



OAKLAND POLICE COMMISSION

REGULAR MEETING MINUTES

June 13, 2024

City Hall Council Chamber (1 Frank Ogawa Plaza, Oakland)

1. Call to Order, Welcome, Roll Call, Determination of Quorum

(5:44 P.M.)

- **Chair:** Marsha Carpenter Peterson
- **Commissioners Present:** Vice Chair Karely Ordaz, Regina Jackson, Wilson Riles, Ricardo Garcia-Acosta, Angela Jackson-Castian

Commissioner Jackson-Castain via Teleconference at LS12 2NX, Leeds, UK

2. Closed Session (5:45 P.M. to 6:41 P.M.)

Topics:

- **Existing Litigation:** Delphine Allen et al., v. City of Oakland, et al. N.D. Cal No, 00-cv-4599-WHO
- **Public Employee Discipline/Dismissal/Release**
- **Public Employee Appointment/Employment: Title:** Inspector General

No Public Comments

3. Redetermination of Quorum and Read-Out from Closed Session

- **Chair:** Marsha Peterson
- **Roll Call:** Same as initial roll call.

Public Comment: (*Grinage*)

4. Open Forum Part 1

Public Comments: (Mandal; Haleem; Grinage)

- Various public speakers addressed topics outside the agenda but related to the Commission's work.
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5. PUBLIC FORUM HEARING: Discussion of the Mayor's Budget for the Oakland Police Department

The Commission invited public feedback and discussion of the Mayor's budget for OPD to inform the Commission's recommendations to the Mayor and City Council.

Oakland Charter §604(b)7

Review the Mayor's proposed budget to determine whether budgetary allocations for the Department are aligned with the Department's policies, procedures, customs, and General Orders. The Commission shall conduct at least one public hearing on the Department budget per budget cycle and forward any recommendations for change to the City Council.

Topics:

- **Skelly Hearings and Staffing:** Discussion on the need to increase the number of officers available to conduct Skelly hearings, streamline the process, and reduce administrative leave times.
- **Mental Health Budget:** Motion to increase the mental health budget by 20% due to increased stress on officers.
- **Public Comments:** Community members voiced concerns about the Mayor's budget proposal, particularly regarding staffing shortages and its impact on public safety and response times.

Next Steps:

- **Reporting:** The Oakland Police Department is expected to provide details on pending Skelly cases, including the number of cases, the duration they've been pending, and the reasons for delays.
- **Follow-up Meetings:** Continue discussions on improving the efficiency of the Skelly hearing process, with potential exploration of contracting outside Skelly officers.
- **Mental Health Budget Implementation:** The increased budget proposal will be further discussed and implemented as needed.

Commissioner Comments for Public Forum Hearing:

- **Support for Mental Health Budget Increase:** Commissioners unanimously supported increasing the mental health budget by 20%, recognizing the growing stress and pressure on officers.
- **Concerns About Skelly Hearing Process:** Commissioners expressed concerns about the delays in Skelly hearings, urging for more streamlined processes and better utilization of available officers.
- **Cultural Shift and Community Engagement:** Several commissioners emphasized the need for ongoing cultural changes within the Oakland Police Department, particularly in addressing systemic issues and ensuring constitutional policing.
- **Future Focus:** The commission highlighted the importance of continuing to monitor and improve internal processes, ensuring that the department's operations align with community expectations and legal requirements.

Public Comments for Public Forum Hearing: *(Mandal; Grinage; Singleton)*

- **Concern Over Budget Cuts:** Multiple community members expressed concerns about potential budget cuts to the Oakland Police Department, particularly regarding civilian positions like evidence technicians and criminalists, emphasizing the negative impact on public safety and crime scene processing.
 - **Call for Efficient Resource Use:** Commenters suggested reallocating resources, such as moving internal investigations to civilian oversight bodies, to free up officers for public safety duties.
 - **Support for Increased Mental Health Resources:** There was public support for the proposed increase in the mental health budget, highlighting the importance of addressing officer wellness and its impact on job performance.
 - **Accountability and Cultural Change:** Some speakers highlighted the need for ongoing accountability and cultural shifts within the department, noting past issues and the importance of adhering to constitutional policing standards.
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6. Update from Oakland Police Department (OPD)

Topics:

- **Staffing and Resource Allocation:** Discussions on increasing the number of officers and investigators to address backlogs in Skelly hearings and reduce administrative leave durations.
- **Budget Concerns:** Consideration of the financial impact of maintaining officers on administrative leave and the potential reallocation of resources.
- **Cultural and Procedural Changes:** Emphasis on addressing the internal culture and improving processes related to discipline and due process.

Next Steps:

- **Increase Skelly Hearing Officers:** Actively recruit and assign more officers as Skelly hearing officers to reduce case backlogs.
- **Evaluate and Adjust Procedures:** Review and potentially revise procedures related to Skelly hearings, particularly in determining whether officers wish to appeal disciplinary actions.
- **Expand Administrative Roles for Officers on Leave:** Explore opportunities for officers on administrative leave to take on light or modified duty assignments.
- **Engage in Ongoing Cultural and Structural Reviews:** Continue efforts to address and evolve the internal culture of the department, especially in alignment with constitutional policing standards.

Public Comments: *(Grinage)*

7. Ad Hoc Committee Reports

Negotiated Settlement Agreement (NSA) Ad Hoc: (Commissioners Peterson (Chair), Jackson, Ordaz)

Topics:

- **Meeting Judge's Order:** The Ad Hoc Committee is focused on complying with the judge's order to discuss the future of the NSA, including whether the monitors should stay, be eliminated, or have their duties modified.
- **Cultural Accountability:** Continued focus on addressing cultural issues within the Oakland Police Department, including racial profiling and broader implications on constitutional policing.
- **Sustainability of Reforms:** Discussion on the sustainability of reforms implemented under the NSA and how they can be maintained after the monitors' potential departure.

Next Steps:

- **Develop NSA Statement:** Finalize the Commission's statement to the Federal Monitor, incorporating community feedback and concerns about cultural accountability.
- **Organize Key Stakeholder Meeting:** Work towards organizing the meeting as directed by the judge, involving all relevant parties to discuss the future of the NSA and its monitoring processes.
- **Continue Community Engagement:** Keep engaging community members in discussions about the NSA and its impact, ensuring their input is reflected in the Commission's actions and recommendations.

Enabling Ordinance Ad Hoc: (Commissioners Peterson (Chair), Garcia-Acosta, Jackson)

Topics:

- **Review of City Council Edits:** The Ad Hoc Committee is focused on reviewing the recent edits made by City Council members to the enabling ordinance that governs the Commission's work.
- **Feedback and Recommendations:** The committee is working on providing feedback, comments, and recommendations to City Councilmembers Kalb and Jenkins regarding these edits.
- **Meetings with Council Members:** Planning to meet with City Councilmembers Kalb and Jenkins, who endorsed these edits, to discuss potential revisions and improvements.

Next Steps:

- **Finalize Comments:** Continue reviewing the ordinance edits and finalize the committee's comments and questions.
- **Engage with Council Members:** Set up meetings with City Councilmembers Kalb and Jenkins to discuss the committee's feedback and reach a consensus on any necessary revisions.
- **Draft Final Recommendations:** Prepare and submit the committee's final recommendations to City Councilmembers Kalb and Jenkins for consideration.

Racial Profiling Ad Hoc: (Commissioners Jackson (Chair), Garcia-Acosta, Peterson)

Topics:

- **Update of Racial Profiling Policy (M-19):** The committee is focused on updating the existing racial profiling policy to include stronger accountability measures.
- **Cultural Accountability Statement:** Development of a cultural accountability statement to address historical and systemic issues related to racial profiling.
- **Discipline Recommendations:** Establishing clear discipline protocols for violations of the racial profiling policy.
- **Training Document:** Creating a comprehensive training document in collaboration with Dr. Eberhardt to support the updated policy.

Next Steps:

- **Complete Training Document:** Finalize the training document with Dr. Eberhardt's guidance.
- **Consult Stakeholders:** Engage with community members and stakeholders for additional input.
- **Review and Approval:** Submit the final policy, accountability statement, and training document for approval by the Commission and OPD leadership.
- **Implementation:** Plan the implementation and monitoring of the updated policy and training across the department.

Community Policing Ad Hoc: (Commissioners Riles (Chair), Jackson, Garcia-Acosta)

Topics:

- **Review of Pursuit Policy:** The ad hoc will review the existing pursuit policy, particularly in response to concerns from retail shops and community members about aggressive pursuits.
- **Community Involvement in Pursuit Tracking:** Exploring alternative methods for community involvement in tracking suspects that do not involve vehicle pursuits.
- **Potential Role in Reviewing AB 2773:** Assessing the relevance of AB 2773 regarding police stops and whether this should be included in their scope of work.

Next Steps:

1. **Schedule and Conduct Review:** The ad hoc committee is set to begin its work with a meeting scheduled for June 19th.
2. **Engage with Community:** Involve community groups and neighborhood associations in discussions about non-vehicle pursuit tracking methods.
3. **Prepare Report for City Council:** Draft and submit a report to the City Council by early September with recommendations based on their findings and community input.

Staff Searches Ad Hoc: Inspector General: (Commissioners Jackson (Chair), Garcia-Acosta, Peterson)

Topics:

- **Recruitment for Inspector General (IG):** Focused on filling the IG position following the current IG's departure to Minneapolis.
- **Administrative Analyst and Project Manager Positions:** Recruitment and hiring processes for these roles are ongoing.
- **Utilizing Subject Matter Experts:** Involvement of experts in oversight and accountability to assist in the IG recruitment process.

Next Steps:

- **Finalize IG Recruitment:** Complete the recruitment process by the end of June, with a goal to have interviews and possibly a hire by the time of the September CMC.
- **Hire Administrative Analyst:** Begin reviewing resumes and proceed with hiring within the next month or six weeks.
- **Select Project Manager:** Continue the selection process with the aim to have the project manager onboard by mid to late September.

Annual Report Ad Hoc: (Commissioner Peterson(Chair), Ordaz, Jackson)

Topics:

- **Drafting the 2023 Annual Report:** Review and revision of the draft report, which outlines the Commission's work and accomplishments.
- **Collaboration:** Input from Commissioner Ordaz, Commissioner Jackson, and the Chair, supported by the Chief of Staff, Mykah Montgomery.
- **Finalization:** Preparation of the report for presentation to the full Commission before it is finalized and sent to print.

Next Steps:

- **Complete Review:** Finalize the draft and incorporate any necessary changes.
- **Commission Review:** Present the final draft to the full Commission for approval.
- **Publication:** Prepare the report for printing and public distribution.

Public Comments: (*Grinage*)

8. Cancellation of Commission Meetings on [September 12, 2024](#); [November 28, 2024](#); [December 26, 2024](#)

- **Motion Made by:** Commissioner Jackson
 - **Motion:** To cancel Commission meetings scheduled for September 12, 2024, November 28, 2024, and December 26, 2024.
- **Seconded by** Commissioner Garcia-Acosta

No Public Comments

Vote:

- **Ayes:** All Commissioners present
- **Nays:** None

Result: The motion passed unanimously; the specified meetings were canceled.

9. Upcoming / Future Agenda Items

- **Rules and Procedures Ad Hoc:**
 - Transition from Enabling Ordinance Ad Hoc to Rules and Procedures after current tasks are completed.
- **Discipline Matrix Ad Hoc:**
 - Transition from the Racial Profiling Ad Hoc to focus on the Discipline Matrix.
- **Senate Bill 2 (SB 2):**
 - Continued discussion and monitoring of SB 2 implementation.
- **Paid Leave Policy:**
 - Ongoing discussions regarding the OPD's paid leave policy.
- **Police Chief Evaluation:**
 - Formation of an ad hoc committee for the upcoming police chief evaluation.
- **Retreat Planning:**
 - Scheduling and planning for the Commission retreat.
- **Staff Searches Updates:**
 - Continuous updates on the Inspector General search and related staffing matters.

Public Comments: *(Janks)*

10. Open Forum Part 2

No Public Comments

11. Re-adjourn to Closed Session (if needed) and Read-Out of Closed Session (if any)

No additional closed session was required.

12. Adjournment

- The meeting adjourned at 8:47 P.M.

Draft