



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

March 14, 2024 - 5:30 PM

City Hall Council Chambers (1 Frank H. Ogawa Plaza, Oakland)

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing, and to oversee the Office of the Inspector General, led by the civilian Office of Inspector General for the Department, as well as the Community Police Review Agency (CPRA), led by the Executive Director of the Agency, which investigates police misconduct and recommends discipline.

Please note that Zoom links will be to observe only. Public participation via Zoom is not possible currently.



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PUBLIC PARTICIPATION

The Oakland Police Commission welcomes public participation. During this time of transition back to in-person meetings, we are currently prohibited from implementing hybrid meetings. Please refer to the ways in which you can observe and/or participate below:

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting by video conference, please click on this link <https://us02web.zoom.us/j/86474910850> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a webpage entitled "Joining a Meeting"
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 669 444 9171 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 931 3860

Webinar ID: 864 7491 0850

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

Use of Zoom is limited to observing, public comment will not be taken via Zoom

PROVIDE PUBLIC COMMENT IN PERSON:

- Public comment on each agenda item will be taken. Members of the public wishing to comment must fill out a speaker card for each item they wish to comment on. Speaker cards will be accepted up until Public Comment for each item. Please submit your cards to the Chief of Staff before being recognized by the presiding officer.
- Comments must be made on a specific agenda item covered in the meeting that the comment was submitted for, and that item must be written on the speaker card, or they will be designated open forum comments.
- Comments designated for open forum, either intentionally or due to the comments being outside of the scope of the meeting's agenda, and submitted without including a written agenda item, will be limited to one comment per person.

E-COMMENT:

- Please email written comments to opc@oaklandcommission.org. E-comments must be submitted at least **24 hours** prior to the meeting with the agenda item to which it pertains. Open Forum comments are limited to one per person.



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- I. **Call to Order, Welcome, Roll Call and Determination of Quorum, and (Read-Out from Prior Meeting, if any).**
Chair Marsha Peterson
Roll Call: Vice Chair Karely Ordaz; Commissioner Jesse Hsieh; Commissioner Regina Jackson; Commissioner Wilson Riles Jr.; Commissioner Angela Jackson-Castain; Alternate Commissioner Ricardo Garcia- Acosta
- II. **Closed Session (approximately 5:30 p.m. - 6:30 p.m.)**
The Police Commission will take Public Comment on the Closed Session items.

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 EMPLOYEE APPOINTMENT
(Government Code Section 54957(b)) Title:
Chief of Police

CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION (Government Code Section 54956.9(d)(1))
Delphine Allen et al., v. City of Oakland, et al. N.D.Cal No, 00-cv-4599-WHO

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Government Code Section 54957(b))
Title not disclosed under personnel privacy laws, California's Brown Act, and City's Sunshine Ordinance
The Police Commission will take Public Comment on the Closed Session items.
- III. **Redetermination of Quorum and (Read-Out from Closed Session and/or announcements, if any)**
Chair Marsha Peterson
Roll Call: Vice Chair Karely Ordaz; Commissioner Jesse Hsieh; Commissioner Regina Jackson; Commissioner Wilson Riles Jr.; Commissioner Angela Jackson-Castain; Alternate Commissioner Ricardo Garcia- Acosta
- IV. **Open Forum Part 1** (2 minutes per speaker, 15 minutes total)
Members of the public wishing to address the Commission on matters that are not on tonight's agenda but are related to the Commission's work should submit a speaker card prior to this item. Comments regarding agenda items should be held until the agenda item is called for discussion. Speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2. ***This is a recurring item.***



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V. Office of the City Attorney (OCA) Semiannual Report

Deputy City Attorney Veronica Harris will provide a semiannual report on behalf of OCA.

*This is a recurring item (Semi-annual). **This is a recurring item.** (Attachment: Agenda Item # V)*

- a. Discussion
- b. Public Comment
- c. Action, if any

VI. Update from Office of the Inspector General (OIG)

Inspector General Michelle N. Phillips will provide an update on the OIG's work. Topics discussed in the update may include project priorities under the City Charter, project updates, high level budget overview and next steps. Director Kiana Gums will present the 2024-2026 OIG Strategic Communications Plan. ***This is a recurring item.*** (Attachment: Agenda Item # VI)

- a. Discussion
- b. Public Comment
- c. Action, if any

VII. Update from Oakland Police Department (OPD)

Representatives of the Oakland Police Department will provide an update. Topics discussed in the update may include NSA Updates, risk analysis, crime response, a preview of topics which may be placed on a future agenda, responses to community member questions, and specific topics requested by the Commission.

This is a recurring item. (Attachment: Agenda Item # VII)

- a. Discussion
- b. Public Comment
- c. Action, if any

VIII. Approval of Reporting Template for OPD's Monthly Presentation to Commission

This template is to provide focus and guidance to the Department in its presentation to the Commission at Commission meetings. The template is framed by the duties and functions of the Commission to ensure the Department minimally conforms with national constitutional policing standards as set forth in the City Charter and Oakland Municipal code. (Attachment: Agenda Item # VIII)

- a. Discussion
- b. Public Comment
- c. Action, if any

IX. Oakland Police Commission Midcycle Budget Adjustment: The Budget Ad Hoc Committee will present the Commission's adjusted budget proposal based on its responsibilities outlined in Section 2.45.180(A) of the Municipal Code. (Attachment: Agenda Item # IX)

- a. Discussion
- b. Public Comment
- c. Action, if any



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X. Ad Hoc Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work.

This is a recurring item.

Police Chief Search (Commissioners Peterson (Chair), Ordaz, Jackson)

The Chief of Police Search Ad Hoc committee is tasked with leading the executive search process with the search firm consultants.

- a. Discussion
- b. Public Comment
- c. Action, if any

Retreat Ad Hoc (Commissioners Jackson-Castain (Chair), Jackson, Ordaz)

The Racial Profiling Ad Hoc committee serves as a dedicated forum to address the complex issues of racial profiling while promoting community policing principles. The goal is to create lasting improvements in law enforcement practices and relationships between the police and the diverse communities they serve.

- a. Discussion
- b. Public Comment
- c. Action, if any

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

The Community Policing Ad Hoc committee is dedicated to developing a new policy directing the Oakland Police Department's role in Community Policing. This project began in earnest in July 2021 in partnership with community leaders, activists, police officers, and city staff. OPD has resubmitted the policy with amendments for review by the Ad Hoc, which reconvened in June 2023.

- a. Discussion
- b. Public Comment
- c. Action, if any

XI. Upcoming / Future 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.

The Commission will work on creating a list of agenda items for future meetings.

This is a recurring item.

- a. Discussion
- b. Public Comment
- c. Action, if any

XII. Open Forum Part 2 (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should submit a speaker card prior to the start of this item.

Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission's Chairperson. ***This is a recurring item.***



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

XIV. Adjournment

NOTICE: In compliance with the Americans with Disabilities Act and Equal Access Ordinance, for those requiring special assistance to access the videoconference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact the Police Commission's departmental email at OPC@oaklandcommission.org for assistance. Notification at least 72 hours before the meeting will help enable reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids, or services.

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara J. Parker
City Attorney

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March 8, 2024

OAKLAND POLICE COMMISSION

Re: Office of the City Attorney's Support for the Police-Discipline Process and Recent Arbitration Decisions

Police Commission Chair Peterson and Members of the Oakland Police Commission:

I. INTRODUCTION

This report summarizes recent efforts by the Office of the City Attorney (OCA) to help improve the police-discipline process, including the outcomes of recent arbitration hearings.

Our last report was dated May 10, 2023.

II. CIVIL MATTERS

Leal, et al. v. City of Oakland, et al.
Alameda Superior Court – Case No. 22CV012266

When we last reported to the Commission, in May 2023, oral argument for this case had recently been completed.

As a reminder regarding the factual and procedural background: Petitioners sought a writ of mandate in Alameda Superior Court, challenging the City's denial of their untimely grievance of discipline. Petitioners are a police canine officer and sergeant who the City disciplined for their involvement in an out-of-compliance canine bite that caused serious injury to a member of the public. The underlying case was also investigated by the Community Police Review Agency (CPRA). The CPRA Director and the Chief agreed on both the sustained findings and the discipline imposed. Petitioners allege they are entitled to grieve their discipline and to an administrative appeal because the City's notices of discipline were inadequate.

The Court issued its order on May 16, 2023, and ruled in favor of the petitioners/grievants, ordering the grievances to go forward on the merits. Importantly, however, the Judge Roesch found that the City provided proper notice and followed all required procedures. Thus, the Judge ordered that despite the grievances moving forward the officers cannot seek backpay. In other words, even if it is determined that the officers did not violate a

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rule they were sustained for and thus the discipline must be lowered or rescinded, the City need not reimburse the officers in relation to the same.

Armstrong v. City of Oakland, et al.

Alameda Superior Court – Case No. 24CV062749

Armstrong filed a lawsuit last month in Alameda County Superior Court. He alleges that his termination by the Mayor was unlawful and retaliatory for his having made public statements (while he was on paid administrative leave) that were critical of federal monitor Robert Warshaw and of the underlying investigative reports that contained sustained findings that he had violated two OPD rules and had not been credible. He alleges two retaliatory termination causes of action for violation of his rights under (1) the state whistleblower statute (Labor Code § 1102.5) and (2) the First Amendment of the Constitution (Free Speech).

III. TRAININGS

OCA has provided support and guidance to OPD's discipline process by participating in various trainings of OPD personnel. This includes both informal training which happens continuously and more formal trainings.

OCA is currently working on several trainings supporting investigations and accountability at OPD. In addition to working with OPD regarding these trainings, OCA has been collaborating with the Community Police review Agency (CPRA) to both: (1) ensure trainings regarding police accountability in the City are consistent; and (2) take advantage of the investigative and oversight expertise within CPRA. For example, our office recently worked with the CPRA Executive Director, Supervising Investigator, and outside counsel to develop training regarding investigative plans. We then provided this training in November 2023 to both IAD and CPRA leadership to further the development of appropriate planning both at the onset and throughout investigations. OCA is currently working with CPRA on training regarding tolling of investigations and to support OPD in training regarding police accountability and internal investigations in its continued professional training (CPT) programs.

OCA continues to support OPD in creating trainings regarding various topics that relate to the recommendations arising from the outside investigations conducted by Clarence Dyer & Cohen LLP, including but not limited to, investigative sufficiency, collecting and assessing evidence, conflicts and recusals, and conducting parallel criminal and administrative investigations. OCA also intends, to continue to include CPRA leadership in developing and conducting these trainings as appropriate and as described above.

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Re: OCA's Support for the Police Discipline-Process and Recent Arbitration Decisions**IV. ARBITRATIONS**

Since our last report, we have received arbitration decision related to OPD accountability.

	GRIEVANT/VIOLATION	CITY'S DISCIPLINE	ARBITRATOR'S DECISION	DECISION DATE
1	Officer X Custody/Treatment of Prisoners	2-day suspension	Grievance Sustained	January 11, 2024

V. OTHER EFFORTS - TRANSPARENCY

Senate Bills 1421 and 16, which amended Penal Code § 832.7(b) under the Penal Code § 832.7(b) allow for disclosure of certain categories of Oakland police records that were previously confidential. Transparency is essential to accountability, and thus OCA has dedicated, and will continue to dedicate significant resources to make police personnel records accessible to the public. During our last presentation, we announced that the police personnel records website is live: <https://www.oaklandca.gov/topics/sb-1421-police-personnel-records>. This website provides easier access and greater ability to search for desired records, for example, organizing the cases by disclosable category and allowing searches across cases by officer name. We launched the website in April of 2023 with new cases typically being added on a weekly basis. Available through the website, are 165 cases the City has published, which amount to more than 30,300 records.

We welcome feedback from both the Commission and public regarding future improvements to this website to further the goal of transparency to the greatest extent possible under the law. At the conclusion of our presentation, members of the public requested information regarding the lawsuits filed against the City related to OPD public records requests. The following is a status update regarding the same.

In late 2020, two lawsuits were filed against the city related to public record requests for OPD records. *BondGraham, et al. v. City of Oakland, et al.*, was brought by two journalists based on overdue responses to approximately 30 requests for police personnel records under SB1421. The second lawsuit, *Morris, et al. v. City of Oakland, et al.*, is a class action resulting from nearly 5,700 then outstanding requests, approximately 124 of which were SB 1421 records request.

BondGraham, et al. v. City of Oakland, et al.
Alameda Superior Court – Case No. RG20071657

In April 2021, the court ordered the city to produce all responsive documents with productions every two weeks and establish a process to review and, if necessary, litigate the substance of redactions. Our office dedicated an enormous amount of resources to complying with the writ, including more than 5,000 hours of attorney and staff time and engaging additional

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numerous contracted employees. As of December 2021, the work was 95% complete. In October 2022, the City settled the case for \$105,000 in fees and costs.

Morris, et al. v. City of Oakland, et al.,
Alameda Superior Court – Case No. RG20072029

The City settled this case with, among other things, an agreement to clear the backlog of requests. Currently, the City is very close to clearing the backlog, with just one non-SB-1421 request remaining and four redundant requests for all SB 1421 materials.

VI. SETTLEMENTS PAYMENTS RELATED TO POLICE CONDUCT

In the decade between January 2011 and December 2021, the City paid approximately \$35,046,000 in litigation-related settlements involving OPD employees. Attachment I contains a breakdown of these litigation-related settlement payments.

Between January 1, 2022 and January 31, 2024, as we have reported to the Commission, there have been two arbitration decisions (including the one reported above), in which the arbitrator has ordered backpay for OPD officers. The first case, involving an intentional failure to activate body worn camera and inaccurate police report, for which a seven-day suspension was imposed, resulted in a payout of \$3,500. The payout amount for the latter case, includes backpay related to a suspension served in the amount of approximately \$1,100; and back pay related to disqualification from being a field training officer as a result of the sustained allegation. The amount payable was not yet finalized as of the time of this report.

During this time frame, there were ten other cases that were settled prior to scheduling an arbitration, or prior to an arbitration decision. They involved the following MORs: Use of Force; Performance of Duty General; Performance of Duty- PDRD; Unauthorized Use of Electronic Systems; Conduct Towards Others; Reports and Bookings; Departmental Property and Equipment-Preventable Collision; Truthfulness; Interfering with an Investigation; Retaliation; Obstructing Internal Affairs Process; Failure to Accept or Refer Complaint; and Violation of AI-71-disparaging comments. These cases involved backpay for suspensions served as a result of the sustained findings and resulted in reimbursements for a total of twenty suspension days.

VII. CONCLUSION

OCA respectfully submits this report.

BARBARA J. PARKER
City Attorney



By: Veronica Harris
Special Counsel

Litigation settlements related to police conduct - 2011 - 2021

Lawsuit settlements

File Name	Court #	Cause Description	Dispo Date	Settlement
Buenostros, Sr., Jose and Buenrostros, Hall, Lorenzo	C09-00786-EMC C09-01047-PJH	Police: Force - Wrongful Death	01/20/2011	\$ 500,000.00
Ambrose, Leonard and Thomas, Castillo, Raymond	RG08414739 C09-04679-PJH	Police: Non-Force Civil Rights	03/10/2011	\$ 300,000.00
Laughlin, Douglas	C10-02422 BZ	Police: Conduct - Non-force	04/21/2011	\$ 5,000.00
L.S., by and through his G.A.L. Laurian Gums, Frederick J.	C09-03004-CW C09-05536 EDL	Police: Force - Civil Rights	04/22/2011	\$ 412,500.00
Williams, Jimmy	C10-05266-BZ	Police: Force - Civil Rights	06/30/2011	\$ 175,000.00
Estate of Amaro III, Jerry A; Montoya, Geradine; Montoya, Stephanie	C09-03004-CW C09-05536 EDL	Police: Force - Shooting Non-Fatality	06/30/2011	\$ 550,000.00
Willis, Lillie, and Oliver, Lavita	C10-05266-BZ	Police: Force - Civil Rights	08/10/2011	\$ 7,500.00
Escamilla, Josefina, et al	C09-01019-MEJ / 10-80058	Police: Force - Civil Rights	11/16/2011	\$ 43,000.00
Langston, Cynthia	C09-01019-MEJ / 10-80058	Police: Force - Wrongful Death	12/01/2011	\$ 1,700,000.00
McCormick, Michael S.	C 04 2305 VRW	Police: Force - Wrongful Death	01/11/2012	\$ 40,000.00
Dickerson, Desmond J.	C10-03334 BZ	Police: Force - Non-Civil Rights	01/26/2012	\$ 5,000.00
Carter, Carlos	C10-01084-SI	Police: Non-Force Civil Rights	02/03/2012	\$ 2,750.00
Randall, Sharon, GAL for Jamar	RG11606177	Police: Misc	02/08/2012	\$ 1,228.00
Bryant, a minor; & Randall, Sharon	C10-00435-EMC	Police: Force - Non-Civil Rights	02/28/2012	\$ 22,000.00
Brown, Antonea	CV-11-4982-EDL	Police: Force - Civil Rights	06/28/2012	\$ 5,000.00
Mendoza, Marisela	CV-11-3288-JSC	Police: Force - Civil Rights	06/28/2012	\$ 5,000.00
Osborn, John Weston	C11-03373-JCS	Police: Force - Civil Rights	06/30/2012	\$ 7,500.00
Brown, Courtney	RG11577166 / RG11586525	Police Conduct: Chase/Personal Injury	06/30/2012	\$ 7,500.00
Okoli, Ndukwe	RG11587945	Police: Force - Civil Rights	02/26/2013	\$ 13,300.00
Kountz, Rashan et al. (Johnson, Romerson, Thomas	C11-04904 DMR	Police: Force - Civil Rights	03/08/2013	
Johnson, Stephen	C11-04907 MEJ	Police: Force - Civil Rights	03/08/2013	
B.M., a minor, G.A.L. Felicia Williams	C09-05316-JCS	Police: Force - Civil Rights	03/08/2013	
Taylor, James and Forbes, Robert	C11-04908 EMC	Police: Force - Civil Rights	03/08/2013	
Foster, Darnell, Duarte, Rafael; Yancie	C11--04905 LB	Police: Force - Civil Rights	03/08/2013	
Rider, Jimmy	C11-04903 JSW	Police: Force - Civil Rights	03/08/2013	
Moore, Tyrone; Wash, Deandre	C 04-04843 MHP	Police Conduct - Strip Search	03/08/2013	\$ 4,779,969.97
Miller, Jeffrie; Tillman, Richard; et al.	C05-03110 MHP	Police Conduct - Strip Search	03/08/2013	
Smith, John; Davis, Robert, et al	C05-03204 MHP - ADR	Police Conduct - Strip Search	03/08/2013	
	C06-02426	Police Conduct - Strip Search	03/08/2013	
	C07-01773 EDL	Police Conduct - Strip Search	03/08/2013	
	C07-06298 JCS	Police Conduct - Strip Search	03/08/2013	\$ 1,077,753.66

Litigation settlements related to police conduct - 2011 - 2021

Ward, David; Tyson, James et al.	C07-04179-MHP	Police Conduct - Strip Search	03/08/2013	
Moore, Orlando (Turner, Terrell) et al.	C08-03114BZ	Police Conduct - Strip Search	03/08/2013	
Quincy, Smith; Coley, Lawrence; Brown, Courtney, et al.	C08-04255MHP	Police Conduct - Strip Search	03/08/2013	
Noble, Jr., Larry	C11-04906 EDL	Police Conduct - Strip Search	03/08/2013	
Smith, Quincy	C11-04909 DMR	Police Conduct - Strip Search	03/08/2013	
Coley, Lawrence	C08-4255 EMC	Police: Force - Civil Rights	03/17/2013	
Johnson, Vernesta; Estate of Arthur Raleigh; Munaf, Rubina; GAL to SM	C12-01725 LB	Police: Force - Wrongful Death	06/27/2013	\$ 50,000.00
Campbell, Timothy, et al. (Occupy)	CV 11-5498 RS	Police: Non-Force Civil Rights	06/30/2013	\$ 1,170,000.00
Jones, Nellie; Jones, Frank (multiple)	C11-03470-EDL	Police: Force - Wrongful Death	06/30/2013	\$ 225,000.00
Spalding, Daniel et al.	C11-02867- HEN	Police: Non-Force Civil Rights	09/24/2013	\$ 850,000.00
Ubogy, Seth & Threet, Jerry	RG11596764	Police: Towing - Red Zone, Tickets, etc.	09/26/2013	\$ 5,000.00
Gardner, Keyon & Potts, Kelvin, Jr.	C12-02926-NC	Police: Force - Civil Rights	10/18/2013	\$ 5,000.00
Mora, Erica	RG13694244	Police: Conduct - Non-force	11/20/2013	\$ 5,000.00
Upshaw, Kazeem	C11-05044 DMR	Police: Force - Civil Rights	12/09/2013	\$ 65,000.00
Sabeghi, Kayvan (Occupy)	C-12-06057-JSC	Police: Force - Civil Rights	01/16/2014	\$ 645,000.00
Ovetz, Robert (Occupy)	C12-06180 LB	Police: Force - Civil Rights	01/27/2014	\$ 48,500.00
Jones, Tony Ray	CV-12-1416-MEJ	Police: Force - Shooting Non-Fatality	03/04/2014	\$ 125,000.00
Chuman, Brandon	C13-02186	Police Conduct: Canine Unit Incidents	04/10/2014	\$ 30,000.00
Olsen, Scott (Occupy)	C12-06333-LB	Police: Force - Non-Civil Rights	05/22/2014	\$ 4,500,000.00
Wendt, John	RG13666136 RELATED TO RG126517	Police: Towing - Red Zone, Tickets, etc.	07/17/2014	\$ 69,750.00
Dixon, Peter	C12-5207-DMR	Police: Force - Civil Rights	07/22/2014	\$ 25,000.00
Olajide, Ronald Royede	C12-4303-NC / 12-17047	Police: Force - Civil Rights	08/25/2014	\$ 5,000.00
Olajide, Ronald Boyede	12-17047	Police: Force - Civil Rights	08/25/2014	
Hickman, Marva L.	C14-00549 SI	Police: Towing - Red Zone, Tickets, etc.	11/05/2014	\$ 2,600.00
Cicelske, Matthew (Estate of)	RG12615809 / C13-0379 JSC	Police: Force - Wrongful Death	12/11/2014	\$ 75,000.00
Cordova-Munoz, Abel, et al	RG09489243	Police: Force - Civil Rights	12/19/2014	\$ 25,000.00
Clay, Rickey aka Bakari Olatunji	C13-4633-NC	Police: Force - Civil Rights	02/11/2015	\$ 40,000.00
Arsalai, Mohammed Harun et al.	RG11565214	Police: Force - Civil Rights	02/25/2015	\$ 40,000.00
Bates, Russell	C14-01984-VC	Police: Force - Civil Rights	02/25/2015	\$ 5,000.00
Shariff, Ibrahim	RG14710976	Police-Non/vehicle related property loss	03/23/2015	\$ 5,000.00
Angell, Steven et al. (Occupy)	C13-0190-NC	Police: Force - Civil Rights	03/27/2015	\$ 930,000.00
Hampton, Jr., Fred et al.	C13-3094-SBA	Police: Force - Civil Rights	04/01/2015	\$ 15,000.00
F.R. (minor) by and thru his g.a.l.	C14-01876-LB	Police: Force - Shooting Non-Fatality	06/12/2015	\$ 230,000.00

Litigation settlements related to police conduct - 2011 - 2021

L.W.(minor) by & thru his g.a.l.	CA14-01877-JCS	Police: Force - Shooting Non-Fatality	06/25/2015	\$	45,000.00
Burleson, Albert James	14-CV-05462-VC	Police: Force - Civil Rights	10/09/2015	\$	5,000.00
Henry, Amari by and through his	C 15-00580 KAW	Police: Force - Civil Rights	01/28/2016	\$	5,000.00
Biocini, Ana	14-CV-03315-KAW	Police: Force - Wrongful Death	02/25/2016	\$	450,000.00
Estate of Fletcher Jackson et al.	C12-02101-JCS	Police: Force - Wrongful Death	02/26/2016	\$	75,000.00
Kessee-Bridges, Kelvin Jr.		Police: Force - Civil Rights	04/13/2016	\$	4,978.00
Hutchinson, Allene (sucessor to					
Demouria M. Hogg) et al.	15-CV-05011-JCS	Police: Force - Wrongful Death	09/22/2016	\$	1,200,000.00
D.H. by and through his Guardian Ad					
Litem Teandra Butler	3:16-cv-01669 RS	Police: Force - Wrongful Death	10/04/2016		
Onwuatoogu, Philip	RG13700368	Police-Non/vehicle related property loss	11/03/2016	\$	30,000.00
Ross, Ronald	C14-00800-WHA	Police: Conduct - Non-force	07/25/2017	\$	300,000.00
Abiodun Sodipo		Police: Towing - Red Zone, Tickets, etc.	08/07/2017	\$	646.00
Shelly Watkins	17-cv-06002 JCS	Police: Force - Civil Rights	08/10/2018	\$	50,000.00
Williams, Robert Lawrence	17-cv-05238 YGR	Police: Force - Civil Rights	10/23/2018	\$	2,500.00
Dave Maass (Writ-Petition for Writ of	RG18907021	Police: Misc	12/17/2018	\$	4,616.00
S.P.W., by and through her Guardian					
ad Litem Miesha Singleton	C-17-6884-SK	Police: Force - Civil Rights	01/03/2019	\$	60,000.00
Kei Wei Lei	RG18898595/18-CV-0306LB	Police: Towing - Red Zone, Tickets, etc.	01/03/2019	\$	25,000.00
Ming Yuen, Kelley Yuen	RG18892828	Police Conduct: Chase/Personal Injury	02/27/2019	\$	5,500.00
Williams, Tyron	RG18897068	Police: Conduct - Non-force	05/10/2019	\$	9,500.00
Lieber, Michael (pro per) - Writ	RG19026289	Police: Towing - Red Zone, Tickets, etc.	08/02/2019	\$	690.00
Hamilton, Quincy	4:19-cv-04566-LB	Police: Force - Civil Rights	10/08/2019	\$	8,400.00
Sindy Padilla, Enrique Maldonado	4:18-cv-06175	Police: Force - Civil Rights	10/15/2019	\$	15,000.00
Smith, Lamesha, Crane, Chardonay,					
Warren, Gavonyah, Smith, Tyrone	18-cv-06224- EDL	Police: Force - Wrongful Death	11/15/2019	\$	250,000.00
Thompson, John Lee	18-CV-03020-JST	Police: Conduct - Non-force	12/23/2019	\$	8,000.00
T.D.P., a minor, as successor for					
Richard Hester Perkins,Jr.(deceased)	16-CV-4132 LB	Police: Force - Wrongful Death	02/26/2020	\$	250,000.00
Smith, Najari	RG19034119	Police: Force - Civil Rights	05/20/2020	\$	147,500.00
Pine, Richard (pro per)	C19-CV-2136-EDL	Police: Force - Civil Rights	07/24/2020	\$	21,000.00
Modacure, Joana	16-CV-06022-DMR	Police: Towing - Red Zone, Tickets, etc.	08/06/2020	\$	15,000.00
Highbaugh, Everette	3:20-cv-03911-WHA	Police: Force - Civil Rights	09/24/2020	\$	6,500.00
Modacure, Joanna	RG15781515	Police: Towing - Red Zone, Tickets, etc.	10/16/2020	\$	15,000.00
Cramer, Timothy A.	CV-19-7922-TSH	Police-Non/vehicle related property loss	07/27/2021	\$	5,500.00

Litigation settlements related to police conduct - 2011 - 2021

Baker, Terry	RG20054133	Police Conduct: Chase/Personal Injury	08/02/2021	\$12,000,000.00
Marowitz, Andrew (pro se)	3:21-cv-03307	Police: Towing - Red Zone, Tickets, etc.	09/21/2021	\$ 12,002.00
				\$33,878,183.63

Matters settled after a claim was filed with the City, but prior to a lawsuit being filed

File Name	Cause Description	Settlement	Dispo Date
Johnson, Juanita	Police Conduct: Chase/Property Damage	\$ 350.00	03/17/2011
La, Kevin	Police Conduct: Chase/Property Damage	\$ 1,201.01	03/17/2011
Marshall, Phyllis	Police Conduct: Chase/Property Damage	\$ 205.00	03/22/2011
Green, Lindsey	Police: Towing - red Zone, Tickets, etc.	\$ 480.00	04/05/2011
Aker, Kimberley & Jeff	Police-Non/vehicle related property loss	\$ 662.00	04/25/2011
Laval, Julia	Police Conduct: Canine Unit incidents	\$ 2,102.97	04/26/2011
Nguyen, Willie	Police Conduct: Canine Unit incidents	\$ 158.29	08/09/2011
Smith, Carol & Cartwright, David	Police Conduct: Canine Unit incidents	\$ 1,191.78	08/26/2011
Nguyen, Crystal	Police Conduct: Chase/Property Damage	\$ 2,503.36	08/30/2011
Murrell, Jeanette	Police-Non/vehicle related property loss	\$ 5,000.00	08/31/2011
Yarra, Delhia	Police-Non/vehicle related property loss	\$ 225.00	09/06/2011
Nationwide Ins. A/S/O Davison,	Police Conduct: Chase/Property Damage	\$ 879.65	10/18/2011
Scatton, Antonia	Police: Towing - red Zone, Tickets, etc.	\$ 155.00	12/22/2011
McCarter, Carolyn S.	Police-Non/vehicle related property loss	\$ 550.00	02/22/2012
Tole, Mattie	Police-Non/vehicle related property loss	\$ 367.75	02/28/2012
Gulbransen, Krista	Police-Non/vehicle related property loss	\$ 643.99	04/03/2012
Dunbar, Alvin	Police Conduct: Chase/Property Damage	\$ 1,950.00	06/29/2012
Riley, Revette L.	Police-Non/vehicle related property loss	\$ 470.00	11/16/2012
Bowers, Stephanie	Police-Non/vehicle related property loss	\$ 39,547.24	02/01/2013
Mendoza, Roberto E.	Police-Non/vehicle related property loss	\$ 13,520.00	02/12/2013
Jaramillo, Ron	Police-Non/vehicle related property loss	\$ 2,419.65	06/13/2013
Curtis, Martha	Police-Non/vehicle related property loss	\$ 129.91	08/08/2013
Burks, Johnny	Police-Non/vehicle related property loss	\$ 12,000.00	09/30/2013
Usoro, Kamila	Police-Non/vehicle related property loss	\$ 1,000.00	12/09/2013
Traylor, George T. & Pearlean	Police-Non/vehicle related property loss	\$ 309.00	12/23/2013
Johnson, James R.	Police-Non/vehicle related property loss	\$ 203.39	01/23/2014
Yu, Ken T.	Police-Non/vehicle related property loss	\$ 320.00	03/25/2014
Strickler Suttle, Annie	Police Conduct: Canine Unit incidents	\$ 615.02	04/10/2014
Symonds, Ardelle	Police Conduct: Canine Unit incidents	\$ 149.46	05/06/2014

Litigation settlements related to police conduct - 2011 - 2021

Traver, Paul	Police-Non/vehicle related property loss	\$	23,400.00	12/15/2014
Anderson, Patricia	Police-Non/vehicle related property loss	\$	2,000.00	07/27/2015
CSE Insurance a/s/o King, Susan	Police-Non/vehicle related property loss	\$	1,264.44	08/03/2015
Zinke, Sharon	Police Conduct: Canine Unit incidents	\$	553.48	08/11/2015
Mapes, Stephen James	Police: Towing - red Zone, Tickets, etc.	\$	1,717.00	12/07/2015
Bartunek, Jean	Police Conduct: Chase/Property Damage	\$	487.00	12/15/2015
Orozco, Gonzalo	Police Conduct: Chase/Property Damage	\$	4,569.60	01/13/2016
White, Darryl	Police: Jail or Property Room	\$	180.00	01/22/2016
Razor, Rael	Police Conduct: Chase/Property Damage	\$	2,703.26	04/13/2016
Pacheco, Juan Carlos	Police Conduct: Chase/Property Damage	\$	13,199.30	05/16/2016
Rasheed, Halimah L.	Police Conduct: Chase/Property Damage	\$	692.35	06/10/2016
Xu, Weizhen	Police: Force - Civil rights	\$	5,000.00	07/06/2016
Nava Nieves, Alberto A.	Police-Non/vehicle related property loss	\$	330.00	11/08/2016
Archuleta, Marie	Police Conduct: Chase/Property Damage	\$	100.00	01/06/2017
Moore, Norman	Police: Misc.	\$	250.00	01/19/2017
Read, Matthew	Police Conduct: Canine Unit incidents	\$	309.05	03/20/2017
Bellinger, Larry & Lydia	Police-Non/vehicle related property loss	\$	750.00	06/20/2017
Abuslin, Jasmine	Police: Non-Force Civil Rights	\$	989,000.00	08/23/2017
Ramirez, Lizbeth	Police: Conduct - Non-force	\$	399.00	02/26/2018
Li, Fan	Police-Non/vehicle related property loss	\$	500.00	05/21/2018
Barker, Jaryn Iris	Police-Non/vehicle related property loss	\$	1,183.18	06/04/2018
McGraw, Marika	Police-Non/vehicle related property loss	\$	450.00	06/04/2018
Beecher, David	Police: Towing - red Zone, Tickets, etc.	\$	1,300.00	07/20/2018
Galvez Patlan, Maria Lourdes	Police Conduct: Chase/Property Damage	\$	8,673.00	10/04/2018
Haralambides, Nicolas	Police Conduct: Chase/Property Damage	\$	5,386.00	04/16/2019
Bonner, Ryan	Police: Towing - red Zone, Tickets, etc.	\$	1,350.00	05/16/2019
Kim, Sang H.	Police Conduct: Chase/Property Damage	\$	795.00	07/25/2019
Wong, Elaine	Police-Non/vehicle related property loss	\$	1,800.00	09/27/2019
Murray, Brenton	Police-Non/vehicle related property loss	\$	845.00	11/05/2019
Johnson, Betty	Police Conduct: Chase/Property Damage	\$	50.00	05/14/2020
Valley Street Apartments	Police: Conduct - Non-force	\$	2,539.34	05/14/2020
Malley, Ryan	Police: Towing - red Zone, Tickets, etc.	\$	450.00	07/16/2020
Tiu, Patricia	Police: Conduct - Non-force	\$	736.96	08/11/2020
Vazquez, Lauren	Police-Non/vehicle related property loss	\$	250.00	10/01/2020
Rachesky, Jeremy	Police-Non/vehicle related property loss	\$	900.00	11/12/2020

Litigation settlements related to police conduct - 2011 - 2021

Vila, Juan	Police-Non/vehicle related property loss	\$	2,350.00	01/07/2021
Allen, Kenneth	Police: Towing - red Zone, Tickets, etc.	\$	651.00	06/03/2021
Costa, Michael	Police Conduct: Chase/Property Damage	\$	1,828.94	06/03/2021
Cao, Chunli	Police-Non/vehicle related property loss	\$	35.85	12/29/2021
		\$	1,168,288.22	



AGENDA REPORT

TO: Honorable Oakland
Police Commission

FROM: Michelle N. Phillips
Inspector General

SUBJECT: Office of the Inspector General
Informational Report

DATE: March 14, 2024

PURPOSE

The purpose of this informational report is to provide the Oakland Police Commission (“Commission”) and members of the public with updates from the Office of the Inspector General (OIG), since the Inspector General’s last presentation. In this document, the OIG provides a high-level outline of its prioritized projects and current activities. The OIG also attempts to address specific questions raised by Commissioners and community members at previous meetings. For additional context, the OIG has also included pertinent attachments that have been released since its last presentation. Through these reports, the OIG seeks to fulfill its commitment to providing transparent civilian oversight.

CITY CHARTER AND NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 OIG MANDATE)

Policy Review of Departmental General Order (DGO) M-19 – Prohibitions Regarding Racial Profiling and other Bias-Based Policing

On February 9, 2024, the OIG submitted its Policy Review of DGO-M-19: *Prohibitions Regarding Racial Profiling and other Bias-Based Policing* to the Commission and Oakland Police Department (OPD). The report included several recommendations, to which the OIG requested a response from the Commission and OPD by Monday, March 25, 2024. After receiving stakeholder responses, the OIG will release a public-facing report. This project will be completed within the fiscal year, as outlined in OIG’s Annual Audit Work Plan.

Policy Review of DGO B-08: Field Training Program

The OIG’s Policy Analyst and Inspector General are in the final stages of the Policy Review for DGO B-08: *Field Training Program*. This project was slightly stalled due to the prioritization of other time-sensitive projects and a delay in receiving data. The project will include an analysis of the relationship between OPD’s field trainers and trainee as it relates to misconduct (use of force, etc.) allegations. A detailed analysis of this data will be completed before the end of the fiscal year.

Inspections of NSA Section III: Internal Affairs Division (IAD)

The NSA outlines mandates that OPD must sustain to ensure effective and long-term police reform. After reviewing NSA Section III, the OIG identified several tasks that were categorized as “inactive.” The OIG elected to conduct an updated inspection of seven tasks in Section III, to ensure continued compliance and updated monitoring. The seven tasks are outlined in Table 1 below.

Table 1: NSA-Section III: Selected Tasks for Inspections

Task 3: IAD Integrity Tests	Task 4: Complaint Control System for IAD
Task 7: Methods for Receiving Citizen Complaints	Task 8: Classification of Citizen Complaints
Task 9: Contact of Citizen Complainant	Task 11: Summary of Citizen Complaints Provided to OPD Personnel
Task 13: Documentation of Pitchess Responses	

THE BEY MATTER (Review of IAD Cases as directed by the Commission)

In November of 2021, before the appointment of the current Inspector General, the Commission voted to refer The Bey Matter to the newly established OIG. The scope of this review, as provided to the Inspector General, was to review IAD Cases 07-0538, 13-1062, and 16-0146 for relevant lessons learned and assess whether there were any policy gaps. The case review has been completed, and the final report was submitted to the Commission on February 28, 2024. Given the report’s policy recommendations, the OIG has requested the Commission and OPD respond to the report’s recommendations by April 10, 2024, 30 business days from its original submission. Once the OIG receives stakeholder responses, a public synopsis will be released. This project will be completed within the fiscal year, as outlined in OIG’s Annual Audit Work Plan.

THE CLARENCE, DYER & COHEN (CDC) REVIEW

On July 13, 2023, the Commission directed the OIG to review the CDC Reports relating to IAD Case 21-0862. The objective of this project was to identify policy recommendations, if any and determine the appropriateness of discipline. The OIG provided the final report to the Commission on January 23, 2024. The OIG did not have any additional recommendations, outside of those listed in one of the CDC reports and approved by the Commission at the end of 2023. Nevertheless, the OIG determined that an evaluation/review of the updated policies should be conducted after OPD’s successful implementation and training. With no additional policy recommendations, the OIG did not request a response from any stakeholders. This project was an item within OIG’s Annual Audit Work Plan.

CITY COUNCIL POLICY DIRECTIVE-OPD STAFFING STUDY

In consultation with City Administration, the OIG selected PFM Financial Advisors, LLC (“PFM Financial”) to conduct an OPD staffing study and resource analysis. The City Council unanimously approved the contract, which has been fully executed and is in its final stage of compliance review. The OIG meets bi-weekly with PFM Financial and OPD’s point of contact to ensure timely communications. Additionally, PFM Financial sent an initial data request to the OIG. The OIG worked with OPD and the information technology department (ITD) to fulfill the requests as quickly as possible. ITD has provided

the calls for service data requested and OPD is routinely providing the additional data to the consultants as it is gathered.

The OIG with the assistance and guidance from the City Attorney's Office and the City Agenda Management team, requested scheduling at Rules Committee on February 29, 2024. The item is scheduled to be heard at the Public Safety Committee on March 12, 2024.

BUDGET UPDATES

Midcycle budget meetings began on February 14, 2024. The OIG is working with its assigned Budget Analyst to guarantee all requested documents are provided. The OIG will request all nine (9) positions allocated in the initial [biennial budget](#)¹, be funded for FY 2024-2025. Currently, the OIG's Deputy Inspector General/Project Manager III position is frozen. The OIG will not be asking for additional staffing or operations and maintenance resources.

ADDITIONAL PROJECTS

OPD Compliance Recommendation: National Incident-Based Reporting System (NIBRS)

In 2021, the Federal Bureau of Investigation (FBI) designated NIBRS as the national standard for crime data reporting. As a part of this designation, the FBI began to encourage law enforcement agencies to switch from the Summary Supporting System (SRS) and become NIBRS-reporting agencies. Attached is the public report along with OPD's official response.

Policy Review of DGO N-09: Police Grants

Given recent inquiries around grants management by OPD, and the entire City of Oakland, the OIG initiated a policy review of DGO N-09: *Police Grants*. The OIG's Policy Analyst and Inspector General are in the final review stages of the policy review. This project, which includes a set of recommendations to enhance DGO N-09, it will be provided to the Commission and OPD by the end of March. The OIG is also consulting with the City Auditor, as they are currently completing their audit of the City of Oakland's application to California's Organized Retail Theft Grant Program.

¹ Link to the City of Oakland 2023-2025 Adopted Budget for the Office of the Inspector General, Community Police Review Agency, and Oakland Police Commission.
<https://stories.opengov.com/oaklandca/published/LN5Fk95vHbm>

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OPD Settlement and Judgement Payout Data from 2011-2021 Preliminary Analysis

OPD is the cause of regular lawsuits, many of which end in settlements paid out by the City of Oakland. To gain a better understanding of OPD-related settlement trends, the OIG acquired relevant data from the City Attorney's Office. The OIG will analyze how trends in payments as a result of allegations of police misconduct changed from 2011 to 2021, as well as other statistical analyses.

OIG Standard Operating Procedures (SOPs)

Going into its second year, OIG has revisited its SOPs to add the following sections and updates:

- Overtime and Compensatory Time
- Code of Business, Dress Code
- Public Reporting Guidelines
- Updated Functions and Duties for the Deputy Inspector General, Director of Communications and Engagement, and Policy Analyst positions
- Provisions for Policy Reviews
- Updates to the Work Plan/Project Design Section
- Records Retention Procedures

The OIG has been consulting Local 21 to ensure a smooth review process.

Strategic Communications Plan

The OIG's 2024-2026 Strategic Communications Plan details the agency's culturally competent and evidence-based approach to engaging with Oaklanders. Throughout 2023, the OIG conversed with community members, police accountability organizations, civilian oversight practitioners, whose insight helped inform the plan's messaging and tactics. As the youngest agency in the City of Oakland, the OIG will use this document to guide its efforts to educate and connect with community.

For questions regarding this report, please contact Michelle N. Phillips, Inspector General, at OIG@oaklandca.gov.

Respectfully submitted,



Michelle N. Phillips
Inspector General
Office of the Inspector General



OFFICE OF THE INSPECTOR GENERAL

MEMORANDUM:

OPD'S TRANSITION TO THE NATIONAL INCIDENT-BASED REPORTING SYSTEM



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA

Monday, March 11, 2024

Dear Members of the Public,

In 2021, the Federal Bureau of Investigation (FBI) designated the National Incident-Based Reporting System (NIBRS) as the national standard for reporting crime data. In years prior, the FBI encouraged law enforcement agencies to adopt NIBRS as their reporting system. Before NIBRS, the Summary Reporting System (SRS) was the primary data reporting system used by law enforcement agencies. To date, the Oakland Police Department (OPD) remains one of roughly 2,500 law enforcement agencies that still utilize SRS. Consequently, the OIG recommends the Oakland Police Commission request OPD prioritize submitting a strategic plan to reach NIBRS reporting compliance, including a clear timeline that contains periodic status updates.

NIBRS is a reporting system that improves the quality and accessibility of crime data collected by law enforcement agencies. The system mandates the collection of details on each crime incident, as well as separate offenses within the same incident. Potential data gathered includes information on crime victims, offenders, relationships amongst involved parties, and impacted property. NIBRS and SRS differ primarily in their data collection goals. SRS is a summary of crime data within a given jurisdiction, meaning departments report the number of criminal offenses and incidents cleared by criminal offense type monthly. This provides an overview of what crimes were occurring and how often they were cleared¹, but limited details on each incident.

NIBRS is incident-based and requires law enforcement agencies to submit data about each incident that contains a relevant criminal offense. Each incident can contain up to 10 offenses. Per NIBRS's website, an incident likely corresponds to an individual crime, whereas an offense is the law broken while the crime was committed. For example, a burglary where a resident is assaulted with an illegal weapon is a singular incident but contains several offenses. All crimes committed within an incident occur roughly at the same time and place, with likely matching offender(s). Incident-level data includes greater details on when and where an incident occurred, as well as demographics (if known) of the offender and victim.

The comprehensive data collected in NIBRS can improve law enforcement agencies' and cities' ability to make strategic decisions. Uniformed information also allows municipalities to compare data across other jurisdictions. For example, NIBRS data shows violent crime in San Diego is about 20% more likely to occur on a public thoroughfare than in a private residence. However, in

¹ Cleared means that the offender was either identified, charged, and arrested or the department identified and located the offender but was unable to arrest due to circumstances beyond their control. The full description of clearance provided by the FBI can be found here: <https://ucr.fbi.gov/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/clearances>



Hayward, violent crime is about 50% more likely to occur in a private residence. In understanding how patterns of violent crime differ, these departments can optimize their limited resources. As of May 2023, 77% of people in the United States are living in municipalities covered by NIBRS-reporting agencies.²

Status of NIBRS in Oakland

To date, the OPD still employs SRS despite indicating their desire to fully adopt the NIBRS model. In its 2020 Annual Report, OPD listed a “transition to NIBRS” as an expected outcome in 2021.

Figure 1: 2020 OPD Annual Report Crime Analysis Section Expected Outcomes for 2021

<p><u>Expected Outcomes for 2021</u></p> <ol style="list-style-type: none"> 1. <i>Reduce crime.</i> 2. <i>Strengthen community trust and relationships.</i> 3. <i>Achieve organizational excellence through the following efforts.</i> <p style="text-align: right;">Page 67</p>
<p>Operations:</p> <ul style="list-style-type: none"> • Continue to provide high-quality analytical products to BFO 1 and BFO 2 via the specialized patrol analysts. • Continue to provide in-depth pattern and series analysis of robbery via specialized investigative analysis. • Continue to provide in-depth shooting cluster analysis via specialized investigative analysis. • Continue to provide in-depth residential and commercial burglary analysis via specialized investigative analysis. • Expand CrimeView Dashboard's use throughout the agency. • Prepare for integration with the new CAD/LRMS system at the end of the year. • Prepare for the transfer to the FBI's National Incident Based Reporting System (NIBRS).

OPD's 2021 Annual Report, again outlined its commitment by listing “Prepare for the transfer to the FBI's National Incident-Based Reporting System (NIBRS)” as an action to take in 2022. Nevertheless, OPD has yet to submit a single month of NIBRS data. as of December 2023.

² *National Incident-Based Reporting System (NIBRS)*. (n.d.). Bureau of Justice Statistics. Retrieved December 26, 2023, from <https://bjs.ojp.gov/national-incident-based-reporting-system-nibrs>



Figure 2: OPD 2021 Annual Report Crime Analysis Section Expected Outcomes for 2022

Expected Outcomes for 2022

Goals

- Goal 1: Reduce Crime To Improve Public Safety.
- Goal 2: Improve Community Engagement and Strengthen Community Trust.
- Goal 3: Develop and foster a high-quality, involved, and respected workforce.
- Goal 4: Demonstrate Sustained Compliance with the Negotiated Settlement Agreement.
- Goal 5: Prepare for the Future of Police Service Delivery.

Actions

- Continue to provide high-quality analytical products to BFO 1 and BFO 2 via the specialized patrol analysts.
- Continue to provide in-depth pattern and series analysis of robbery via specialized investigative analysis.
- Continue to provide in-depth shooting cluster analysis via specialized investigative analysis.
- Resume in-depth residential and commercial burglary analysis via specialized investigative analysis.
- Prepare for integration with the new CAD/LRMS system during the first quarter of 2022.
- Prepare for the transfer to the FBI's National Incident Based Reporting System (NIBRS)

Cost of NIBRS Transition

The largest barrier to a NIBRS transition for agencies appears to be the cost. Incident-level reporting significantly increases the data a department must store and submit. To offset these costs, the Bureau of Justice Statistics (BJS) and the FBI continue to support NIBRS compliance via public grants.

Figure 3: Grant Funding for NIBRS Transition in California³

Agency	Funding Year	Amount Awarded
LAPD, LA County Sheriff, SFPD (Joint Application) ⁴	2022	\$2,248,126
LAPD, LA County Sheriff, SFPD (Joint Application) ⁵	2023	\$3,500,000
OPD (Added Requirement of Unrelated Grant Funding) ⁶	2020	\$12,389 (Approx.)

³ In total 120 agencies have received some form of funding for NIBRS transition via grants from the Criminal Justice Information Services (CJIS) and National Crime Statistics Exchange (NCS-X). These grants totaled more than \$120 million. <https://www.justice.gov/opa/speech/file/1563061/dl?inline=>

⁴ FY 2022 California Law Enforcement Transition to NIBRS—Rapid Deployment Model Project. (2022, August 22). Bureau of Justice Statistics. <https://bjs.ojp.gov/funding/opportunities/o-bjs-2022-171414>

⁵ FY 2023 California Law Enforcement Transition to NIBRS—Rapid Deployment Model Project. (2023, August 4). Bureau of Justice Statistics. <https://bjs.ojp.gov/funding/opportunities/o-bjs-2023-171814>

⁶ Ahern, G. J. (2020). 2019 Edward J. Byrne Memorial Justice Assistance Grant. Alameda County Sheriff's Office. https://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_10_06_20/PUBLIC%20PROTECTION/Regular%20Calendar/Sheriff_301532.pdf



Agency	Funding Year	Amount Awarded
Blythe (CA) Police Department ⁷	2019	\$298,350
Alameda County Sheriff ⁸	2017	\$1,249,311

If necessary, OPD should explore funding opportunities from the BJS and California DOJ to transition to NIBRS. While dedicated funding for NIBRS projects largely ended in 2019, due to the conversion deadline of January 2021⁹, ongoing deployment projects in California may indicate funds are still available for agencies proactively seeking them out.

Conclusion and Recommendation

Although OPD has repeatedly indicated a desire to complete the NIBRS transition, they have yet to achieve this goal. Completing this transition is crucial, as each year the transition is delayed OPD, and the entire City of Oakland, lose access to comparative crime data. The OIG acknowledges a primary barrier to adopting NIBRS is cost. However, data transparency must be prioritized as it is vital to an effective government structure and community trust.

Therefore, the OIG recommends the Police Commission, in consultation with the OPD and City Administration, seek funding assistance from the California DOJ and BJS to transition to NIBRS. Additionally, the OIG recommends the Police Commission request OPD prioritize the NIBRS transition, and that they provide regular progress updates at Police Commission meetings. Collaboration and prioritization from all City of Oakland stakeholders with this effort would provide an avenue for greater transparency and community trust. Attached to this memorandum is OPD's official response.

Sincerely,

Michelle N. Phillips, Inspector General

City of Oakland, Office of the Inspector General

⁷ Blythe Police Department (BPD) National Crime Statistics Exchange (NCS-X). (2019, September 16). Bureau of Justice Statistics. <https://bjs.ojp.gov/funding/awards/2019-fu-cx-k004>

⁸ Alameda County Sheriff's Office (ACSO) NCS-X Implementation Program. (2017, September 23). Bureau of Justice Statistics. <https://bjs.ojp.gov/funding/awards/2017-mu-cx-k051>

⁹ Office of Justice Programs. (2019). FY 2020 Program Summaries. US Department of Justice. <https://www.justice.gov/jmd/page/file/1150341/download>

OPD'S OFFICIAL RESPONSE



MEMORANDUM

TO: Michelle Phillips
Inspector General
Office of the Inspector General

FROM: Darren Allison
Interim Chief of Police
Oakland Police Department

SUBJECT: OPDs Transition to the National
Incident-Based Reporting System

DATE: March 8, 2024

The purpose of this memorandum is to respond to the Office of Inspector General's (OIG) request for a progress update on the Oakland Police Department's (OPD) transition from the Uniform Crime Reporting (UCR) Summary Reporting System (SRS) to the National Incident-Based Reporting System (NIBRS).

EXECUTIVE SUMMARY

This report provides an update on the Department's efforts to transition to NIBRS reporting.

BACKGROUND

In 2021, the Federal Bureau of Investigation (FBI) designated NIBRS as the national standard for reporting crime data. In previous years, the FBI encouraged law enforcement agencies to adopt NIBRS as their reporting system. Before NIBRS, the Summary Reporting System (SRS) was law enforcement agencies' primary data reporting system. OPD is one of approximately 2,500 law enforcement agencies that still use SRS. As a result, the OIG recommends that the Oakland Police Commission request that OPD prioritize submitting a strategic plan to achieve NIBRS reporting compliance. This plan should include a clear timeline with periodic status updates.

ANALYSIS

OPD acknowledges the importance of transitioning from SRS to NIBRS and has made it a priority to accomplish this. However, the Department's current Law Enforcement Records Management System (LRMS) is the primary obstacle to this change. LRMS, a Motorola system created in 1998, was purchased by OPD in 2002, installed in 2004, and went live in 2005. LRMS is over 25 years old and severely dated, leading to numerous limitations, including NIBRS reporting.

In approximately 2015, a Request for Proposal (RFP) was issued to select a vendor to replace the Department's Computer-Aided Dispatch (CAD) and Records Management Systems (RMS). In 2017, OPD collaborated with the Information Technology Department (ITD) to implement the new systems, and work on this project began in early 2018. This process has faced numerous challenges, particularly with the RMS portion of the system, due to technology limitations that would have significantly increased the time required for an officer to complete a police report. Consequently, ITD and OPD decided to move forward with the CAD portion of the system with

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Motorola but opted to select another vendor for the RMS portion. However, implementing a new RMS can only occur after the CAD system is fully installed.

The Department anticipates completing the CAD upgrade by August 2024. The RMS project will commence upon completion of the CAD upgrade, with Mark43 currently identified as the RMS vendor. The RMS upgrade is expected to take approximately 12-18 months. Based on this timeline, the Department anticipates transitioning to NIBRS reporting in early 2026.

I have attached a sample project schedule detailing the pre-execution to project closeout for the RMS upgrade. Please note that this is a sample and is subject to change based on several factors, including the completion of the CAD upgrade and any unforeseen issues that may arise associated with both projects.

For questions regarding this report, please contact Deputy Director Kiona Suttle, Bureau of Services, at ksuttle@oaklandca.gov.

Attachment: RMS Implementation Sample Schedule



Darren Allison, Interim Chief of Police
Oakland Police Department

Reviewed by:
Dr. Carlo Beckman, Project Manager II
OPD, Bureau of Services

Prepared by:
Kiona Suttle, Deputy Director
OPD, Bureau of Services

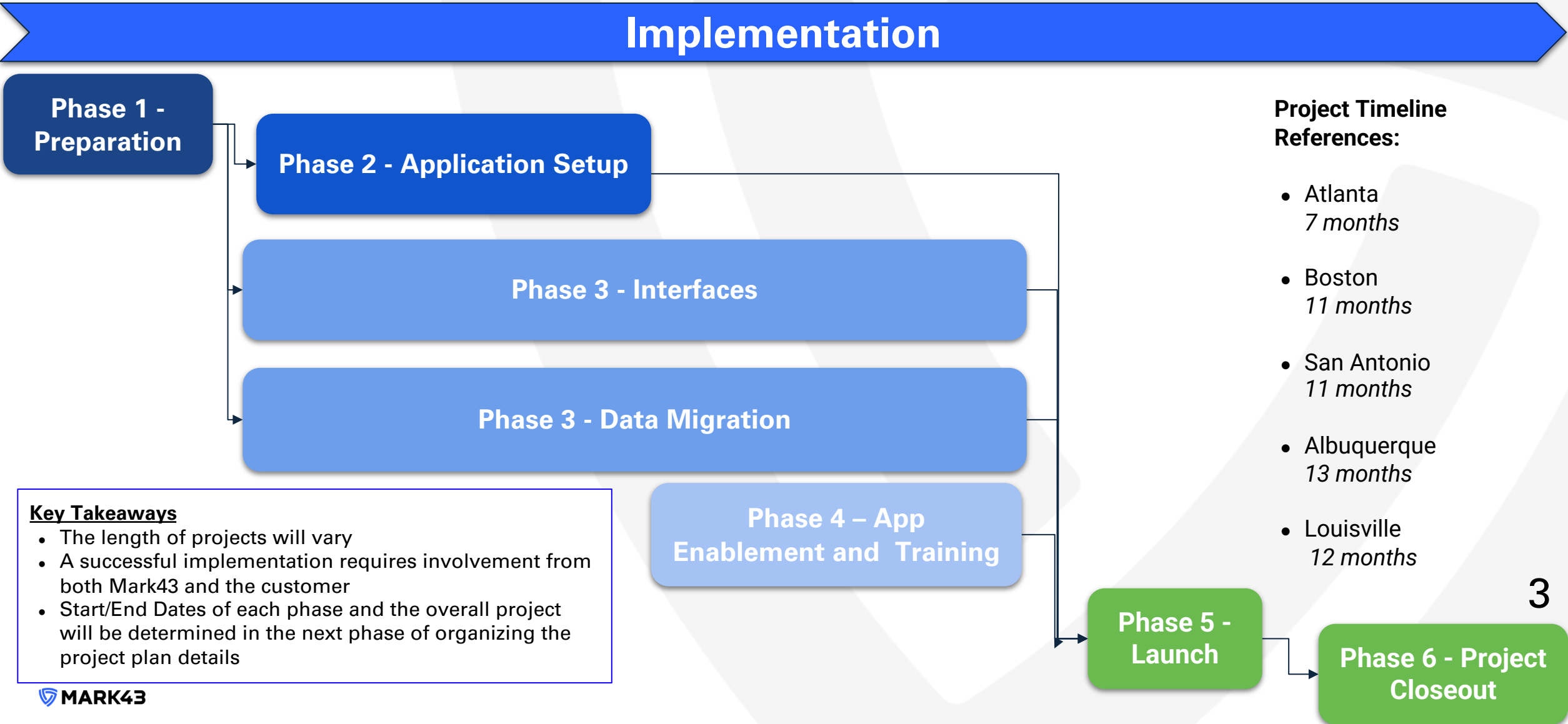
Oakland Police Department

Sample Project Schedule – For Illustrative Purpose Only

Deployment Phases

0	1	2	3	4	5	6
Pre-Execution	Preparation	Application Setup	Interfaces and Data Migration	Enablement and Training	Launch	Project Closeout
<ul style="list-style-type: none"> • Customer Journey Mapping • Scoping <ul style="list-style-type: none"> ◦ Business Goals ◦ Product ◦ Data Migration ◦ Interfaces • Customer Technical Requirements • SKU/DoS validation & execution • (IKT) Kickoff Meeting • Contract executed • Clearances 	<ul style="list-style-type: none"> • Project Governance • Project Kick-off <ul style="list-style-type: none"> ◦ Customer Journey Overview ◦ PS Overview ◦ SoW/DoS Review ◦ Customer Expectations ◦ Training Logistics • Project Documentation <ul style="list-style-type: none"> ◦ Project plan & Structure ◦ Resource scheduling • Operational enablement workshop 	<ul style="list-style-type: none"> • Tenant Provisioning • RMS Setup and Configuration • CAD Setup and Configuration • Mapping Setup • Technical Support Configurations <ul style="list-style-type: none"> ◦ SSO Setup ◦ Servers and hardware setup ◦ Data Migration S3 setup • Data Lake stood up 	<ul style="list-style-type: none"> • Interface setup and testing <ul style="list-style-type: none"> ◦ Development ◦ Setup and Configuration ◦ Validation ◦ Deployment • CJIS State Interfaces built and tested • Data Migration <ul style="list-style-type: none"> ◦ Mapping Configurations ◦ ETL Process Development ◦ 3 Migrations Rounds ◦ Migration Validation 	<ul style="list-style-type: none"> • Application Setup Review & Validation <ul style="list-style-type: none"> ◦ Practice Scenarios ◦ Workflows • Training Delivery (OOTB) <ul style="list-style-type: none"> ◦ In-Person ◦ On-Demand • Agency Workflow Training • Sustainment Preparation <ul style="list-style-type: none"> ◦ Final validation testing 	<ul style="list-style-type: none"> • Pre-Launch Support <ul style="list-style-type: none"> ◦ Cutover checklist ◦ Tenant Review ◦ Customer Success Engagement Review ◦ Final Production Data Migration ◦ Go/No Go meeting • Launch! <ul style="list-style-type: none"> ◦ Go Live Support ◦ NIBRS Certification • Post-Launch Support <ul style="list-style-type: none"> • Catch-up Production Data Migration • Post 30-day transition to CS 	<ul style="list-style-type: none"> • Deployment close out report • Deployment review • Deployment best practices and lessons learned • Handover to Customer Success

Project Schedule





QUESTIONS? EMAIL OIG@OAKLANDCA.GOV



Office of the Inspector General

STRATEGIC COMMUNICATIONS PLAN | 2024-2026



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Executive Summary

The Office of the Inspector General's (OIG's) 2024-2026 Strategic Communications Plan provides a comprehensive outline of the agency's unique and targeted approach to communicating with Oaklanders. This plan is heavily informed by the OIG's countless conversations with community members, police accountability organizations, and fellow civilian oversight practitioners throughout 2023. As the office continues to grow and evolve, the strategic messaging around OIG's roles, responsibilities, and impact will remain paramount to community members understanding the importance of civilian oversight of the Oakland Police Department (OPD). To anchor its multi-faceted communications plan, the office utilizes the following vision statement and values to navigate each of its projects.

Vision

Via transparent, timely, and culturally competent communications, the Office of the Inspector General seeks to remain a civilian oversight agency community members can trust.

Values

Equity	Directing ample resources (time, energy, attention, and funds) toward Oakland's most impacted community members.
Integrity	Upholding the truth and office principles at all times.
Intentionality	Producing easily digestible content, tailored to the project's target audience.
Courage	Fearlessly releasing accurate and data-backed audits, evaluations, reviews and recommendations.



Situational Analysis

In 2020, 81% of Oakland voters passed Measure S1, establishing the Office of the Inspector General. Stemming from the national call for police accountability, following the heartrending murders of Oscar Grant, Tamir Rice, Michael Brown, Sandra Bland, Philando Castillo, Breonna Taylor, George Floyd, among others, the OIG was created to strengthen local reform efforts. Through auditing the policies, practices, and procedures of OPD, the OIG was tasked with providing effective and efficient civilian oversight.

To date, OPD remains one of the longest federally monitored law enforcement agencies in the United States. This is a direct product of *Delphine Allen v. City of Oakland*, commonly referred to as the “Riders Case,” where six veteran officers allegedly violated the civil rights and liberties of community members. Consequently, the corresponding and ongoing Negotiated Settlement Agreement (NSA), from 2004, provided OPD with fifty-two (52) tasks to address the cultural, legislative, and behavioral issues within the department.

Per Section 604 of the Oakland City Charter, the OIG is required to assess OPD’s compliance with these NSA tasks, during and after federal oversight is over. As only a component of Oakland’s hybrid civilian oversight structure, which also includes the Oakland Police Commission and Community Police Review Agency, the OIG seeks to deliver on its Charter mandates via transparent audits, evaluations, inspections and reviews.

To accompany its substantive work, the OIG is committed to engaging with Oaklanders to build, repair, and sustain community members' trust in the City of Oakland’s ability to hold OPD accountable. The following sections outline the strengths, challenges, opportunities, and dangers of the office, which continue to impact our communication strategy.

Strengths & Challenges

Utilizing the qualitative data from community members, civilian oversight practitioners, police officers, non-profit organizations, and other external partners, the OIG assessed its communication strengths and challenges. The following tables serve as a synopsis of reoccurring commentary from the office’s rigorous discussions over the past year.



Strengths

Strengths are defined here as existing elements of the office that will support the execution of its communications strategy.

Mission-Oriented	The office is dedicated to accomplishing its legislative mandates, outlined in Oakland's City Charter and Municipal Code.
Knowledge Base	The OIG staff contain a wealth of knowledge and skill sets that enable the office to produce high-quality work products.
Public Service	The office is committed to going above and beyond its scope of work, in the ministration of Oakland's community.
Strong Existing Relationships	Through its public service, the office has established deep connections with community members from various racial, religious, educational, social, and economic backgrounds.
Innovative Approach	The OIG utilizes non-traditional tactics to reach its target audience.

Challenges

Challenges are defined here as hurdles that may hinder or delay the OIG's ability to connect with community members.

Knowledge Gap	Currently, many community members do not understand the purpose, functions, and duties of Oakland's civilian oversight entities.
Distrust of Government	Given the complex history between community members and the City of Oakland, many people are not confident that OPD officers will be held accountable for misconduct.
Limited Resources	The office has an expansive list of responsibilities, all of which have a communications component. With a wide breadth of communication related tasks, the OIG must be creative on how to optimize its limited resources (staff, discretionary funds, materials, etc.).



Opportunities.

As the OIG continues to expand its reach via the execution of a culturally competent communication strategy, the growth opportunities are infinite. By centering community members most impacted by officer misconduct the OIG seeks to not only enhance its work but collect valuable data for agencies and organizations looking to reach similar audiences. Utilizing various channels and methods to distribute its messages, the office plans to advance its use of new technologies.

Additionally, the OIG will build upon its previous partnerships to showcase the intersection of police accountability with other areas of interest such as violence prevention, alternative response, mental health and wellness, accessibility, homelessness, and more. Through collaborative events and initiatives, the OIG envisions community members' increased understanding of civilian oversight and other essential City of Oakland services.

Restraints.

Community members' strong skepticism of the City of Oakland's ability to hold officers accountable remains the greatest hurdle in reaching OIG's target audience. Many Oaklanders impacted by police misconduct have staunch preconceptions of the city's accountability mechanisms yet lack an understanding of its current civilian oversight structure. The complexity of Oakland's hybrid system also makes it difficult to establish shared understanding in one engagement. When coupled with the OIG's limited capacity, this skepticism and lack of trust serve as significant restraints to reaching our communication goals.



Audience Analysis

Primary	Secondary	Tertiary
Impacted Community Members	General Public	External Civilian Oversight Practitioners
Oakland Police Department	Oakland's Police Accountability Organizations	Related Agencies, Boards & Commissions
Oakland's Civilian Oversight Structure	Media Partners	
City Administration	Elected Officials	

Primary

For the purpose of this strategic plan, a primary audience is defined as key parties to the office's duties and function.

Audience Description	Desired Behaviors, Actions or Thoughts	Barriers to Communication	Where They Access Information	Messaging Themes
Impacted Community Members	<p>Deep Understanding of Importance & Value</p> <p>Two-Way Line of Communication</p> <p>Trustworthy and Impactful</p> <p>Easily Accessible</p> <p>High-Level Engagement</p>	<p>Distrust in Governmental Agencies</p> <p>Strong Preconceptions</p> <p>Complexity of Civilian Oversight Structure</p> <p>Uninterest in Substantive Work</p>	<p>Personal Social Networks</p> <p>Social Media</p> <p>Trusted Community Organizations</p> <p>Local Publications</p>	<p>Community-Centered & Informed</p> <p>Equity-Based Public Servants</p> <p>Open Door Policy</p>



Primary (continued)

Audience Description	Desired Behaviors, Actions or Thoughts	Barriers to Communication	Where They Access Information	Messaging Themes
Oakland Police Department	Fair & Balanced Firm Yet Helpful Accountability Partner Mid-Level Engagement	Sworn vs. Civilian Mindset Blue Code of Silence	Internal Meetings OPD Management Email Distributions Local Publications	Shared Goal of Constitutional Policing Symbiotic Relationship
Oakland's Civilian Oversight Structure (Police Commission & Community Police Review Agency)	Streamlined Communication and Collaboration Collective Understanding of Roles & Responsibilities Productive & Transparent Working Relationship	Complexity of Structure Adjacent Objectives	Public Meetings Direct Emails Social Media Website Local Publications	Same Team, Different Roles Stronger Together
City Administration	Effective & Efficient Agency Strong Working Relationship	Expansive Priorities	Public Meetings Internal Correspondence Social Media Website Local Publications	Necessary & Impactful City Function



Secondary

Secondary audiences are community members whose engagement is important but not mandatory to OIG's function and duties.

Audience Description	Desired Behaviors, Actions or Thoughts	Barriers to Communication	Where They Access Information	Messaging Themes
General Public	High Level Understanding of Mission & Impact Consistent Engagement	Limited Resources & Capacity Misconceptions of Authority Lack of Interest	Social Media Newsletters Website Local Publications	Effective & Efficient Data-Backed & Accurate
Police Accountability Organizations	Collaborative & Reliable Subject Matter Experts Impactful Mid-Level Engagement	Adjacent Objectives Staunch Ideologies	Social Media Newsletter Website Local Publications	Community Partners Shared Vision of Police Accountability
Media Partners	Trusted Source Highly Responsive Necessary Level of Engagement	Volatile News Cycle Lack of Understanding	Press Releases Public Reports Social Media Local Publications	Effective & Efficient Data-Backed & Accurate



Secondary (continued).

Audience Description	Desired Behaviors, Actions or Thoughts	Barriers to Communication	Where They Access Information	Messaging Themes
Elected Officials	Productive & Valuable Informative Subject Matter Experts	Competing Priorities Non-Political & Independent	Internal Meetings Direct Emails Public Reports Social Media	Effective & Efficient Data-Backed & Accurate

Tertiary.

Tertiary audiences are entities that may occasionally review, intersect, or supplement the office's work.

Audience Description	Desired Behaviors, Actions or Thoughts	Barriers to Communication	Where They Access Information	Messaging Themes
External Civilian Oversight Practitioners	Thought Partners Enhancing Industry Standards	Limited Capacity Organizational Priorities	Social Media Newsletter Published Reports	Advocates of Civilian Oversight
Related Agencies, Boards & Commissions	Positive View of Work Product	Misconceptions of Authority Competing Scopes of Work	Social Media Newsletter Website Local Publications	Collaboration Shared Goals



Key Messages

The following key messages are points that will be consistent throughout the OIG's internal and external communications.

Civilian Oversight You Can Trust	The OIG is committed to providing civilian oversight that advances Oaklanders' call for a just and accountable OPD.
Stewards of Accountability	Utilizing its Charter authority, the OIG offers recommendations that will strengthen OPD's compliance with their legal and departmental responsibilities.
Effective & Efficient Practitioners	The OIG will carry out its oversight duties in a strategic and methodical manner.
Accessible Public Servants	The OIG maintains an open-door policy for community members, while also using various engagements to meet Oaklanders where they are.

Supporting Facts

Below are statements that staff members can use to support the OIG's key messages. This should not be viewed as a comprehensive list, but rather talking points to enhance external communications.



Civilian Oversight You Can Trust.

The OIG is committed to providing civilian oversight that advances Oaklanders' call for a just and accountable OPD.

Supporting Facts:

- The office works diligently to release evidence-based reports that include accurate findings, clear recommendations, and useful considerations.
- Office-initiated projects included in OIG's Annual Audit Work Plan for Fiscal Year 2024 were informed and prioritized by community feedback.
- The OIG continuously seeks qualitative data from community members to bolster its substantive work and community engagement strategy.
- The OIG is highly transparent, housing and distributing its reports on various communication platforms.
- The office utilizes national best practices to inform and guide its work.

Stewards of Accountability

Utilizing its Charter authority, the OIG offers recommendations that will strengthen OPD's compliance with their legal and departmental responsibilities.

Supporting Facts:

- To establish a clear baseline of data, the OIG requested and is currently overseeing a staffing study and resource analysis of OPD.
- The OIG recommended that the Community Police Review Agency establish Standard Operating Procedures to codify their methods of investigating police misconduct allegations.
- The OIG recommended OPD establish a sexual misconduct Departmental General Order, to decrease instances of unlawful and/or inappropriate sexual behavior by its members.
- In addition to its substantive work, members of the OIG serve as police accountability subject experts for City of Oakland agencies, non-profit organizations, and community partners.



Effective & Efficient Practitioners

The OIG will carry out its oversight duties in a strategic and methodical manner.

Supporting Facts:

- Since its inception, the OIG has maximized its impact with limited resources (staff, discretionary funds, etc.).
- The OIG is fiscally responsible and highly intentional with its expenditures.
- For the first six months of 2022, the office was comprised of only the Inspector General. To date, the OIG has grown to a dynamic and hard-working team of five.

Accessible Public Servants

The OIG maintains an open-door policy for community members, while also using various engagements to meet Oaklanders where they are.

Supporting Facts:

- The OIG provides regular updates to the Oakland Police Commission, and members of the public via Police Commission meetings.
- The office regularly meets with community members, non-profit organizations, and fellow public servants to gain insight and perspectives.
- In 2023, the Inspector General completed several speaking engagements including panels, award ceremonies, neighborhood council meetings, and local podcasts to inform the public of the OIG's work.
- The OIG consistently attends and participates in community events and service projects, including Creek to Bay Day, Martin Luther King Jr. Day of Service, Earth Day, Juneteenth, Oakland Pride, and more.
- To showcase its commitment to Oaklanders, the OIG was proud to organize and facilitate Love Life Week's Community Healing Circle & Summit.



Communication Goals

The table below lists the OIG's strategic communication goals for the next two years. These goals will serve as a north star to advance its mission to provide effective and efficient civilian oversight.

Educate & Engage Community Members	Increase awareness and understanding of the OIG's roles, responsibilities, and authority.
Build Sustainable Relationships	Create and maintain mutually beneficial partnerships with local stakeholders (residents, non-profits, law enforcement, elected and appointed officials, etc.)
Establish and Improve the OIG's Brand, Culture, and Image	Strategically design and enhance the office's brand identity, via its substantive and supplemental work.
Create and Optimize Communication Processes	Establish, evaluate, and improve communication systems that can be replicated beyond staff departure.
Elevate Industry Standards	Set new communication precedents and standards within the civilian oversight industry.



Objectives, Tactics, Metrics & Priorities

Goal 1: Educate & Engage Community Members

Increase awareness and understanding of the OIG's roles, responsibilities, and authority.

Objective 1: Introduce the OIG as a key component of Oakland's police accountability matrix.

Tactic	Priority	Metric(s)
Maintain a robust presence at pertinent meetings, events, and activities	High	Number of engagements attended, attendee feedback, and follow-up invitations
Optimize social media activity across platforms	Medium	Increased follower count and engagements on Facebook, LinkedIn, X and Instagram

Objective 2: Educate community members on the functions and duties of the office.

Tactic	Priority	Metric(s)
Utilize visually appealing content to provide easily digestible information	High	Content engagement and community feedback
Improve the content and structure of the OIG's webpage	High	Completion



Goal 2: Build Sustainable Relationships

Create and maintain mutually beneficial partnerships with local stakeholders (residents, non-profits, law enforcement, elected and appointed officials, etc.).

Objective 1: Establish trust amongst Oaklanders of all backgrounds.

Tactic	Priority	Metric(s)
Utilize visual appealing content to provide easily digestible information	High	Content engagement and consumer feedback
Deliver work products in a culturally competent and transparent manner	High	Completion and consumer feedback
Develop direct lines of communication (formal and informal)	Medium	Completion
When able, go the extra mile to address Oaklanders' questions, concerns and requests	Medium	Community feedback

Objective 2: Participate in collaborative projects with mission-aligned community partners.

Tactic	Priority	Metric(s)
Participate in annual City of Oakland community engagement efforts	Medium	Completion and community partner feedback
Organize, co-host, and attend impactful events	Medium	Completion and attendee feedback



Goal 2: Build Sustainable Relationships (continued)

Create and maintain mutually beneficial partnerships with local stakeholders (residents, non-profits, law enforcement, elected and appointed officials, etc.).

Objective 2: Participate in collaborative projects with mission-aligned community partners.

Tactic	Priority	Metric(s)
Amplify relevant content from community partners	Medium	Sharing and reposts of content
Serve as subject matter experts at community discussions	Medium	Completion and attendee feedback

Goal 3: Establish and Improve OIG's Brand Culture and Image

Strategically design and enhance the office's brand identity, via its substantive and supplemental work.

Objective 1: Deliver more consistent updates on the status of OIG's work products and engagement activities.

Tactic	Priority	Metric(s)
Create a visual dashboard that provides live updates on the status of current projects	Medium	Completion and implementation
Utilize the City of Oakland's website to amplify calendar events	Medium	Completion and registered attendees



Goal 3: Establish and Improve OIG's Brand Culture and Image (continued).

Strategically design and enhance the office's brand identity, via substantive and supplemental work.

Objective 2: Enhance OIG's current brand assets and materials.

Tactic	Priority	Metric(s)
Review and update the aesthetic of the OIG's public platforms	Medium	Completion
Utilize logo and templates to build out an assortment of assets	Low	Completion

Goal 4: Create and Optimize Communication Processes.

Establish, evaluate, and improve communication systems that can be replicated beyond staff departure.

Objective 1: Improve communication distribution methods

Tactic	Priority	Metric(s)
Assess current distribution methods	High	Applicable social media and email analytics, OIG staff feedback
Develop office protocols and templates for distributing information	High	Completion and implementation
Track engagement data and feedback	Medium	Completion



Goal 4: Create and Optimize Communication Processes. (continued).

Establish, evaluate, and improve communication systems that can be replicated beyond staff departure.

Objective 2: Identify and take advantage of strategic communication opportunities.

Tactic	Priority	Metric(s)
Develop a social media plan and calendar	High	Completion and social media analytics
Research and implement innovative content strategies	Medium	Completion and implementation

Goal 5: Elevate Industry Standards.

Set new communication precedents and standards within the civilian oversight industry.

Objective 1: Develop or join a working group for communication professional in civilian oversight.

Tactic	Priority	Metric(s)
Reach out to fellow practitioners to gather and share best practices	High	Completion and increased engagement
Join the National Association for Civilian Oversight of Law Enforcement's Communication Committee	Medium	Completion of committee objectives



Goal 5: Elevate Industry Standards (continued).

Set new communication precedents and standards within the civilian oversight industry

Objective 2: Implement non-traditional communication methods to educate key stakeholders.

Tactic	Priority	Metric(s)
Produce interactive digital content	High	Social media and Constant Contact analytics
Revitalize and enhance current communication practices	Medium	Increased social media and website traffic

Conclusion

With the execution of its 2024-2026 Strategic Communications Plan, the OIG seeks to increase its presence, visibility, and impact in Oakland. Through a targeted and culturally competent approach, the office is extremely confident in its ability to achieve its communication goals. With defined metrics, the OIG will continue to build upon its communication methods. Ultimately, through this document, the OIG is proud to share how it plans to gain and sustain Oaklanders' trust.





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“City of Oakland, Office of the Inspector General” on LinkedIn & Facebook.**



Citywide Risk Management Meeting

February 27, 2024

1.1: PAS (as of December 2023)

- As of Dec 2023, there were a total of 46 employees on monitoring.
 - 38 Sworn (7 Sergeants, 31 Officers)
 - 8 Professional Staff
- Of the 46 employees on monitoring, 20 are currently Tolled.
 - 6 Sergeants, 13 Officers and 1 Professional Staff
- 10 employees in active monitoring are on intervention.
 - 5 Officers and 5 Professional Staff
- 6 employees were added between November and December.
 - 1 Sergeant (tolled), 4 Officers (1 tolled), and 1 Professional Staff
- Of the 6 employees added between November and December, 5 were management referrals and 1 was a single event threshold.

	Active Monitoring	Tolled
Area 1	7	1
Area 2	3	2
Area 3		4
Area 4	1	3
Area 5	5	1
Area 6		3
Ceasefire		1
VCOC	1	1
CID	2	3
SOS	1	1
BRM	2	
Comms	3	
Records	1	

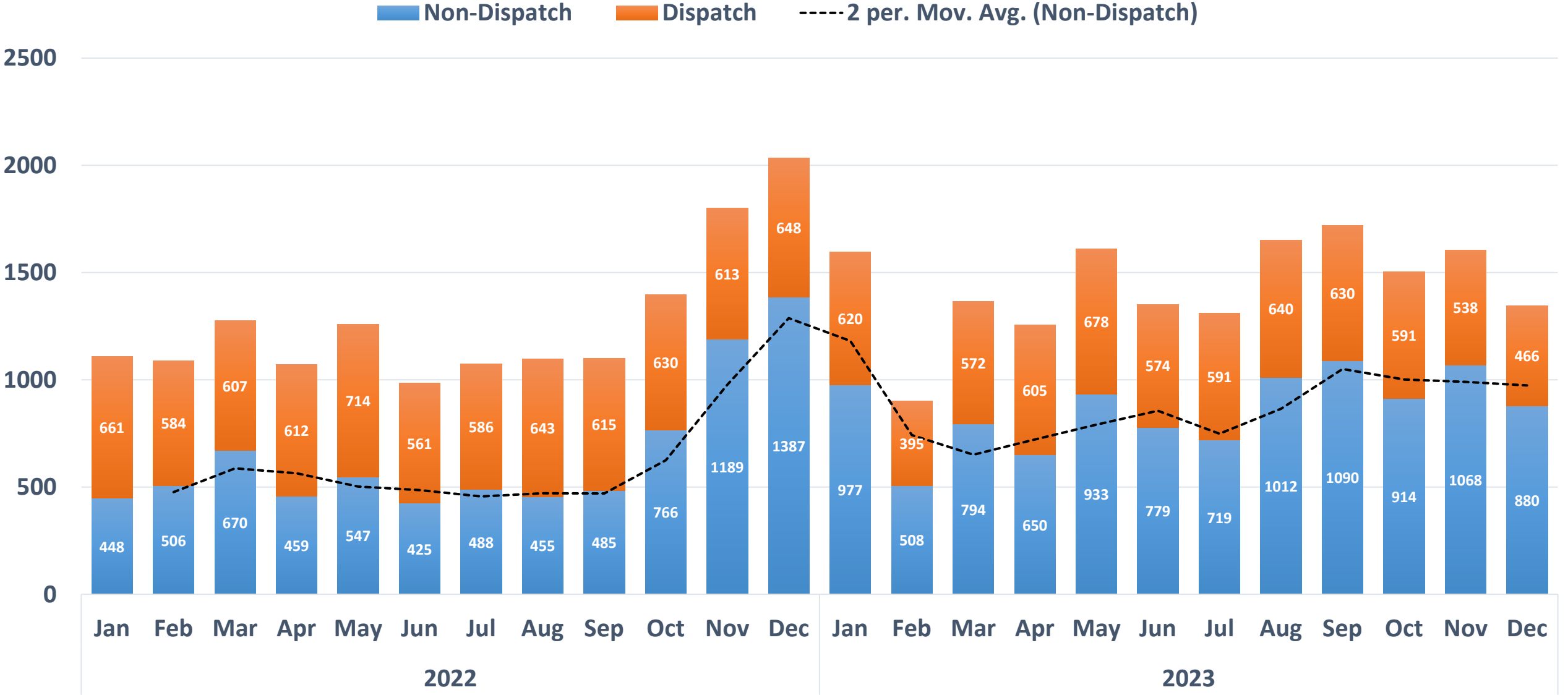
2.1: Light Duty, Admin and Medical Leave – as of Dec 2023

As of Dec 2023	Admin Leave		Medical Leave		Medical Leave Personal Illness/Injury		Light Duty On-Duty Illness/Injury		Light Duty Personal Illness/Injury	
	Sworn	Professional	Sworn	Professional	Sworn	Professional	Sworn	Professional	Sworn	Professional
2 + Years	1		3	1	1		2			1
1-2 Years	5	1	9	2	1		1			1
6 months - 1 Year	9	1	10		2	4	2		1	1
2-6 months	6		6				2	2	3	2
Less than 2 Months	3	2	4		3	2	4	2	1	1
TOTAL	24	4	32	3	7	6	11	4	5	6

	Oct-23	Dec-23
Admin Leave	25	28
Medical Leave	34	35
Medical Leave- Personal Illness/Injury	12	13
Light Duty - On-Duty Illness/Injury	18	15
Light Duty - Personal Illness/Injury	16	11

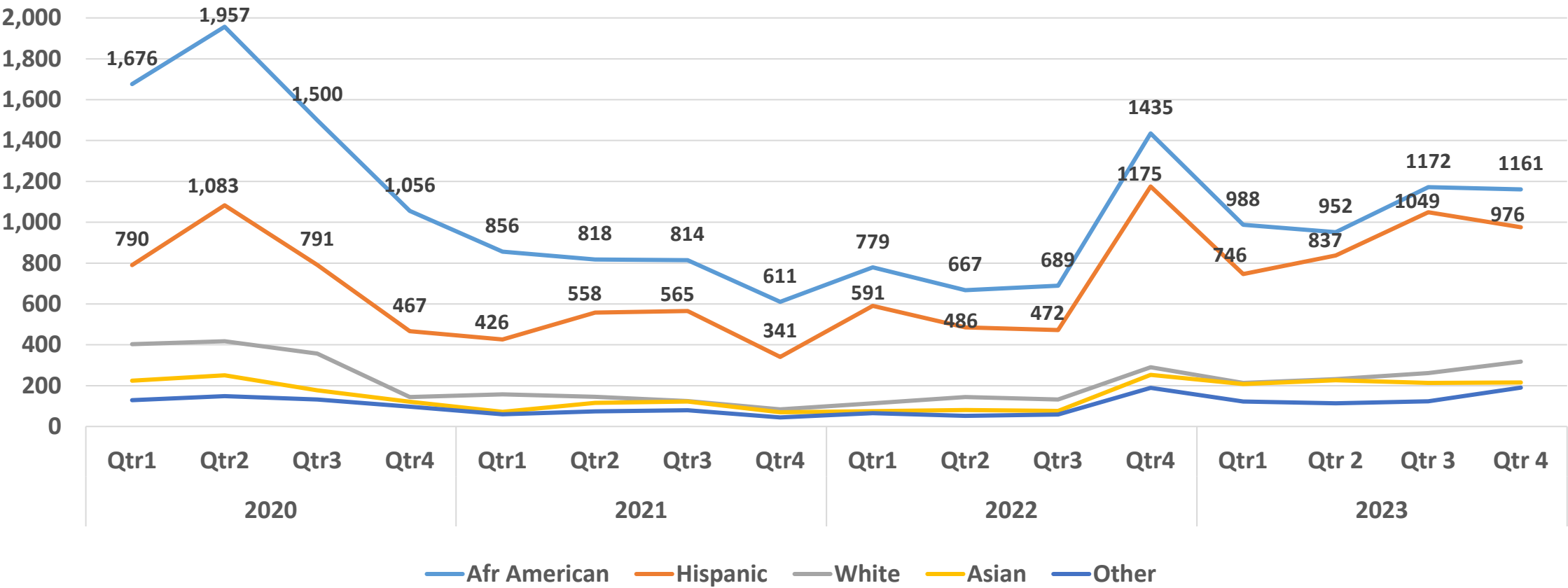
Type of On-Duty Injury	# of Incidents as of Dec 2023
Neck/Shoulder/Head	6
Knee	9
Hand/Wrist/Arm	2
Hip/Back	10
Long COVID	1
Shoulder/Arm/Neck	2
Stress	3
Right Tricep	1
Torn Hamstring	1
Total	35

3.1: Dispatch and Non-Dispatch Stops



ND Intel %	61%	49%	54%	52%	39%	67%	48%	63%	48%	46%	22%	19%	22%	31%	32%	24%	30%	31%	32%	24%	27%	28%	27%	33%
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3.2: Non-Dispatch Stops by Race Jan 2020 - Dec 2023



	2020	2021	2022	2023
Afr American	52%	50%	46%	41%
Hispanic	26%	31%	35%	35%
White	11%	8%	9%	10%
Asian	6%	6%	6%	8%
Other	4%	4%	5%	5%

3.3: Non-Dispatch Stops by Assignment

All Non-Dispatch Stops

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Ceasefire	CID	VCOC	Traffic
2022	280	388	787	719	1076	814	664	134	550	2290
2023	722	599	890	731	625	828	302	82	647	4668
% Change 2022 vs 2023	158%	54%	13%	2%	-42%	2%	-55%	-39%	18%	104%

Non-Dispatch, Intel led Stops

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Ceasefire	CID	VCOC	Traffic
2022	154	208	531	453	266	375	596	105	494	0
2023	297	200	436	395	194	315	281	59	618	12
% Change 2022 vs 2023	93%	-4%	-18%	-13%	-27%	-16%	-53%	-44%	25%	

Non-Dispatch, Non-Intel led stops

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Ceasefire	CID	VCOC	Traffic
2022	126	180	256	266	810	439	68	29	56	2290
2023	425	399	454	336	431	513	21	23	29	4656
% Change 2022 vs 2023	237%	122%	77%	26%	-47%	17%	-69%	-21%	-48%	103%

- Of all Areas, Areas 1 and 2 had the largest increase in non-dispatch stops between 2022 and 2023, and Area 5 had the largest decrease in non-dispatch stops.
- Citywide, Ceasefire had the largest decrease in non dispatch stops.
- Only Area 1, VCOC and Traffic had increases in non-dispatch, intel led stops.
- Areas 1 and 2 and Traffic had the largest increase in non-dispatch, non-intel led stops.

3.5: Non-Dispatch Stop Outcomes by Race 2023

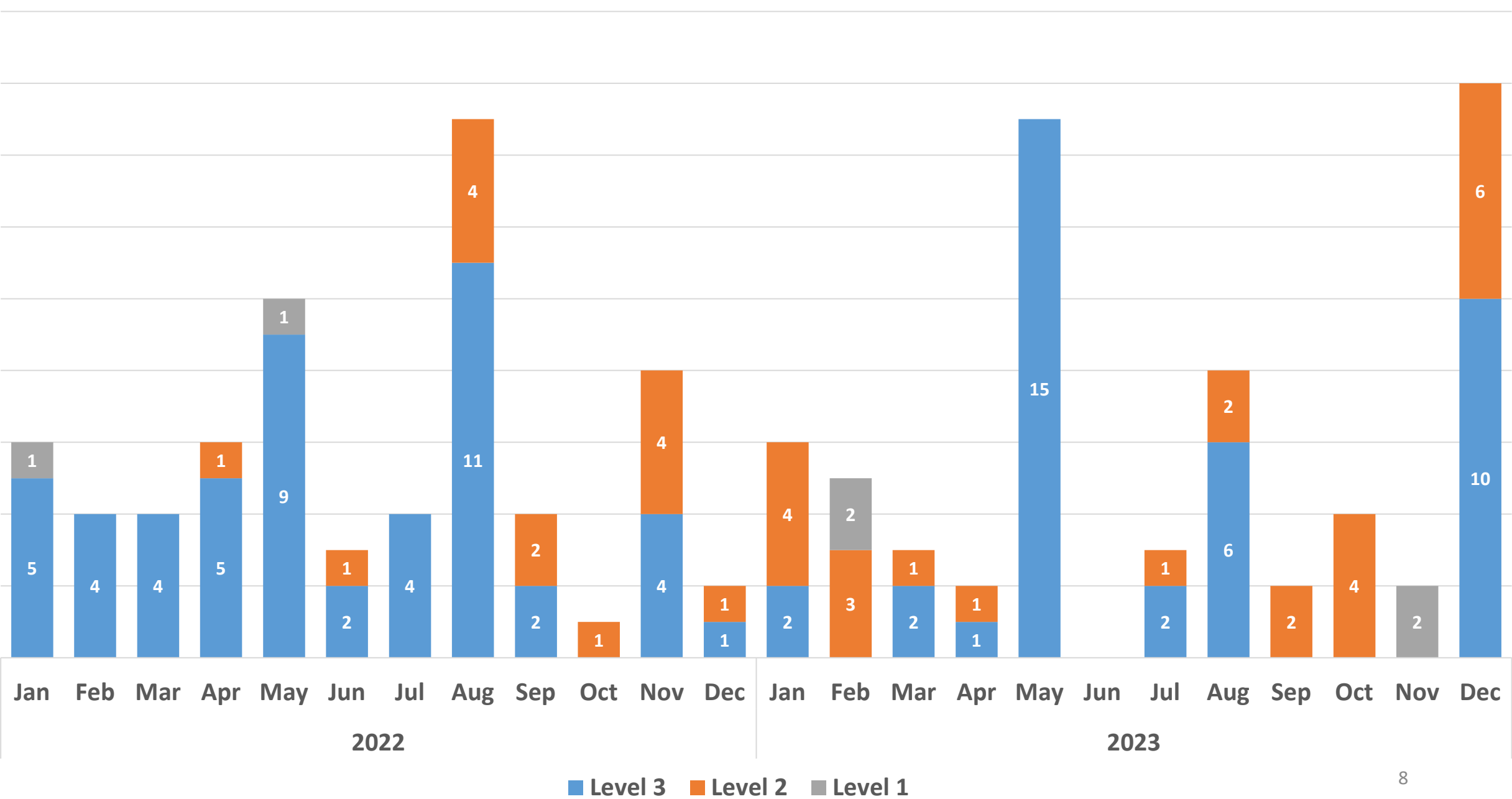
All Non-Dispatch Stops

Race	ND Stops	# Handcuffed	% Handcuffed	# Searched	% Searched	% Recovery	% Arrest	% Citation	% Warning	% No Action
Black /African American	4273	1181	28%	1307	31%	33%	19%	57%	9%	13%
Hispanic	3608	638	18%	799	22%	32%	15%	67%	8%	11%
White	1026	176	17%	201	20%	31%	13%	66%	10%	9%
Asian	865	87	10%	94	11%	36%	8%	75%	12%	3%
Other	552	87	16%	107	19%	38%	13%	66%	9%	11%

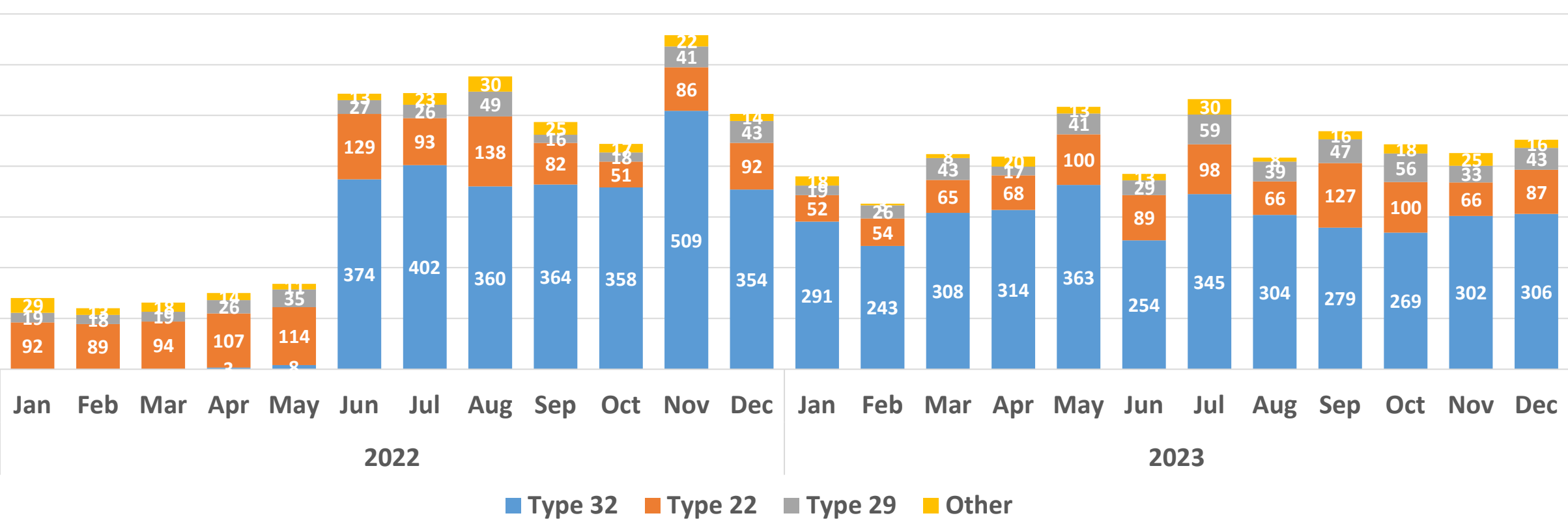
Non-Dispatch, Non-Intel led Stops

Race	ND, Non-Intel Stops	# Handcuffed	% Handcuffed	# Searched	% Searched	% Recovery	% Arrest	% Citation	% Warning	% No Action
Black /African American	2809	292	10%	318	11%	24%	7%	78%	9%	5%
Hispanic	2654	144	5%	181	7%	20%	5%	84%	7%	4%
White	786	40	5%	54	7%	19%	4%	81%	9%	4%
Asian	750	23	3%	26	3%	38%	2%	84%	12%	1%
Other	424	16	4%	22	5%	27%	3%	81%	10%	5%

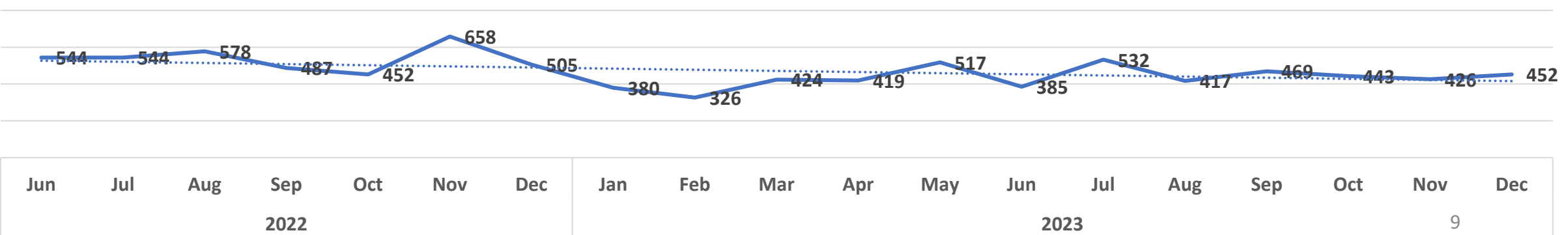
4.1: Level 1-3 Use of Force



4.2: Level 4 Uses of Force by Type

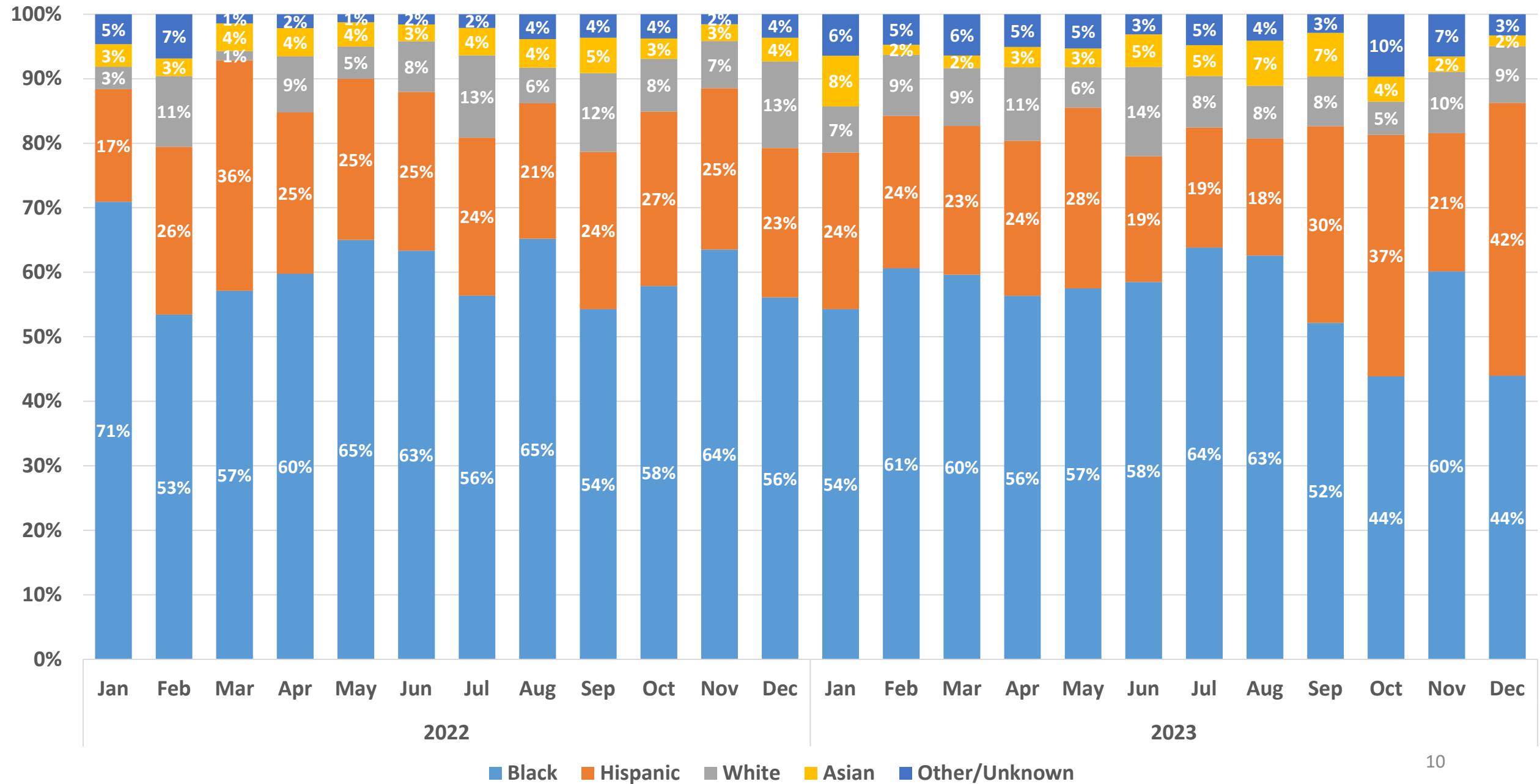


Trendline for Level 4 Uses of Force Jun 2022 - Dec 2023

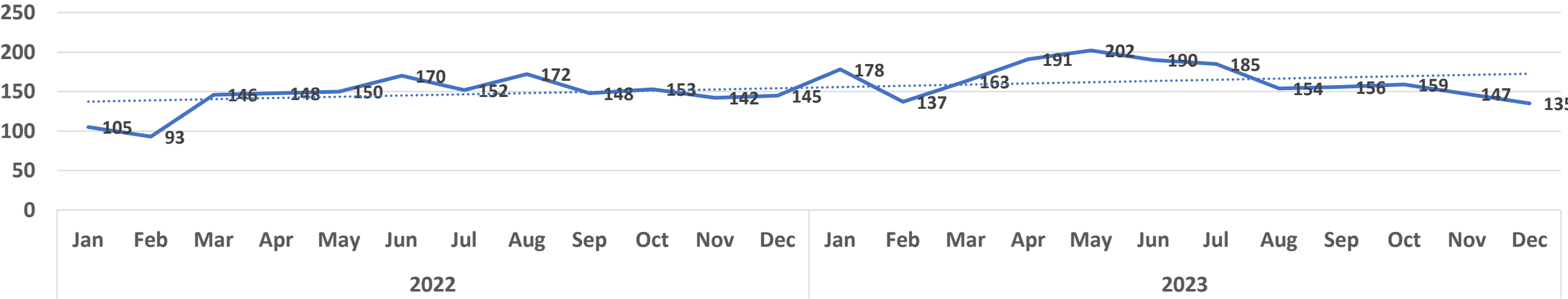


4.3: Use of Force by Race Citywide

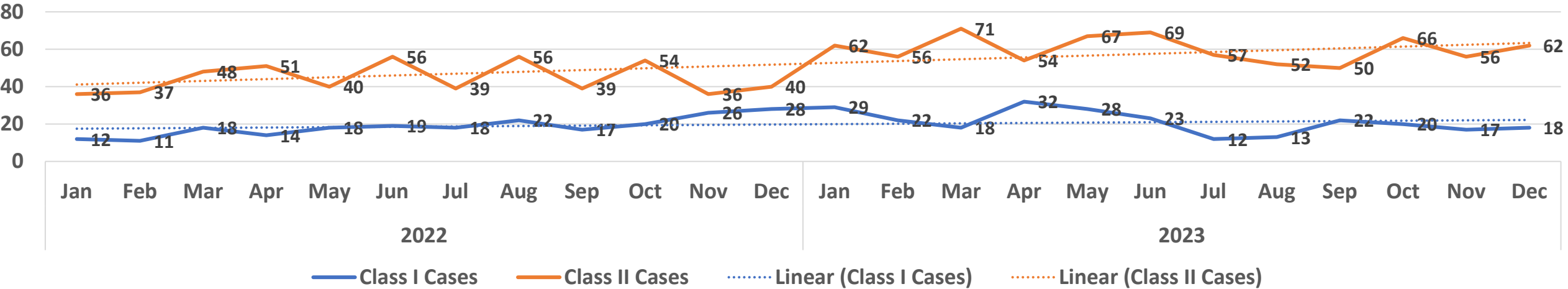
Attachment: Agenda Item # VII



5.1: Total Number of Complaints Jan 2022 - Dec 2023



Class I vs Class II Complaints Jan 2022 - Dec 2023*

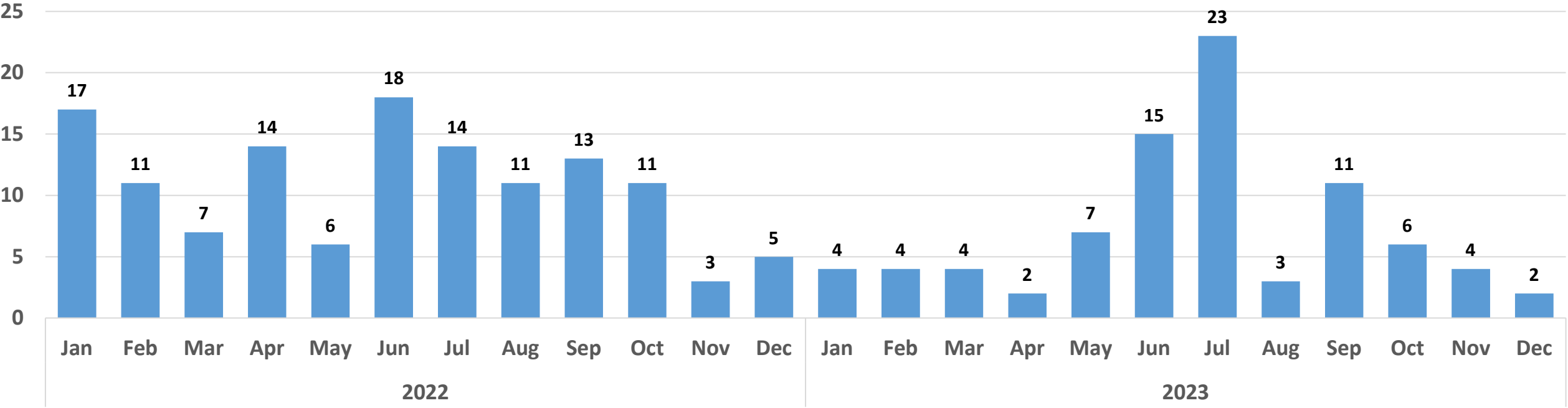


*A complaint is categorized as Class I if one or more of the allegations is a Class I allegation. Class II complaints only include Class II Allegations.

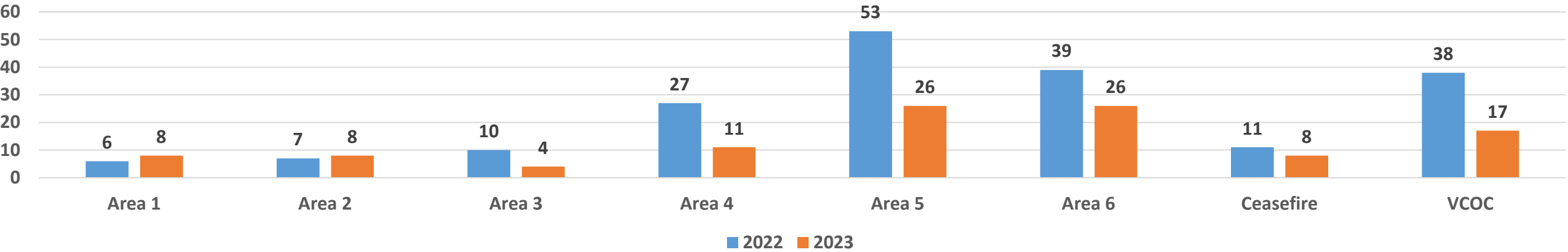
5.2: Top Allegations 2022 vs 2023

MOR Violation	2022	2023	2023 % of Total Allegations	Change between 2022 and 2023	# Sustained Allegations in 2023	% Allegations Sustained in 2023
PERFORMANCE OF DUTY - UNINTENTIONAL/IMPROPER SEARCH, SEIZURE, OR ARREST	817	1058	21.1%	29%	5	0.5%
SERVICE COMPLAINT	960	1044	20.8%	9%		
NO MOR VIOLATION	974	1038	20.7%	7%		
PERFORMANCE OF DUTY - GENERAL	573	668	13.3%	17%	50	7.8%
USE OF FORCE (All Levels)	453	403	8.0%	-11%	10	2.3%
CONDUCT TOWARD OTHERS - DEMEANOR	184	219	4.4%	19%	24	11.9%
PERFORMANCE OF DUTY - CARE OF PROPERTY	70	101	2.0%	44%	3	3.7%
FAILURE TO ACCEPT OR REFER A COMPLAINT (UNINTENTIONAL)	141	95	1.9%	-33%	71	43%
DEPARTMENT PROPERTY AND EQUIPMENT - PREVENTABLE COLLISION	68	82	1.6%	21%	55	91.7%
REFUSAL TO PROVIDE NAME OR SERIAL NUMBER	41	30	0.6%	-27%	8	22.2%
OBEDIENCE TO LAWS - MISDEMEANOR/INFRACTION	20	26	0.5%	30%	6	37.5%
GENERAL CONDUCT	39	23	0.5%	-41%	14	40%
PERFORMANCE OF DUTY - MIRANDA VIOLATION	11	20	0.4%	82%	2	8%
CONDUCT TOWARD OTHERS - Harassment, Discrimination, or Profiling by Race or Ethnicity	23	19	0.4%	-17%	1	5.9%
TRUTHFULNESS	23	18	0.4%	-22%	14	50%
PERFORMANCE OF DUTY - PDRD	40	16	0.3%	-60%	8	19.5%
SUPERVISORS - AUTHORITY AND RESPONSIBILITIES Includes all of the 285.00 subsections except 285.90	21	16	0.3%	-24%	8	25%
CUSTODY OF PRISONERS - TREATMENT	15	15	0.3%	0%	1	5.3%
OBEDIENCE TO LAWS - FELONY	9	14	0.3%	56%	3	21.4%
REPORTS AND BOOKINGS	24	13	0.3%	-46%	6	24%

6.1: Citywide Pursuit Incidents



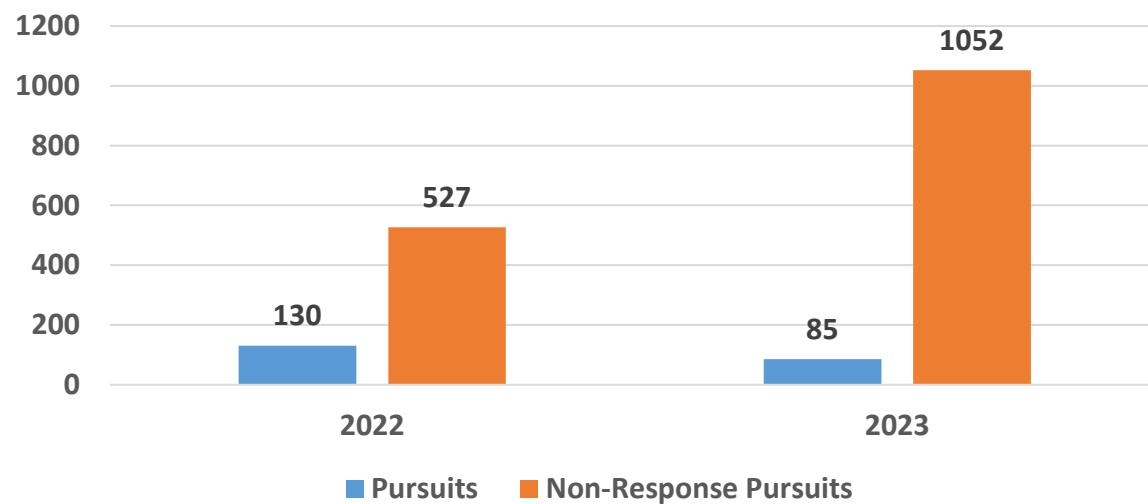
Pursuits by Area 2022 vs 2023



A pursuit is assigned to an Area if any officers from that Area participated in the pursuit (primary, secondary or additional officers). A pursuit can be assigned to multiple Areas if officers from different Areas participated.

6.2: Pursuits 2022 vs 2023

**Pursuits and Non-Response Pursuits
2022 vs 2023**

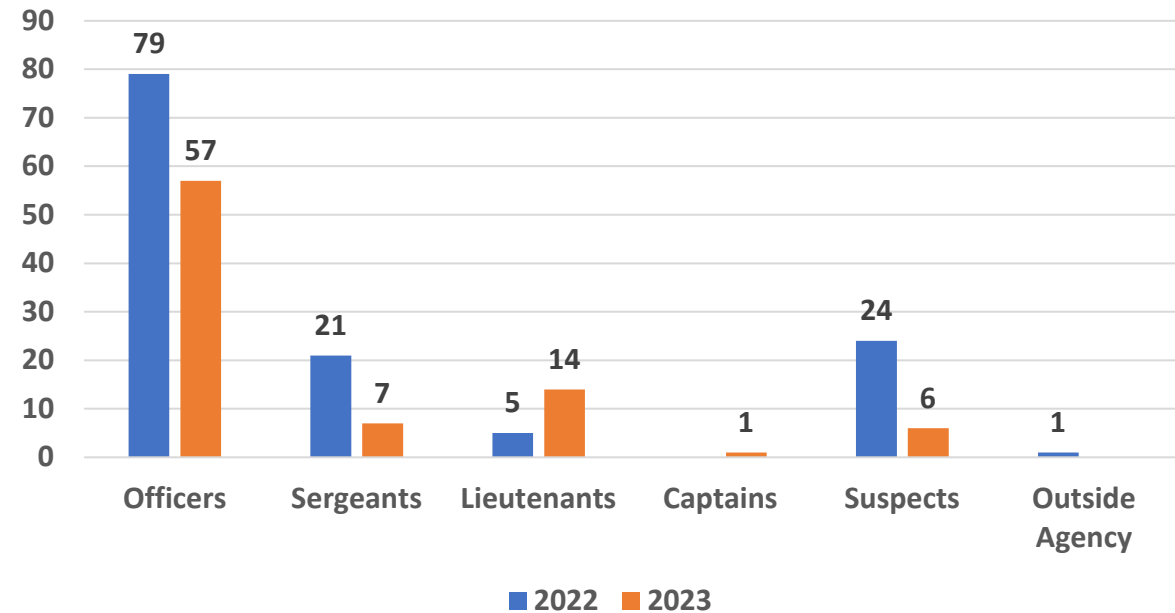


Top Initiating Reasons	2022	2023
Armed Carjacking	49	32
Armed Robbery	36	15
Assault with a Firearm	14	8
Homicide		7

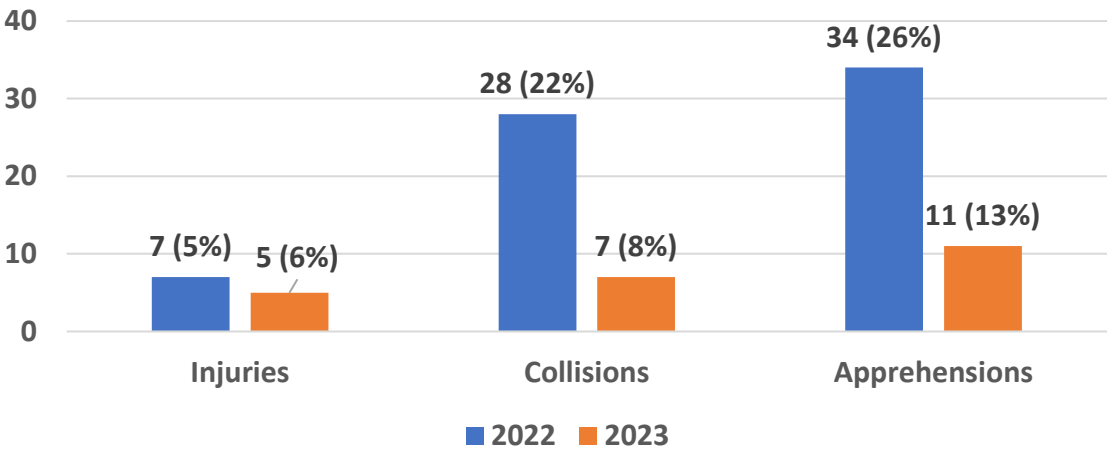
	2022	2023
Out of compliance	2	2

6.3: Pursuit Outcomes 2022 vs 2023

Who Terminated the Pursuit



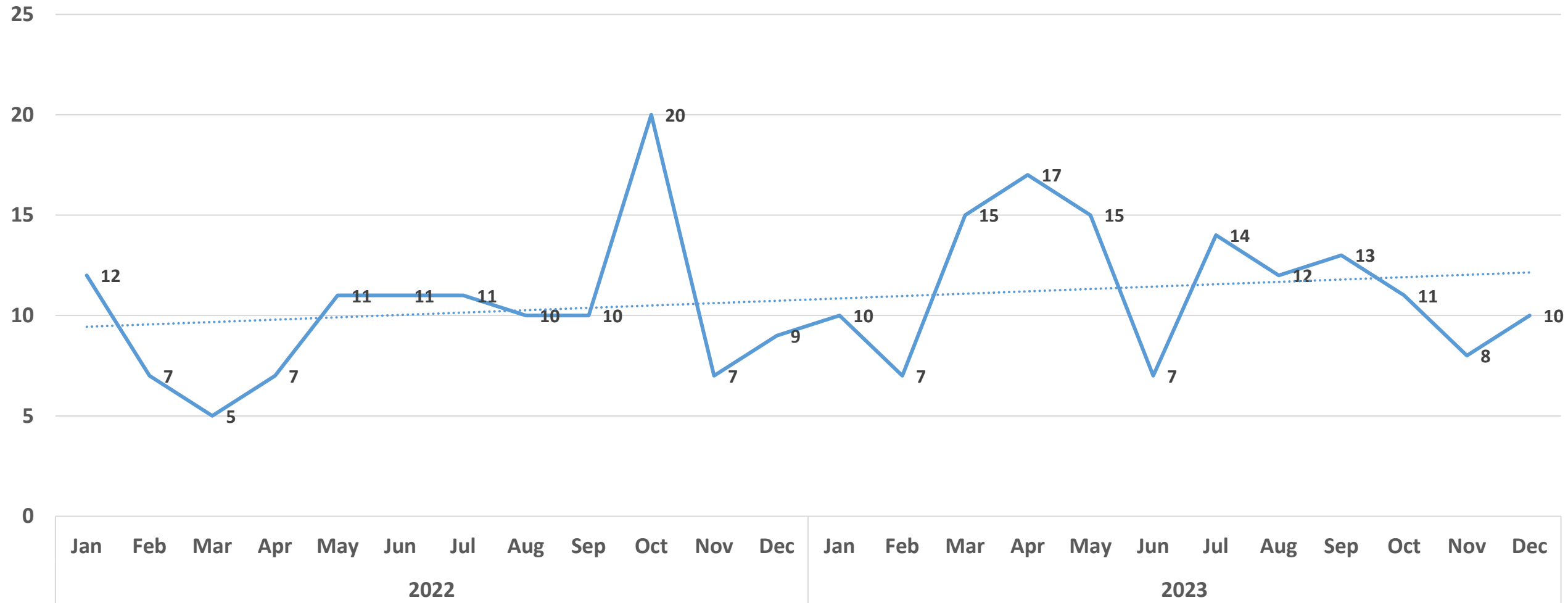
Pursuits resulting in Injuries, Collisions and Apprehensions



Top Termination Reasons	2022	2023
Lost Visual	31	19
Speed over 50 mph		16
Excessive Speed	16	13
Driving on wrong side of road	18	

7.1: Citywide Collisions

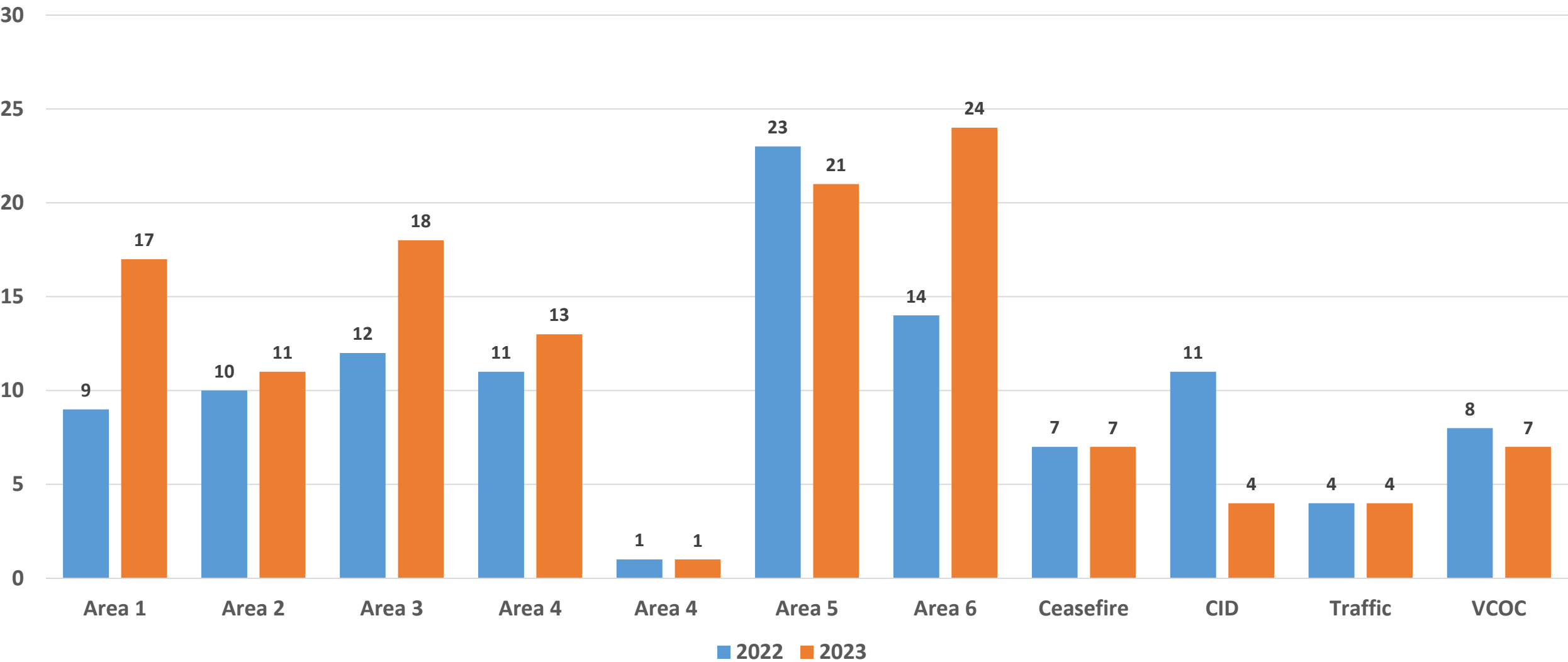
Attachment: Agenda Item # VII



Not all collisions in 2023 have been entered into Vision. Collision numbers October through December are likely higher than shown on this chart.

- 120 Collisions in 2022
- 139 Collisions in 2023 (total will increase when data entry is complete for 2023)

7.2: Vehicle Collisions by Area 2022 vs 2023



Not all collisions in 2023 have been entered into Vision, therefore the 2023 numbers will likely increase for some Areas.

OAKLAND POLICE DEPARTMENT'S REPORTING TEMPLATE AT THE OAKLAND POLICE COMMISSION MEETING

There hereby is established the Oakland Police Commission (hereinafter, Commission), which shall oversee the Oakland Police Department (hereinafter, Department) in order to ensure that its policies, practices, and customs conform to national standards of constitutional policing.

- Oakland City Charter Section 604(a)(1)

"Constitutional Policing Matters" include:

- o Use of force;
 - o Use of force review boards;
 - o Profiling based on any of the protected characteristics identified by Federal, State, or local law;
 - o First Amendment assemblies;
 - o Use of militarized equipment; and
 - o Elements expressly listed in Federal court orders or Federal court settlements such as the Negotiated Settlement Agreement.
-

I. 52 NSA Task Force – Status of Compliance, Charter 604(f)(5)

Identify the Task(s) to be reported at Commission meeting

- e.g. Task 45 Disparity in Discipline

II. Policies Related to Constitutional Policing Matters – Status Update, Charter 604(b)(2) and 604(b)(4)-(5)

Also include any next steps/review by Commission, with estimated date; & any recommendations for which Department Policies for the Commission to conduct a hearing.

- CDC Policies
- Body Worn Camera Policy
- Sexual Misconduct Policy
- Militarized Equipment Policy, MC 9.65.030
- Racial Profiling / Bias Policy
- Any policy, procedure, custom, or General Order which governs any of the above enumerated constitutional policing matters

Recommendation for Commission Hearing:

III. Any Other Policy, Procedure, Custom, or General Order Regardless of Its Topic – Status Update, Charter 604(b)(2) and 604(b)(6)

Also include any next steps/review by Commission, with estimated date; & any recommendations for which Department Policies for the Commission to conduct a hearing.

Recommendation for Commission Hearing:

IV. OPD Budget, Charter 604(b)(7) & MC 2.45.070(C)-(D)

- In General
 - Education and Training regarding Job-Related Stress & PTSD Signs and Symptoms for Sworn Officers
 - Staffing & Resource Management
 - Academy Recruits
-
-

V. Police Chief's Annual Report, MC 2.45.070(F)

VI. Rules and Procedures for Mediation and Resolution of Complaints of Police Misconduct, OMC 2.45.070(N)

VII. Policy/Practice on Publishing Department Data Sets, MC 2.45.070(P)

VIII. Status of Submitting Records/Files Requested by Commission, Charter 604(f)(2)

IX. Required Reporting to the California Department of Justice / Attorney General

OPD submitted the following reports to the DOJ (list and attach reports, including identifying the specific *Constitutional Policing Matter* involved)

- e.g., Demographics of Stop Data (Gov. Code 12525.5; CCR Tit. 11 Div. 1 § 999.224-6) (AB 2773)
 - e.g., Monthly report to DOJ of incidents of shooting and use of force by peace officer against civilian (and vice versa) that resulted in death or bodily injury. Gov. Code 12525.2
-
-

X. New Laws Affecting OPD

Identify laws and role of the Commission to enable OPD to comply with new laws.

e.g., Revision of all policies and procedures using “excited delirium” term, which will need Commission approval anticipated by April 2024. (AB 320)

XI. Any Commission Requests Made by Majority Vote of Commission – Status Update, Charter 604(b)(8)

XII. Report from Department via City Administrator or designee, on Issues Identified by Commission through Commission’s Chair, MC 2.45.070(R)

XIII. Collaboration with OIG

XIV. Collaboration with CPRA

XV. Others?

XVI. Next Report: What to Expect

Department's FY 2024-25 Midcycle Budget Proposal

POLICE COMMISSION

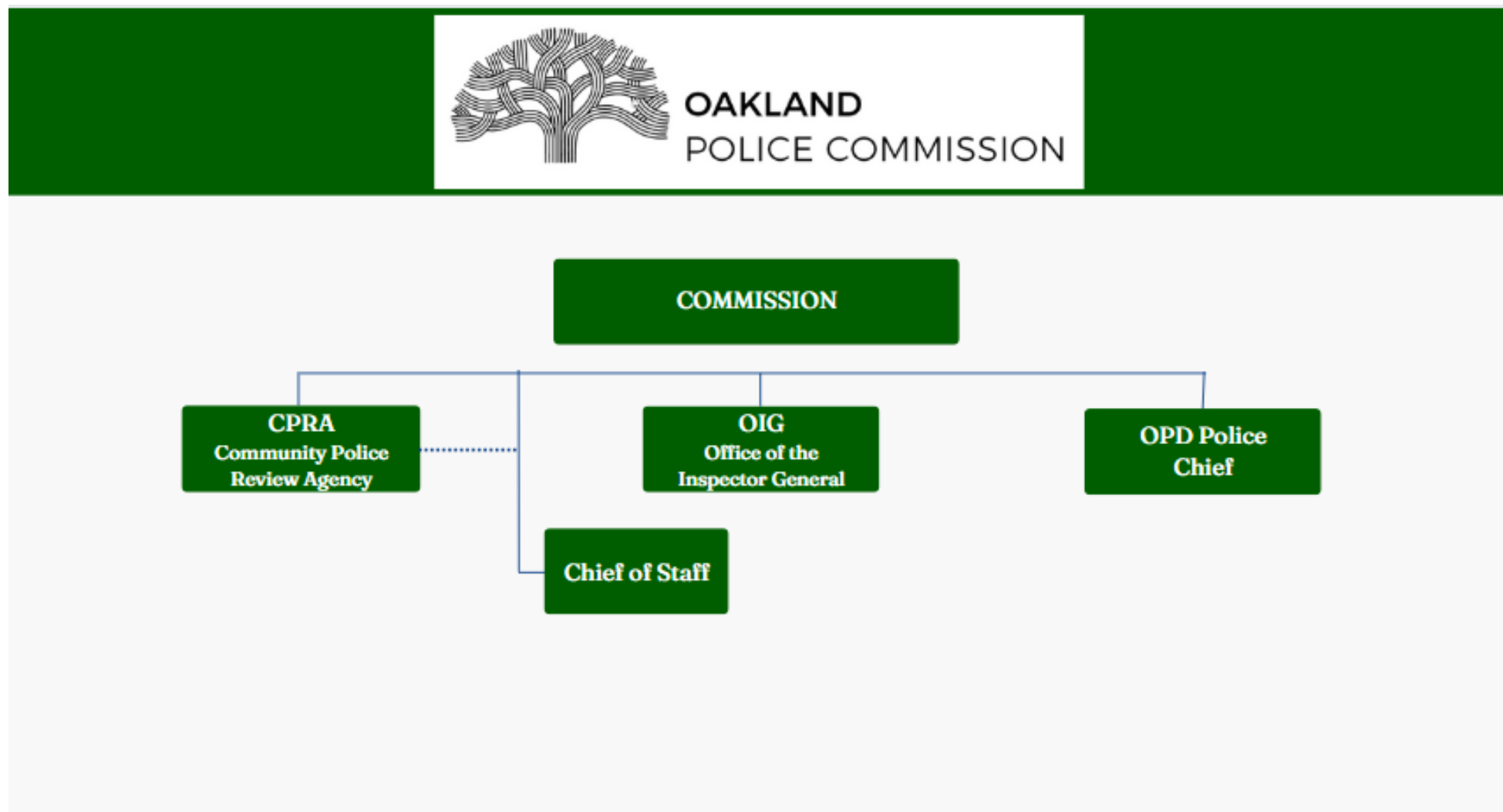
Commission Mandate

Oakland Municipal Code 2.45.070(D)

In addition to the powers and duties described in section 604 of the Oakland City Charter, the Commission shall:

Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection C., above.

Organizational Chart



Mission Statement

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing, and to oversee the Office of the Inspector General, led by the civilian Office of Inspector General for the Department, as well as the Community Police Review Agency (CPRA), led by the Executive Director of the Agency, which investigates police misconduct and recommends discipline.

The Police Commission is comprised of seven regular and two alternate members, enabled by Oakland City Code section 604. All commissioners are Oakland residents and serve in a volunteer capacity.

Core Role and Responsibilities

The Commission's core role is to oversee and reform policing in Oakland to steward public safety and instill confidence in a just legal system. We carry out this mission through the following responsibilities:

Police Oversight in collaboration with the Community Police Review Agency (CPRA) and the Office of the Inspector General (OIG)

Police Reform through policy, culture change, and community engagement

Charter and Municipal Mandates as determined by the voters of Oakland

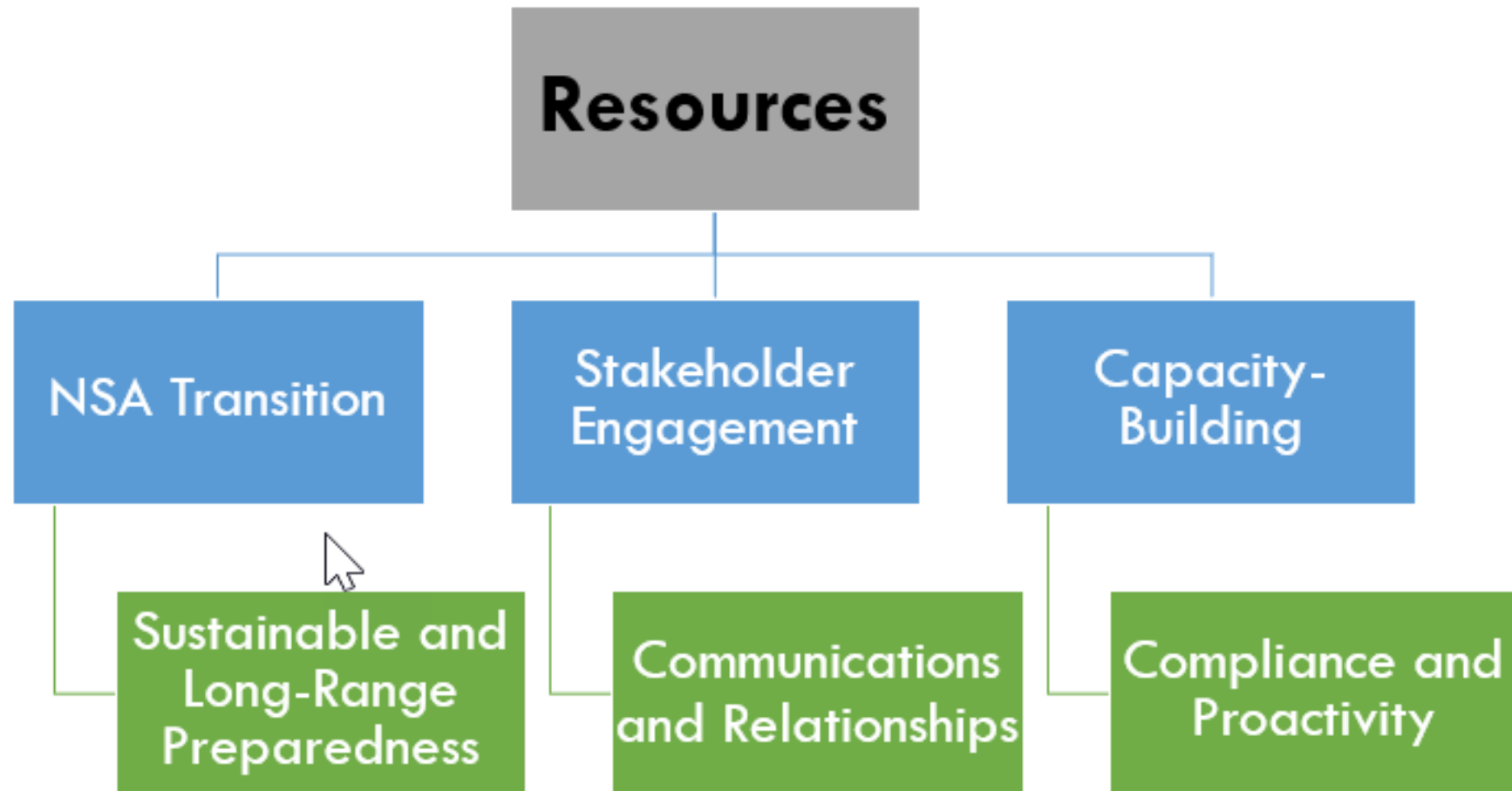
Negotiated Settlement Agreement compliance, sustainability, and transition

Measures to Assess Effectiveness of Mission Delivery

Key indicators of the Commission's success:

- Charter and Municipal Code mandates fulfilled
- Impact of policies reviewed and approved
- Address racial disparities in policing practices
- Eradicate police misconduct
- Negotiated Settlement Agreement Tasks and Sustainability
- Compliance with City Audit Reports
- Public forums and community engagement
- Evaluation of inclusion and transparency
- Staff recruitment, management, retention, and performance evaluation

Greatest Barriers to Delivering Mission



Proposed Budget Guidelines

- City General Purpose Fund facing \$115,000,000 shortfall in the Midcycle Budget + \$45M in non GPF funds
 - \$60M across City's Operating Funds to be addressed in the next Biannual budget
- OPC Budget reduction of \$170,000 for FY 24-25
- Reductions in O&M only
- Submit Forms 1 – 7 by key dates

Current OPC Budget

Description	Amount
ISF	\$15,284
O&M	\$544,393
Personnel & OH	\$571,443
TOTAL	\$1,131,120

FY 2024-25 Midcycle Budget Proposal

Description	Amount
ISF	\$19,846
O&M	\$407,310
Personnel	\$587,493
TOTAL	\$1,014,649

Review FY 24-25 Proposal

POLICE COMMISSION

Fund Allocation Overview & Adjustments

\$1,131,120.11 includes:

- ISF – Internal Service Funds
 - OPC's share of what it costs to run the city
 - Funds do not come out of OPC's budget
 - Snapshot of contribution
 - *No adjustments*
- Personnel & OH (overhead)
 - *No adjustments*
- O & M – Operations & Maintenance

1	Row Labels	Sum of APPN	Sum of Fund AVAIL	2024-2025
2	66111 - Police Commission	1,131,120.11	847,835.37	
3	1003737 - DP660 Administrative Project	1,131,120.11	847,835.37	
4	1010 - General Fund: General Purpose	1,131,120.11	847,835.37	
5	ISF - FIXED COSTS FROM THE CITY - CAN NOT BE EDITED	15,284.00	9,084.00	
6	56111 - Special Setups	5,232.00	5,232.00	5,232.00
7	56113 - Facilities: General Support	6,200.00	0.00	6,200.00
8	56123 - City Accounting Services	300.00	300.00	300.00
9	56124 - City Contract Compliance Dept-Purchasing Services	1,704.00	1,704.00	1,704.00
10	56311 - Printing	1,848.00	1,848.00	1,848.00
11	O&M	544,393.11	341,376.34	
12	52211 - Stationery and Office Supplies	4,000.00	3,986.99	2,000.00
13	52213 - Minor Computer Hardware and Software (No Asset Number, Not Capitalized)	3,000.11	2,979.07	3,000.00
14	52614 - Books	0.00	(119.90)	200.00
15	52911 - Bottled Water and Food for Human Consumption	1,000.00	520.29	5,000.00
16	52912 - Clothing	803.00	0.38	0.00
17	52919 - Supplies: Miscellaneous and Commodities	0.00	(2,343.54)	2,000.00
18	53312 - Public Relations	4,450.00	4,088.00	4,000.00
19	53314 - Advertising and Promotion	1,550.00	732.14	1,550.00
20	53719 - Miscellaneous Services	9,197.00	8,054.89	4,500.00
21	54011 - Contract Contingencies (Budgetary Only)	183,000.00	183,000.00	100,000.00
22	54511 - Legal Fees	278,193.00	93,212.50	278,193.00
23	54811 - Temporary Personnel Services	50,000.00	50,000.00	0.00
24	54919 - Services: Miscellaneous Contract	9,200.00	0.00	0.00
25	55112 - Commercial Transportation	0.00	(302.80)	2,000.00
26	55113 - Meals	0.00	(2,464.24)	0.00
27	55114 - set per-diem and lodging	0.00		2,367.00
28	55119 - Miscellaneous Travel Expenditures (Tips, Parking)	0.00	555.56	500.00
29	55212 - Registration and Tuition	0.00	(523.00)	2,000.00
30				407,310.00
31				137,083.11
32				
33	Personnel & OH	571,443.00	497,375.03	
34	51111 - Civilian: Regular	241,243.00	213,511.12	
35	51122 - Temporary: Regular Part Time	0.00	(7,659.60)	
36	51511 - Civilian: Paid Leave Charge	71,653.00	64,957.07	
37	51611 - Civilian: Retirement Accrual	138,299.00	123,235.08	
38	51613 - Civilian: Fringe Benefits Accrual	120,248.00	106,813.83	
39	51627 - Retirement Contributions	0.00	(776.39)	
40	51911 - Adjustments: Miscellaneous Payroll Adjustments (Subject to Retirement)	0.00	(2,706.08)	

FY 25 – 27 Budget Priorities

- **Retain current 2 budgeted positions**
 - Project Manager II
 - Administrative Analyst
- **Add the following FTE Positions:**
 - **Program Analyst II:** Interagency liaison between OPD, OPC, CPRA, and OIG to oversee monitoring and compliance post-NSA
 - **Senior Policy Analyst:** Proactive policy research, design, implementation, analysis
 - **Public Information Officer I:** Media relations, communications and social media strategy, community engagement and events
- **Commissioner Stipends**
- **Alignment and clarity on Legal Fees**



Questions/Discussion

