've provided that. We also recirculated that today. So what I would advise is, at least for the current purposes of discussing this issue, as you've discussed it in the agenda, you take the motion today. It certainly isn't the last time that you can revisit the question of whether to create any new standing committees.

Another juncture in the future when that question will come back up is after you hear back from the mayor and the city council about the two positions that you all just voted to request budgeting for and to create. But for right now, I would recommend that you take a final vote up or down on whether there are



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any motions to create new standing committees, or if instead the commission is satisfied with the current number of standing committees, and instead we use ad hoc committees to handle anything else that pops up under the questions that it's been discussing now for a few meetings. Thank you.

Chair Jackson: Thank you Mr. Kennedy. So based upon that advice I'm happy to accept a motion on whether or not to create a new standing committee. I expect that... Okay. Sorry. My garage door is open. I expect that once we have staff, we might possibly be able to staff and support a new standing committee, but until then it seems like we're stretched with our one staffer. That said, I see a vice chair Milele's hand.

Vice Chair Milele: Thank you, chair. Yeah. You, you sort of preempted my reasoning for my motion. I figure that one of the things that has slowed us down on so much that we're doing right now is the staffing, not having enough staff, and new standing committees would commit us to activities that need actual staff to support them. So I move that we do not create a new standing committee at this time.

Chair Jackson: I'll second that. Let's see, you've gone to public comment already, right? Sorry. It's getting a little late for me. So let's go ahead and take a vote. Vice chair Milele.

Comm. Harbin-Forte: Excuse me madam chair, I don't know that everybody on the commission has had an opportunity to weigh in on the issue.

Chair Jackson: Oh, okay. Go ahead, I-

Comm. Harbin-Forte: I don't have any comments myself on it, but others may, others may, we have not invited other commissioners to weigh in.

Chair Jackson: Okay. I see no hands so that's what I'm going on. Thank you. Does anyone else... Commissioner Gage?

Comm. Gage: Thank you chair. I have to say I'm a bit disappointed in our inability to field more standing committees at present, and I certainly recognize the administrative reality we're faced with. That said, I am aware that currently the police department is reporting that they are unable to move forward with some of the initial activities that are contemplated by the controlled equipment ordinance, and unless and until the PD is able to change that position, we find ourselves with a question that's been somewhat mooted in that the militarized equipment ad hoc would in essence be on pause until the PD is able to provide some initial activities such as a initial list and early policies.



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So for those reasons, I think it makes sense to take no action at this time. I would say that in addition to taking no action to form a new standing committee, that we should also dissolve the current standing committees that have not been active because there may be a need for some other subject matter committee to use that administrative cap space. I recognize there's a motion on the floor. I hope we can vote on that motion and then move to discuss the current but inactive standing committee. Thank you.

Chair Jackson: Thank you. Commissioner Jordan.

Comm. Jordan: Yeah, just a point of order. I wanted to confirm with Connor whether public comment should be, is tied within the agenda. My understanding was that there needs to be public comment before any vote, but I will take his expertise. Thank you.

Connor Kennedy: Thank you commissioner Jordan. Chair, I'm happy to field that question.

Chair Jackson: Please. I thought it was just one item. So...

Connor Kennedy: Yeah, look, I think that you take comment before or during each agendized item. This is unique. This is a multi-motion agendized item. We broke it up into discrete parts so that we can take action on really what the entire recommended course of action was. So I don't think you under the Brown Act are literally legally required for each specific motion to go back to public comment. I also though understand that the commission as a best practice loves to hear from the public on everything that it does, and so that's always an option for you chair if you'd like to go to public comment on this question. Ultimate answer, the Brown Act does not require you to do anything further with respect to public comment.

Chair Jackson: Okay. Thank you very much. I think that in terms of the secondary recommendation that commissioner Gage made about dissolving the other standing committees, I think that we should agendize that and deal with that as a separate issue since it is not spoken to in terms of the agenda that is currently here. Now, I will go ahead and hear public comment on item two, but I think moving forward, if we're going to break them up, we should actually agendize them separately, but that's for us to learn from. [Rania].

Commission staff: Let me go... Absolutely. Members of the public wishing to make public comment on this item or this section of this item, please raise your hand. I'll call on you in the order that they've appeared. I see two so far, Ms. Rashidah Grinage you're up first when you're ready.





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Rashidah Grinage: Thank you. I wanted to suggest that a couple of the ad hocs that have to do with creating performance evaluation templates for the IG and the police chief and the [inaudible] director be folded in to the personnel standing committee. You know, if you're not going to be doing a whole lot of additional hiring, which I think is likely that you're not going to do any major hires, that doing the evaluations for these three positions should be the subject and the topic of the personnel standing committee. And in that way, you can basically collapse the ad hocs into that standing committee for greater efficiency. So I just wanted to offer that thought. Thank you.

Commission staff: Thank you, Ms. Grinage. Phone number ending in five eight zero two, I believe that's... Give me just a second. Phone number ending in five eight two, when you're ready.

Saleem Bey: Good evening, Saleem, 100 Black Men of the Bay Area. Why isn't there a racial profiling standing committee? This is something we have emails from the chair committing to last year, but then again, this committee racial profiling would necessitate addressing the racial profiling and the Ross report regarding the bay case, which is persona non grata and can't be mentioned by anybody out there. Lack of a profiling committee means the OPC is ignoring the charter. The stated reason for measure LL was addressing the fact that OPD and CPRB was still failing to address racial profiling and still failing an IED to respond to public complaints. The vast majority of which are from the black community. Why isn't there a standing committee for racial profiling which is the continued basic failure of the NSA for 19 years. If you are upset in hearing me, you are ignoring 19 years of failed OPD reform regarding racism against the black community.

As of 2021 CPRA closes 100 percent of discrimination complaints as a matter of policy. In 2016 a super majority of Oakland voters voted that the then current CPRB investigators Joan Saupe and Karen Tom were doing a terrible job. In 2022 Mr. Alden supervises the same Joan Saupe and Karen Tom that were doing a terrible job and simply change the name from CPRB to CPRA, keeping the same flawed and racist investigators who have coordinated all their closures with OPD for decades like the [inaudible] case. The Ross report investigates these same investigators and found them lacking in all of the bay cases that were complained about from 2007 through 2020, right? At some point we will get to the point that the OPC will understand that when I say that your credibility is based on your investigative arm-

Commission staff: Thank you, Mr. Bey. Sorry to have to cut you off. Chair that was it for public comment.

Chair Jackson: Thank you very much. So commissioner Gage is your hand up from before or new?



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- Comm. Gage: This is new chair. Thank you.
- Chair Jackson: Okay.
- Comm. Gage: Your comment about the agenda earlier caused me to take a look at it more closely, and after looking at the agenda again, I actually don't think we can have a vote on this item as agendized at all. It is agendized to hear a report. It's not agendized as an action item.
- Chair Jackson: But it does say possibly action if any.
- Comm. Gage: Indeed, but the language itself seems to be slightly different. I would defer to counsel, but it's a concern.
- Chair Jackson: Okay. No problem. Connor, can you weigh in please?
- Connor Kennedy: I'll review the agenda promptly, if you'll just give me a second to take a look at it.
- Chair Jackson: Okay. Thank you.
- John Alden: You know madam chair, if it's a help while Mr. Kennedy's doing that, obviously defer to him about what he thinks about Brown Act compliance, that's important to always meet, but this particular motion that's before you now is one of the options that was specifically laid out as an ask in the written materials in the packet.
- Chair Jackson: Right, I remember.
- John Alden: So to [crosstalk] the opportunity to look at the packet, right, exactly. I don't know if that cures issue, but I do want to make sure that you and the public are aware.
- Chair Jackson: Yeah, no, I think that is one thing that I think that commissioner Gage's question is another and I don't want to not take a vote and find out that I should have. And I also don't want to take a vote and realize is that we shouldn't have.
- Connor Kennedy: Just to be clear, the motion on the floor is to not create any new standing committees.
- Chair Jackson: Correct.
- Connor Kennedy: Yeah. I think that the default here is really just to express a consensus on not taking any action. So if you don't take action today, you still have not created



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any standing committees, but also there won't be any expectation to bring that question back, because what you're doing is you're voting on whether to not take action. I think the outcome would be the same whether or not you vote on this or not. I still want to say commissioner Gage, I think that's a good reading of the agenda, and so it's always important for us to be vigilant about any action that we take and whether it completely tracks the language in the caption on the Brown Act. I think though that if you don't take a vote, you still won't have created any standing committees. So yeah, that's my response to the current motion, which has been seconded and you've gone to public comment on.

Chair Jackson: Okay, so do we need to rescind the motion or just let it not have action?

Connor Kennedy: I think that you can rescind the motion. You can also just give direction to staff after taking the consensus about whether to come back with this same agenda item or not if there's a consensus about it. It would seem... I think I'll pause there, and my answer to that is that you can rescind the motion. Yes.

Chair Jackson: Vice chair, do you want to leave the motion as is? Do you want to rescind it?

Vice Chair Milele: Sorry, I just need to, thank you chair, I need to clarify, do we need to rescind the motion or is this just a hunch?

Chair Jackson: We don't have to. I just asked the question because we've not been in this situation before. So you can leave it where it is, that's fine, I just wanted to ask.

Vice Chair Milele: Yeah, I-

Connor Kennedy: You can take a vote on it. It's not going to violate the Brown Act.

Chair Jackson: Okay. So let's go ahead and take a vote. So vice chair Milele?

Vice Chair Milele: Yes.

Chair Jackson: Okay. Commissioner Gage?

Comm. Gage: Yes.

Chair Jackson: Commissioner Harbin-Forte?

Comm. Harbin-Forte: Yes.

Chair Jackson: Thank you. Commissioner Howell?

Comm. Howell: Yes.



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Chair Jackson: Thank you. Commissioner Jordan?

Comm. Jordan: Yes.

Chair Jackson: Thank you. Commissioner Peterson?

Comm. Peterson: Yes.

Chair Jackson: Thank you, and yes for myself, so we are unanimous that as of now, we are not going to create new standing committees. Thank you everyone. To the next-

John Alden: Thank you commissioners.

Chair Jackson: Yes. Next agenda item. So we have actually been challenged in the four, hearing four, committee reports each time that we have a board, a commission meeting. And so I thought that it might be more helpful to us to reduce the rules, or amend the rules, to hear three committee reports instead of four, because we end up reporting out on something where action may not have taken place at all. I'm not sure if there are any commissioners, yes there is. Commissioner Harbin-Forte.

Comm. Harbin-Forte: Thank you madam chair. I think I speak for both members of the Rules Committee that we are surprised that this item is on the agenda without having referred it over to the Rules Committee first. As you know, the Rules Committee, the task of the Rules Committee, is to make recommendations regarding operations of the commission and also make recommendations to better enable the commission to fulfill its charter mandated oversight duties. I think there is a misunderstanding regarding why the Rules Committee proposed monthly report outs from each committee and why we require that committee's report. So I think had this been referred over to the Rules Committee, I think this is what we would've pointed out to, and this is what we would've covered, in making any recommendation. I'm going to ask, madam chair I do hope you'll indulge me in terms of providing some information to the commissioners and to the public regarding the rationale for having the meetings specified and meetings and reports from the committee.

Chair Jackson: I will allow you to do that, but I just want to clarify, there is no referral jurisdiction here and that's why I did it. But go ahead.

Comm. Harbin-Forte: All right. I do... Reasonable minds can differ on that, but nonetheless, this relates to rules of procedure and the operations of the commission. I'm going to ask [Rania] if she would put up first the agenda. When the Rules Committee in March requested that the agendas be reformatted, and if you can, Rania, if you can put up the proposed reformatted agenda on the screen, one of the reasons



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we made that recommendation, and that the commission adopted, although I believe madam chair that you objected to having this spelled out, was that we wanted accountability from each of our ad hoc committees. And in the past there would just be a general description of committee reports with no committees being specified. That meant that sometimes a committee would report, sometimes they wouldn't. The chairs of the committee would not know if they needed to give a presentation that night or not, it was sort of volunteer.

So when we asked and recommended that the agenda be reformatted, we spelled out those active committees at the time, and this happened in March. And if you will see, Ms. [Adwan] If you can try to, if you can enlarge that, I think it will help people. But in any event, we explained in our draft proposal the rationale, that for the first meeting of the month, those at active committees would report, and that was four, and then at the second meeting of the month, the additional active committees would report. So it was four at the beginning of the month, three at the second meeting of the month. But that covered all meetings so that we would make sure that we heard from each ad hoc once a month. When we also made a recommendation, the Rules Committee, for the ad hoc protocol, we also recommended that each committee report once each month.

And Ms. Adwan, if you would put up the next document that I sent you, what we've done is kind of go through and look at which committees have been reporting. And there are too many committees in our view that we don't hear from, and certainly we don't hear from once a month. So, and Ms. Adwan, again, if you can please enlarge that so that we can hear, so that everybody can see, what the distribution has been. And I'll point out for example, that... And I went kind of did a quick and dirty look through past agendas to try to see which committees aren't giving monthly reports.

I look at social media policy, for example, it's been a while since we heard from that. It was formed a little while ago, not too many months ago, but certainly after Instagram Gate. The racial profiling policy ad hoc, and I'm looking at the last six months, I couldn't find anything in an agenda where we'd heard anything from the racial profiling ad hoc. Other ad hocs have not been reporting regularly and community outreach, that standing committee, what we see for community outreach seems, what I could find, was just one report in October. I point out with respect to community outreach that we, the Rules Committee proposed in September, I believe, the ad hoc protocol that was concerned about the inability for public engagement, so that was referred over to the community outreach committee. And we've not heard anything back from them as to what they are going to propose about an ad hoc protocol or about community engagement and involvement.



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One of our concerns, our recommendation, Rules Committee recommendation, was our community engagement, basically be gauged by the chair because of limited staff resources, et cetera, cetera. But in any event, we need to get on those kinds of things. So our recommendation is not that we try to specify any number, a minimum or maximum number, of reports each month, but that the committee ensure that the council, the commission rather, ensure that each ad hoc report to the public and to the other commissioners, what they're doing, if anything. And certainly sometimes those reports will simply be, since our last meeting when we addressed whatever issue we've been on hold, there's not been anything else, but at least the public knows we have these items on our agenda. And again, we hear about racial profiling and the racial profiling policy and what we're going to do about it. I think probably at every meeting, someone raises that issue and wants to know what we're doing. So I would suggest that we not specify a number. Let's not worry about whether it's 3, 4, 5, if we have 10 ad hocs, for example, then five should report on the first at the first meeting and the other five are the second meeting so that we hear from each one.

- Chair Jackson: Okay. So the challenge is that some things don't need to be done regularly. So for example, the annual report, or even the budget, those things don't have to be worked on twice a month or even once a month because they only come up once a year. And we also have some like the inspector general search that we're closing out ad hocs as well. So the number is moving regularly.
- Comm. Harbin-Forte: Exactly. And if I may, I've indicated-
- Chair Jackson: I've got... We went all the way down. I did indulge you cause we still have some other items.
- Comm. Harbin-Forte: I understand madam chair, but what you said was that we don't have enough. I'm not sure what you're saying. We have enough to have-
- Chair Jackson: If you just let me finish. There are some ad hocs that do not need to be reported on because they are not active or the assignment is not a regular one.
- Comm. Harbin-Forte: And I agree with you, but there are some where there are regular ongoing responsibilities that we are not hearing from. And if you say, if you limit each meeting to three, and we have seven ad hocs or eight ad hocs, where there is some ongoing responsibility that ad hoc will not report in that month.
- Chair Jackson: I hear you, but numbers three and six are finished. So we'll update that. And you'll be able to see that ad hocs are going down and going up without regularity based upon some of the challenges that were being handed by the



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monitor. I [crosstalk] your recommendation. I have indulged you, I'm ready to move on now.

Comm. Harbin-Forte: I understand. I'm not sure what action you are asking for.

Chair Jackson: I'm asking you to finish up.

Comm. Harbin-Forte: All right. And so I am asking that you withdraw your request, again that was made without Rules Committee input and referral, that we specify a number of ad hocs to report each month, and that the commission take it up on itself in terms of its oversight responsibility to ensure, whatever steps it takes, to ensure that an ad hoc, each active ad hoc reports at least once per month. And if you, again, look at when we drafted the revised agenda, it says nothing about personnel or budget, those were not the types of ad hocs that we were saying should give a monthly report.

Chair Jackson: Okay. Thank you very much. At this point I do not... I see commissioner Gage's hand.

Comm. Harbin-Forte: Thank you chair. Could you briefly restate the issue we are having here? It sounds as if-

Chair Jackson: So yeah, not a problem, let me clarify. We didn't have enough active ad hocs in the last two or three sessions such that we were going to have community policing on back to back. And it was resisted because there'd been no action because [inaudible]. We have ad hocs that once we are completing the work are being dissolved. And so the concept of having four each time was challenging because I had commissioners saying "Well, we haven't done anything, I don't want to report that." And not having done anything, if it's a part of the process moving, because you have a date that doesn't work or something that's been canceled, is not an issue of embarrassment, it's just an issue of non-action. So what I was trying to do was reduce the number of report outs so that we wouldn't be repeating two or three at the same time. That's all.

Comm. Harbin-Forte: Okay. Okay. I think one of the struggles I'm having... I'm getting a bit of echo, sorry. Okay. One of the struggles I'm having here is, well, as initial matter, I don't see the rules on our website and I don't see any language in the agenda. So we're all kind of working off of our understanding of what the rules are at this point. That given, I believe from my memory, I don't think there was an actual number specified. I thought the rule was that each committee should report out once a month, unless they'd already taken action that month. And that report-

Chair Jackson: I'm sorry, Rania had been told that it was four, and so that was the issue.



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- Comm. Harbin-Forte: Okay. My... I can double check the rule.
- Chair Jackson: I really don't want to spend too much time on that.
- Comm. Harbin-Forte: I don't think there's a hard and fast must be four rule. I think the idea was to encourage regular reporting by saying everyone reports out, once a month seemed to be a reasonable reporting period.
- Chair Jackson: Okay.
- Comm. Harbin-Forte: I certainly understand the point you're raising about not wanting to, if you don't have a lot of action between meetings for annual ad hocs, that makes sense. I do think it's still important to have people say that. You don't have to write up anything, you just say that this is an annual ad hoc and the year to date, we've done this, so we're planning to do this in quarter three or quarter four. That seems like a very easy thing to do for a once a month report. I think there's a-
- Chair Jackson: Like I said, that was resisted, so that's why I was trying to find a different route. That's all. But I think-
- Comm. Harbin-Forte: I think maybe one way we can solve this issue is, it's an initial matter, we really do need to have these rules posted on our website so that we're all working off the same information. And I think that Rania's current understanding that it must be four every meeting is just, we don't need that, as long as people were reporting at once a month, that fits the spirit and the letter, as far as I'm concerned.
- Chair Jackson: Not a problem and Rania, if you can get the rules up, I don't know if there's a challenge there, sometimes there's tech delays, then that will work just fine. At this point, we can go to public comment.
- Comm. Harbin-Forte: Madam chair I'm sorry. Point of information.
- Chair Jackson: I'm moving-
- Comm. Harbin-Forte: I know you don't like this, but you just made an accusation. You just made an accusation and Rania was told that different committees should report each meeting and not the same committees. And Rania was told that it's disingenuous to stick just four committees on because there are tons of committees where we have not heard from anybody in many months. So the resistance was, don't keep putting community resources on, and we had a meeting... I'm sorry, community policing on, when we haven't heard from missing persons or community outreach. And it's very important for people to





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stand up and tell the members of the public, this ad hoc has not taken any action because of whatever reason.

Chair Jackson: Okay.

Comm. Harbin-Forte: So yes, the agenda that we adopted put four meetings on, on the first of the month, three committees on the second of the month. But again, the policy is to make sure that different committees tell the public what they're doing. And again, I just point out racial profiling. We should have had something on that long before now, rather than repeating over and over again, what, getting a report over and over again, what community policing is doing from week to week.

Chair Jackson: Okay. Thank you. Let's go to public comment, please.

Commission staff: Thank you. Members of the public wishing to make public comment on this item, please raise your hand. I'll call on you in the order that they appeared in just one second. And I will also share the timer. I see one hand. Ms. Olugbala, I've unmuted you when you're ready.

Assata Olugbala: I can agree with Judge Forte that there needs to be more accountability in terms of people reporting out. And along with that, something has to be said about how the work distribution is not equitably happening, has never been that way. And you have some people who are participating in a whole lot of work, and then you have others that are doing little to nothing. And the efforts of what's been addressed needs to get some support, some system. But the bigger picture is this. Some reporting at some point, some guidelines of what has changed as a result of all these committees meeting.

We're looking for change. And so if you're meeting, you're meeting. You're having policies... Policies don't necessarily change behaviors or change misuse or the problems we're having. The policy is a step. But what actually changes has to be determined if that policy's working, if it's being enforced. And the bigger conversation is accountability of the public. Every chance you get is an important issue. And I agree with Harbin-Forte on that. I might not be stating exactly the way she was saying it, but the bottom line is equal distribution of the workload and actually getting something done at some point, with a time limit of where we going to end this and have something finished.

Commission staff: Thank you, Ms. Olugbala For your comment. Next up, I do believe it's Saleem Bey, phone number ending in 5802. When you're ready.

Saleem Bey: Good evening, Saleem Bey. No Racial Profiling Committee ad hoc, when actually it should be a standing committee. As Commissioner Harbin-Forte said, this



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should have been done long before that. Why isn't this a priority? The answer is the mayor is against it, and that means also that you would have to address racial and religious profiling in the Bey cases, in the Ross report. The Ross report exposes racial and religious profiling of the Oakland black and Muslim community. LL makes regular ongoing responsibilities of the OPC racial profiling first. It is the main reason for the OPC creation. Why is OPC chair fighting so hard to not have a racial profiling standing committee? Answer, the mayor opposes it. It's definitely good for the profile of black communities. My family members were murdered, so I don't feel anything for you or anybody's hurt feelings if they are standing in between me and equal justice for my brother.

If you do, there's verbal flames in your future until you get out of the way, hampering justice for my brother. And then onto the next one. We will never quit. Since we know you are covering up the truth. The truth is, is that OPD is responsible for murders in the black community. I can't waste time arguing with people who want to fight me for politics or self aggrandizement or ego. That's between the individual and their own karma. But the independent job, which is mine, which is love for my family and my brothers, means that justice is my primary mission, and I will never quit until we get this justice. Equal justice for my brothers whose cases have never been investigated. The silence of everybody up there who never say anything about this, or the fact that you keep kicking the ball down the road means that you're complicit in this. The silence of all the people who don't speak about this in the CPA and all the other organizations that call in here-

Commission staff: Thank you, Mr. Bey. Chair Jackson, that's the last of your public comment.

Chair Jackson: Okay. Thank you very much. So next up is the committee report. Oh.

Commission staff: That's correct.

Chair Jackson: The committee reports.

Commission staff: Yes.

Chair Jackson: Community policing.

Comm. Harbin-Forte: Excuse me. Did we take action on that part? Where are we on that action? On that item? On the last item.

Chair Jackson: We are going to review the rule.



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- Comm. Harbin-Forte: The recommendation was that we've not approved having three report, but that we ensure that the Commission and the Commission Chair ensure that each committee gets on that agenda one each month. Each active committee.
- Chair Jackson: So my record [crosstalk].
- Comm. Harbin-Forte: And it's not going to be annual report or anything. It's going to be the people that are doing. Something that people are waiting to hear about.
- Chair Jackson: So I will recommend that you, the rules, consider that the commissions will agendize a status update from each committee at least once every other month. And that way we fold in all ad hocs and standing committees.
- Comm. Harbin-Forte: I'm sorry, every other month?
- Chair Jackson: Yes. That we'll agendize a status update from each committee at least once every other month. So that way the annual report gets in there and everybody else gets in there.
- Comm. Harbin-Forte: May I ask that you refer it back to the Rules Committee for some appropriate language?
- Chair Jackson: I am doing that. I am doing that right now.
- Comm. Harbin-Forte: We don't need to hear from the annual report committee every other month.
- Chair Jackson: [crosstalk]. I will email you what it is that I'm saying right now, but I just wanted to alert you that that's what I will send.
- Comm. Harbin-Forte: That you will refer it to the Rules Committee for a recommendation?
- Chair Jackson: Yes.
- Comm. Harbin-Forte: All right. Thank you. Thank you. That's all I wanted. Thank you.
- Chair Jackson: Okay, so let's go [inaudible] forward to the committee reports, please. Community Policing Policy.
- Comm. Hsieh: Take this. Good evening, everyone. We took a bit of a hiatus in December due to some scheduling issues, but we are back on. We had a meeting this past Saturday. This past Saturday? Sorry, I'm already losing track of the weeks.
- Comm. Howell: Yes, yes. Last Saturday, yep.



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Comm. Hsieh: Thank you. This past Saturday at 10, we really drilled down on some of the language. We're going essentially line by line, having very robust discussion about all the key points and what's going into this policy and how we want our community policing program to look like. Our next meeting will be on January 22nd at 10:00 AM. The public link will be available shortly. Appreciate all of your patience as we work through this policy. Commissioners Harbin-Forte and Howell, any other additions?

Comm. Harbin-Forte: No.

Comm. Howell: Can I make a statement?

Comm. Hsieh: Absolutely.

Comm. Howell: Okay. So... Yeah. I'd just like to make the statement about what I believe about the Community Policing Program. It's like the nature of Community Policing is to continue to move away from the military-style policing towards a community empowerment. And that's a key idea is empower the community. It should be the role of the OPD in these different areas. And then strengthening the relationship with the community requires communication. So that was one of the things we talked about at that meeting Saturday, was more emphasis on communication. Because communication is central to relationship building. And then we can allow that relationship to be the intervention as opposed to military-type use of force.

Comm. Hsieh: Well said. Thank you. I believe that completes our committee report.

Chair Jackson: Thank you very much. Chief's Performance Evaluation. Marsha you're muted.

Comm. Peterson: Sorry about that. Thank you, Chair Jackson, for the opportunity to report out on our progress. Commissioner Milele and I have been doing some solid work on this effort. And before the holiday break, we had developed a working draft of the document that we want to share with the Chief and the full Commission. And we do intend to design and promote a period for public review and input. We have a meeting scheduled for next week, so we are still moving forward and our intention remains to have this wrapped up very soon. Thank you.

Chair Jackson: Thank you very much. So for the Social Media Policy, it was set up quite some time ago before we actually were able to move forward. So our first meeting will be this coming Tuesday, January 18th, at 6:00 PM. Anyone that would like to participate on the ad hoc, please email me or Rania. But we will also have the opportunity to listen into the meeting as it happens in the same kind of format as the Community Policing, so people can hear what's going on and send to the chat and then we can address those things as they come in the next meeting.



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We want to move diligently on this because we are already looking for subject matter experts in order to facilitate a forum that will be coming soon. So that is the Social Media Policy update. Again, our first meeting will be January 18th at 6:00 PM, and feel free to email me or our Chief of Staff, Rania, if you're interested in participating on the ad hoc.

Missing Persons, now that we have passed the policy, we will retire that particular ad hoc. I was going to have Commissioner Jordan report out, but he had to leave the meeting just a few minutes ago. So that policy will close. I am announcing two more ad hocs in concert with the Judge's direction, and we will be doing those in conjunction with the police department, not after they finish the work. So that's the Risk Management Policy, and on that ad hoc will be Commissioner Peterson, Commissioner Howell, and Commissioner Gage. On the anti-discrimination ad hoc, that will be Commissioner Harbin-Forte, Commissioner Milele, and Commissioner Hsieh. I want to say that also we will... Sorry, I thought I heard someone. And so those are the committee reports as well as the new committee ad hocs and we will be getting the description of the ad hocs together to publish in the next agenda. Moving forward to the open forum, Rania.

Commission staff: Chair, I do believe you need public comment, perhaps, on this particular item before we go into public forum.

Chair Jackson: Oh, I'm sorry. Yes, absolutely. Thank you.

Commission staff: No worries. And can I also just add that I'll promote access to the social media meeting on Tuesday night, ahead of time.

Chair Jackson: Please.

Commission staff: So people can get the zoom details. Thank you for that.

Chair Jackson: That's great.

Commission staff: Members of the public wishing to make public comment on this item, the committee report-outs, please raise your hand and I'll call on you in the order that they've appeared. Sorry, I keep losing our timer. Okay, here we go. I see four hands. Anne Janks, you're up first. I've unmuted you, please go ahead.

Anne Janks: Thank you. Not to suggest postponing the social media upcoming meeting, but I would ask the commission to consider broadening that policy discussion and the outcome to include white supremacy and extremism. I mean, I just feel like the discussion... And that was an ad hoc that existed and I think it was disbanded. Much of what I think needs to be talked about in social media is what police



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officers engage with and the issue isn't solely if they're engaging in social media versus expressing it in some other way that the public is aware of, and a lot of the concerns about what they're going to be saying, whether it's in social media or in another instance. Or one of the large areas, although there are certainly others, is going to be around issues of white supremacy and extremism. And expressing in no uncertain terms, and as clearly, and as specifically as possible, what officers cannot say while serving the City of Oakland. It seems to me that trying to separate the social media discussion from that broader discussion is not fruitful and it might be worth just having those discussions at the same time. Thank you.

Commission staff: Thank you, Ms. Janks. Ms. Olugbala, I've unmuted you when you're ready.

Assata Olugbala: This Community Policing Policy... I don't know if it strictly deals with the concept of our community resource officers, those 30 something officers. Is it a possibility, the recommendation, to rethink community policing as defined in Oakland? Because, in my opinion, Community Policing is every officer is trained on how to have a relationship when they're assigned to a particular area with the people they work with.

I decided to join the NCPC year before last. I'm in Y 25. One of the things about the NCPCs is they don't have to meet... The minimum amount of times they meet is four times a year. And my Y 25 is a group that only meets four times a year. Went to one meeting, the Community Police Officer was... The Resource Officer was there on Zoom. After that, never saw him again. He was reassigned. After that second meeting, never heard from anybody telling me when the meetings are going to be [inaudible]. They have some NCPCs that are very effective, we got a lot of them that are not. So I want to broaden the opportunity for officers to have a relationship in their communities with the people they work with, are involved with. NCPCs are not broad enough to only have the focus on how we develop community policing. I personally took the effort to be a part of NCPC and it's not working in Y 25. And I don't know how many other ones it's not working. We need a broader understanding of community policing besides NCPC.

Commission staff: Thank you, Ms. Olugbala. Mr. Saleem Bey, phone number ending in 5802, when you're ready. Mr. Bey, phone number ending in 5802.

Saleem Bey: Yes. Good evening. I apologize for that. Saleem Bey. After all of that, the Chair still didn't create a Racial Profiling ad hoc nor standing committee. Racial profiling is actual language that is part of Measure LL that you, the commission that are listening to this, serve. Right? Profiling is written into the language as one of the things that the OPC must investigate. Any complaint that comes from the public that involves racial profiling, you must investigate it. It's not even an



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option. Right? But that's not happening right now. Read the law. Or ask Connor. Right? OPD profiling is at the core of Community Policing. If that is out of sync, anything you do or try will fail.

Look at the current status of safety in the black community. Compare safety in the black community versus safety in Piedmont, which is surrounded by Oakland. It's out of control, right? How long did it take for OPD to move people from writing tickets down in... Unnecessary racial profiling tickets, as the Stanford studies showed, to move them, to make sure that they're in the community that are most affected by violence, at the same time as they're crying crocodile tears that they don't have enough officers. It sounds like they actually do have enough officers to put attention into where the most violent parts of this community are. So the fact that police officers from OPD are being paid hundreds of thousands of dollars to stand around in community meetings when those hundreds of thousands of dollars should go into community programs that serve the children that OPD are lock up is a sham. Right? You're cutting headstart you're cutting progra-

Commission staff: Thank you, Mr. Bey. I am sorry to have to cut you off. I'm afraid your two minutes are up. Chair Jackson, that's it for public comment on this item. If you don't mind, can I just take us straight into open forum part two, which is the next one?

Chair Jackson: Yes, please. Yes.

Commission staff: Excuse me. Members of the public wishing to make public comment on this item, the open forum part two, please raise your hand and I'll call on you in the order that they have appeared. Just one second. Okay. Thank you for your patience. Ms. Olugbala, back to you. I've unmuted you my end.

Assata Olugbala: She just put it up. It can never be understated. How the value of worth of this Commission can never be at any substance until the Bey case is thoroughly resolved. If it wasn't for Ginale Harris, the Bey case would never been anywhere where it is now. It's been stagnated ever since Ms. Harris left, but you heard the brother say... Certain people are not going away. I'm not going away. I've been out on the streets, protesting for 30 days about an issue at the tiny homes at Lake Merritt, and I will be there until it's fixed. And I'll be in this meeting until it's fixed. So I'm going to take the time to bring up this issue. Whoever's the Inspector General needs to look at the Commission's Selection Panel. And at this coalition for police accountability and how much input they're having in this police commission and what they do.

I don't think you're going to stretch it that far, but it needs to happen. Ginale Harris was sabotaged by Gay Cobb and other members of the Selection Panel,



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and it's been brought to your attention at the process had flaws. Same thing happened with James Farmer. The Coalition for Police Accountability decided they didn't want James Farmer on there, and they worked to sabotage him. So we are going to continue to bring up the fact that Ginale Harris deserved to be on this commission, but because of inappropriateness and fraudulent misstatements and back stabbing, she has not been able to do that. But it will not be forgotten and it will not be tolerated. You cannot have a police commission who turns their back on and avoids issues like this. That means you have the capacity to do it in other areas. We will be back.

Commission staff: Thank you, Ms. Olugbala. Mr. Bey, 5802, when you're ready.

Saleem Bey: Yes. Good evening. Saleem Bey. I echo what the sister say, 100%. I also want to put down there that the new IG, Ms. Phillips, I believe it is... She's responsible for reporting to the public safety committee, which is part of the city council, which is the boss of the Oakland Police Commission to which she actually serves. So somebody is expected to make a report in the 1st of February regarding the Bey investigations. And we expect a report to be made at that time. We also would like Mr. Kennedy, Connor, to research, or somebody on the commission to ask Mr. Kennedy to research whether or not SB-16 and SB-14-21 applies to the Ross investigation and transparency before the public safety committee. Thank you.

Commission staff: Thank you, Mr. Bey. Chair Jackson, no more public comment. Can we take you back into the agenda?

Chair Jackson: Thank you. So the next item is agenda setting and prioritization. So I want to offer that we're going to plan to agendize, at our next meeting, a referral of the Bey matter to the IG for policy recommendation. I see a hand up from Commissioner Gage.

Comm. Gage: Thank you, Chair.

Chair Jackson: Hello? Okay.

Comm. Gage: A few years ago, I presented and Commission considered a policy that talked about grooming and appearance. And I'd like to bring that back up again because of some of the recent news having to do with recruitment and retention within the Oakland Police Department. There have been some changes in state law since the original proposal was brought forward that are easy to implement, are relatively straightforward, and I think would be an important symbolic step for the department to demonstrate that it is indeed looking to create a different-looking department. Now, the department is supposed to represent all of Oakland. I'm not sure when there'd be space on the





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agenda, but I'd like to think it could be brought forward for debate and potential consideration of a co-sponsorship among members of the commission in short order.

Chair Jackson: Okay. Thank you very much. Would you do me a favor and just email me the subject line?

Comm. Gage: Sure, will do.

Chair Jackson: [crosstalk]. Thank you, I appreciate it. I see a hand up by Vice-Chair Milele.

Vice Chair Milele: Thank you chair. I wanted to add to the agenda a request for the commission to be able to review and receive case materials for CPRA cases to be able to assess whether we agree with findings and give us more insight into the efficacy of the investigations.

Chair Jackson: Okay. Thank you very much. Would you also do the same thing? Just email me the top line.

Vice Chair Milele: Yes.

Chair Jackson: I appreciate it, thank you. Commissioner Harbin-Forte.

Comm. Harbin-Forte: Yes, thank you. I don't know if this needs to be an agenda item, it really is more administrative, but at the last meeting... At a prior meeting, when we revised the cover pages for the rules and the code of conduct, part of that was that those be posted on the commission's website. Commissioner Gage mentioned that the rules are still not on the website. So it really is more a follow-up, I guess. It doesn't need to be agendized unless you want a status report on it or something.

Chair Jackson: Yes. About two or three items ago, I asked Rania to post it. Perhaps you didn't hear me.

Comm. Harbin-Forte: Okay.

Chair Jackson: Okay. There are certainly still a running tab on agenda items for the future. So I will work that out with the Vice-Chair. If there are no other suggestions, we can go to public comment.

Commission staff: Thank you, Chair Jackson. Members of the public wishing to make public comment on this item, please raise your hand. I'll call on you in the order they've appeared. Up first, I see Anne Janks. I've unmuted you, Ms. Janks.



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- Anne Janks: I really want to apologize to the commissioners. I kind of promised myself three agenda items ago that I was done for the evening. But, in considering changes to the grooming and appearance proposal that was, I think, written several years ago, I just am hoping that there could be consideration of adding something around what types of tattoos are acceptable. There's a lot of tattoos that would cause concern to communities that they indicate that an officer has an affinity to some ideologies. There are other departments where there have been tattoos that were essentially gang-type tattoos that a group of officers all had together. So something that talks about tattoos, that even if the officer believes that they do not represent an ideology that is reprehensible, that if it is something that would cause concern for members of our communities, that those types of tattoos would not be acceptable. Thank you.
- Commission staff: Thank you, Ms. Janks. I'm so sorry, I started your clock late. Ms. Olugbala. I have unmuted you, my end.
- Assata Olugbala: I was saying earlier that I've been involved with a protest that involves the homeless community. I've observed that there are occasions when police are involved in what they call Encampment Management Team Process, where it involves removal of homeless from certain areas. And not only that, how the police are involved... I've seen, observed them involved with the homeless. So at some point a report-out on... There are [Pacific] officers who are assigned to engage with issues in the homeless community, and to make sure that how that process works doesn't involve any abuse or lack of dignity to those individuals would be something that I would hope you would be interested in pursuing.
- Commission staff: Thank you, Ms. Olugbala, anything else?
- Assata Olugbala: That's it.
- Commission staff: Many thanks. Chair Jackson, that was the end of your public comment.
- Chair Jackson: Okay, thank you very much. So at this point, I'm ready to adjourn the meeting. It is now 9:22, and I thank you for your time. We will be following up through ad hocs and other meetings, and we'll see you again January 27th with an eye-view to meeting in person February 10th. Thank you very much, everyone. Good night.
- Comm. Harbin-Forte: Good night, everyone.
- Vice Chair Milele: Good night.
- Chair Jackson: Night.