



OAKLAND POLICE COMMISSION

SPECIAL MEETING MINUTES

August 12, 2021, 5:30 PM

The meeting began at 5:30 pm.

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

Vice Chair Jose Dorado

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh; Alternate Commissioner Marsha Peterson

Absent/Excused: Chair Regina Jackson

II. Closed Session Item

CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6)
District's Negotiator: Ian Appleyard
Employee Organization: Oakland Police Officers' Association

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

Public Comment provided by the following speakers:
Assata Olugbala

III. Call to Order and Re-Determination of Quorum

Vice Chair Jose Dorado

Roll call: Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Commissioner David Jordan; Commissioner Tyfahra Milele; Alternate Commissioner Jesse Hsieh; Alternate Commissioner Marsha Peterson

Absent/Excused: Chair Regina Jackson

IV. Report out of Closed Session

There were no reportable actions taken.

Public Comment provided by the following speakers:
Rashidah Grinage (CPA)



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V. **Open Forum Part 1** (2 minutes per speaker, 15 minutes total)

After ascertaining how many members of the public wish to speak, Chair Regina Jackson will invite the public to speak on any items not on the agenda but may be of interest to the public, and that are within the subject matter jurisdiction of the Commission. Comments on specific agenda items will not be heard during Open Forum but must be reserved until the agenda item is called. The Chair has the right to reduce speaking time to 1 minute if the number of speakers would cause this Open Forum to extend beyond 15 minutes. Any speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

Public Comment provided by the following speakers:

Elise Bernstein (CPA)

Saleem Bey (100 Black Men of the Bay Area)

Assata Olugbala

VI. **Update from Police Chief**

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; an update on the Negotiated Settlement Agreement; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item.***

AC Darren Allison presented (on behalf Chief Armstrong) Department updates including: changes to crime statistics and data, crime trends, staffing updates, CHP augmentation and a report back on National Night Out.

Public Comment provided by the following speakers:

Anne Janks

Assata Olugbala

Saleem Bey (100 Black Men)

John Bey

Mary Vale

Mariano Contreras (Latino Taskforce + CPA)

VII. **Introduction of Rania Adwan, Chief of Staff to the Police Commission**

The Commission will welcome and introduce Ms. Adwan, the newly hired Chief of Staff to the Police Commission. ***This is a new item.***

The Commission welcomes a new Chief of Staff, Rania Adwan



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Public Comment provided by the following speakers:

Rashidah Grinage (CPA)

Assata Olugbala

VIII. **Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities**

To the extent permitted by state and local law, Executive Director John Alden will report on the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item.***

Executive Director John Alden reported on the Agency's pending cases (July), completed investigations (July) - moving to reporting these two items on a calendar month basis for greater transparency, plus a special report on CPRA staff demographics, as requested by the Commission.

Public Comment provided by the following speakers:

Rashidah Grinage (CPA)

Assata Olugbala

Saleem Bey (100 Black Men)

John Bey

IX. **CPRA and Police Commissioner Attendance at Annual Conference of National Association of Civilian Oversight in Law Enforcement (NACOLE)**

The Commission will discuss and may provide direction regarding whether CPRA staff, and members of the Commission, may attend the in-person annual NACOLE conference in Tucson, Arizona, on Dec. 12-16, 2021, given the City Council's policy urging Departments to avoid travel to Arizona. ***This is a new item.***

The Commission rejected the request to attend the conference in person and expressed disappointment that NACOLE would commit to the Tucson, Arizona venue given the State's policy related to civil rights (SB 1070) and the Oakland City Council policy denouncing it.

Public Comment provided by the following speakers:

Anne Janks

Assata Olugbala

Saleem Bey (100 Black Men)

Commissioner Harbin-Forte moves not to have the CPRA or Commission attend the NACOLE conference in person in Arizona.

Commissioner Milele seconds

Motion passes unanimously



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X. Request for Qualifications (RFQ) for Commission Counsel

The Commission will review a draft Request for Qualifications (RFQ) to retain outside counsel to the Commission, and may take action to modify the RFQ, issue the RFQ, and/or provide additional direction to staff. ***This item was discussed on 6.24.21.***

Commissioner Gage explains that the draft RFQ provided by the City Attorney was modified to be appropriately used by the Commission to seek a firm or individual to serve as Commission Attorney(s), as authorized by Measure S1. RFQ is the first step in the process. The Commission will review all responses and identify an attorney or a firm to represent and advise the Oakland Police Commission.

Public Comment provided by the following speakers:

Saleem Bey (100 Black Men)

Commissioner Gage moves for approval of the RFQ and asks the Commission to direct staff to issue the document, setting an interim timeline for responses to limit duration of RFQ to 90-days.

Commissioner Harbin-Forte seconds the motion.

The motion passes unanimously.

XI. CPRA Presentation on Racial Profiling Policy and Cases

CPRA will provide a presentation to the Commission regarding OPD's policy on racial profiling and other bias-based policing and CPRA's investigation of allegations of racial profiling and other bias-based policing. ***This is a new item.***

Requested by the Commission, Exec. Dir. Alden reported on the efforts CPRA is undertaking related to alleged racial profiling when investigating cases. Exec. Dir Alden explains the State's ban on racial profiling, as well as Oakland's policy and how both effect investigations at CPRA.

Public Comment provided by the following speakers:

Rashidah Grinage (CPA)

Assata Olugbala

Saleem Bey (100 Black Men)

XII. Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work. ***This is a recurring item.***

Rules of Procedure Ad Hoc

(Commissioners Gage, Garcia, Harbin-Forte)



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The Rules of Procedure Ad Hoc Committee has been formed to examine the organization and operation of the Commission, make recommendations designed to strengthen the Commission, improve the Commission's relationships with governmental partners, and better enable the Commission to fulfill its Charter-mandated oversight duties.

Based on feedback regarding Ad Hoc committees, policy review and public engagement process, the Ad Hoc is working to create protocols that address all three interrelated and complex issues.

Missing Persons Ad Hoc (Commissioners Jackson, Jordan)

The Missing Persons Ad Hoc Committee is tasked with reviewing and updating the OPDs missing persons policy, to ensure that it is in line with the standards of constitutional policing and evolving community values. The resulting policy will be presented for review and approval to the full Police Commission, with the intent that it be formally adopted as the guiding policy for the investigations of missing persons by the OPD.

Policy language is near completion after a line-by-line review with the intent of bringing it to the public during an upcoming public hearing, which will include SMEs and community members to provide perspective, an opportunity for the community to weigh in on language and vet for clarity. Additionally, a resource guide is being assembled (in its final stages) for victims and the families of victims; produced as a collaborative effort between City departments and outside agencies.

Community Policing Ad Hoc (Commissioners Dorado, Harbin-Forte, Hsieh)

The mission of the OPC Community Policing Ad Hoc Committee is to refine OPD Draft Policy 15-01 to assure the full implementation of Resolution 79235 and provide for specific procedures to address Beat level challenges. This mission also includes the development of Beat and block leaders into viable Citywide networks, expanded public access to information and resources as well as increased community involvement in OPD and staff training, especially that of Community Resource Officers.

Preparing a presentation for the upcoming Ad Hoc meeting to maintain momentum. Meeting every two weeks with the intention of bringing a finished product to the full commission in October.

Public Comment provided by the following speakers:

Anne Janks

Elise Bernstein (CPA)

Rashidah Grinage (CPA)

Assata Olugbala

Saleem Bey (100 Black Men)



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XIII. **Open Forum Part 2** (2 minutes per speaker)

Chair Regina Jackson will invite public speakers to speak on items that were not on the agenda, and that are within the subject matter jurisdiction of the Commission, with priority given to speakers who were unable to address the Commission during Open Forum at the beginning of the meeting. Speakers who made comments during Open Forum Part 1 will not be permitted to make comments during this Open Forum. Comments previously made during public comment on agenda items may not be repeated during this Open Forum. The Chair has the right to reduce speaking time to 1 minute for reasons the Chair will state on the record. ***This is a recurring item.***

Public Comment provided by the following speakers:

Saleem Bey (100 Black Men)

Anne Janks

XIV. **Agenda Setting and Prioritization of Upcoming Agenda Items**

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

- Rules of Procedure Ad Hoc request to present Phase 1 of their work for Commission consideration (Comm. Gage)
- Rules of Procedure Ad Hoc request the Chair to reach out to City Council to have the Ad Hoc Committee serve as a standing committee (Comm. Gage)
- Consideration to create a Standing Committee for Controlled Equipment Ad Hoc to replace the Militarized Equipment Ad Hoc, given the recent passage of controlled equipment ordinance (Comm. Gage)
- CPRA report on app usage (Comm. Hsieh)
- Request for the Chief of Police to provide info about vaccination status of OPD or explain the provision that precludes this ask (Comm. Harbin-Forte)
- Status update from Police Department about deployment of CHP in the city (Comm. Gage)

XV. **Adjournment**

Meeting adjourned at 11:30 pm