



# OAKLAND POLICE COMMISSION

## MEETING AGENDA

**June 9, 2022**  
**6:30 PM**

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.

**Pursuant to California Government Code Section 54953(e), members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.**



# OAKLAND POLICE COMMISSION

## MEETING AGENDA

June 9, 2022  
6:30 PM

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.

### PUBLIC PARTICIPATION

The Oakland Police Commission encourages public participation in the online board meetings. The public may observe and/or participate in this meeting in several ways.

#### 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/84546229079> 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 +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592  
Webinar ID: 845 4622 9079

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.”

**PROVIDE PUBLIC COMMENT:** There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment directly to the Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to [radwan@oaklandca.gov](mailto:radwan@oaklandca.gov). Please note that e-Comment **submissions close at 4:30 pm**. All submitted public comment will be provided to the Commissioners prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”
- By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“\*9”) to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail [radwan@oaklandca.gov](mailto:radwan@oaklandca.gov).



# OAKLAND POLICE COMMISSION

## MEETING AGENDA

June 9, 2022  
6:30 PM

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.

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

Chair Tyfahra Milele

*Roll Call: Chair Tyfahra Milele; Vice Chair Marsha Peterson; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Jesse Hsieh; Commissioner Regina Jackson, Commissioner David Jordan*

### II. Adoption of Renewal Resolution Electing to Continue Conducting Meetings Using Teleconferencing in Accordance with California Government Code Section 54953(E), a Provision of AB-361. The Commission will re-adopt findings to permit it to continue meeting via teleconference under the newly amended provisions of the Brown Act. ***This is a recurring item (Attachment 2).***

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

### III. Open Forum Part 1 (2 minutes per speaker, 15 minutes total)

After ascertaining how many members of the public wish to speak, Chair Tyfahra Milele will invite 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 raise their hands and they will be called on in the order their hands were raised. 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, at the end of the agenda.

### IV. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; an update on the Negotiated Settlement Agreement and the latest report; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 4).***

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

**V. Update from the Inspector General’s Office**

Inspector General Michelle Phillips will report on the OIG’s work. ***This is a recurring item.*** (Attachment 5).

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

**VI. Committee Reports**

Representatives from Standing and Ad Hoc Committees will provide updates on their work. ***This is a recurring item.*** (Attachment 6).

**Community Outreach  
(Commissioners Howell, Hsieh, Jordan)**

The objective of this Ad Hoc is to increase public awareness and knowledge of the Commission’s work and ensure broad community voices, especially from the most marginalized, are elevated. This Ad Hoc will also oversee the community engagement and outreach of the CPRA, the IG’s office and to some extent the OPD. Additionally, this Ad Hoc will work to set the guidelines for how Commission Ad Hoc’s are formed and run.

**OBOA Allegations Investigation  
(Commissioners Harbin-Forte, Jackson)**

The mission of the OBOA Allegations Investigation Ad Hoc Committee is to select an outside firm through the City’s Request for Proposals process, to investigate allegations made by the Oakland Black Officers Association that the Oakland Police Department engages in racially discriminatory hiring and promotions.

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

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 raise their hands and they will be called on in the order their hands were raised. ***Persons who spoke during Open Forum Part 1 will not be called upon to speak again without prior approval of the Commission’s Chairperson.***

**VIII. 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. ***This is a recurring item.*** (Attachment 8).

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

**IX. Adjournment**

**NOTICE:** In compliance with the Americans with Disabilities Act, 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 Chief of Staff, Rania Adwan, at [radwan@oaklandca.gov](mailto:radwan@oaklandca.gov) for assistance. Notification at least 48 hours before the meeting will enable the Police Commission to make reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids or services.

# OAKLAND POLICE COMMISSION

## RESOLUTION NO. 22-12

---

**ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND POLICE COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. *See* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

**WHEREAS**, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

**WHEREAS**, City Council Resolution No. 88075 remains in full force and effect to date; and

**WHEREAS**, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. *See* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. *See* <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

**WHEREAS**, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. *See* <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

**WHEREAS**, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

**WHEREAS**, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

**WHEREAS**, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

**WHEREAS**, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

**WHEREAS**, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

**WHEREAS**, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

**WHEREAS**, on October 14, 2021 the Oakland Police Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

**RESOLVED:** that the Oakland Police Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

**FURTHER RESOLVED:** that, based on these determinations and consistent with federal, state and local health guidance, the Oakland Police Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

**FURTHER RESOLVED:** that the Oakland Police Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it







# Weekly Crime Report — Citywide

## 23 May – 29 May, 2022

<b>Part 1 Crimes</b> <i>All totals include attempts except homicides.</i>	<b>Weekly Total</b>	<b>YTD 2020</b>	<b>YTD 2021</b>	<b>YTD 2022</b>	<b>YTD % Change</b> 2021 vs. 2022	<b>3-Year YTD Average</b>	<b>YTD 2022 vs. 3-Year YTD Average</b>
<b>Violent Crime Index</b> (homicide, aggravated assault, rape, robbery)	81	2,332	2,740	2,392	-13%	2,488	-4%
<b>Homicide – 187(a)PC</b>	2	22	51	43	-16%	39	11%
<b>Homicide – All Other *</b>	-	1	6	2	-67%	3	-33%
<b>Subtotal - 187(a)PC + all other</b>	2	23	57	45	-21%	42	8%
<b>Aggravated Assault</b>	51	1,199	1,489	1,217	-18%	1,302	-7%
Assault with a firearm – 245(a)(2)PC	11	137	261	201	-23%	200	1%
<b>Subtotal - Homicides + Firearm Assault</b>	13	160	318	246	-23%	241	2%
Shooting occupied home or vehicle – 246PC	5	127	239	143	-40%	170	-16%
Shooting unoccupied home or vehicle – 247(b)PC	2	61	117	69	-41%	82	-16%
Non-firearm aggravated assaults	33	874	872	804	-8%	850	-5%
<b>Rape</b>	-	96	49	54	10%	66	-19%
<b>Robbery</b>	28	1,015	1,151	1,078	-6%	1,081	0%
Firearm	12	293	464	483	4%	413	17%
Knife	1	90	54	32	-41%	59	-45%
Strong-arm	8	471	358	274	-23%	368	-25%
Other dangerous weapon	1	29	35	29	-17%	31	-6%
Residential robbery – 212.5(a)PC	-	40	38	24	-37%	34	-29%
Carjacking – 215(a) PC	6	92	202	236	17%	177	34%
<b>Burglary</b>	30	4,786	3,256	4,358	34%	4,133	5%
Auto	11	3,771	2,518	3,452	37%	3,247	6%
Residential	3	559	420	372	-11%	450	-17%
Commercial	8	354	208	378	82%	313	21%
Other (Includes boats, aircraft, and so on)	-	77	79	35	-56%	64	-45%
Unknown	8	25	31	121	290%	59	105%
<b>Motor Vehicle Theft</b>	69	3,487	3,715	3,650	-2%	3,617	1%
<b>Larceny</b>	24	2,962	2,280	2,438	7%	2,560	-5%
<b>Arson</b>	1	69	82	71	-13%	74	-4%
<b>Total</b>	205	13,637	12,079	12,911	7%	12,876	0%

**THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.**

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

\* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.  
 PNC = Percentage not calculated — [Percentage cannot be calculated.](#)  
 All data extracted via Coplink Analytics.



# Weekly Gunfire Summary

## 23 May – 29 May, 2022

<b>Citywide</b> <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	2	22	51	43	-16%	39	11%
Homicide – All Other *	-	1	6	2	-67%	3	-33%
<b>Subtotal - 187(a)PC + all other</b>	<b>2</b>	<b>23</b>	<b>57</b>	<b>45</b>	<b>-21%</b>	<b>42</b>	<b>8%</b>
Assault with a firearm – 245(a)(2)PC	11	137	261	201	-23%	200	1%
<b>Subtotal - 187 + 245(a)(2)</b>	<b>13</b>	<b>160</b>	<b>318</b>	<b>246</b>	<b>-23%</b>	<b>241</b>	<b>2%</b>
Shooting occupied home or vehicle – 246PC	5	127	239	143	-40%	170	-16%
Shooting unoccupied home or vehicle – 247(b)PC	2	61	117	69	-41%	82	-16%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	<b>20</b>	<b>348</b>	<b>674</b>	<b>458</b>	<b>-32%</b>	<b>493</b>	<b>-7%</b>
Negligent discharge of a firearm – 246.3PC	30	285	788	677	-14%	583	16%
<b>Grand Total</b>	<b>50</b>	<b>633</b>	<b>1,462</b>	<b>1,135</b>	<b>-22%</b>	<b>1,077</b>	<b>5%</b>

<b>Area 1</b> <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	3	7	10	43%	7	50%
Homicide – All Other *	-	-	-	1	PNC	0	200%
<b>Subtotal - 187(a)PC + all other</b>	<b>-</b>	<b>3</b>	<b>7</b>	<b>11</b>	<b>57%</b>	<b>7</b>	<b>57%</b>
Assault with a firearm – 245(a)(2)PC	2	15	34	44	29%	31	42%
<b>Subtotal - 187 + 245(a)(2)</b>	<b>2</b>	<b>18</b>	<b>41</b>	<b>55</b>	<b>34%</b>	<b>38</b>	<b>45%</b>
Shooting occupied home or vehicle – 246PC	1	18	43	25	-42%	29	-13%
Shooting unoccupied home or vehicle – 247(b)PC	-	9	18	9	-50%	12	-25%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	<b>3</b>	<b>45</b>	<b>102</b>	<b>89</b>	<b>-13%</b>	<b>79</b>	<b>13%</b>
Negligent discharge of a firearm – 246.3PC	3	30	64	53	-17%	49	8%
<b>Grand Total</b>	<b>6</b>	<b>75</b>	<b>166</b>	<b>142</b>	<b>-14%</b>	<b>128</b>	<b>11%</b>

**THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.**

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

\* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.  
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)  
All data extracted via Coplink Analytics.



# Weekly Gunfire Summary

## 23 May – 29 May, 2022

<b>Area 2</b> <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	-	2	-	-100%	1	PNC
Homicide – All Other *	-	-	-	-	PNC	-	PNC
<b>Subtotal - 187(a)PC + all other</b>	-	-	2	-	-100%	1	PNC
Assault with a firearm – 245(a)(2)PC	1	5	14	14	0%	11	27%
<b>Subtotal - 187 + 245(a)(2)</b>	1	5	16	14	-13%	12	20%
Shooting occupied home or vehicle – 246PC	1	6	5	3	-40%	5	-36%
Shooting unoccupied home or vehicle – 247(b)PC	-	2	2	2	0%	2	0%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	2	13	23	19	-17%	18	4%
Negligent discharge of a firearm – 246.3PC	-	5	16	16	0%	12	30%
<b>Grand Total</b>	2	18	39	35	-10%	31	14%

<b>Area 3</b> <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	3	9	8	-11%	7	20%
Homicide – All Other *	-	-	-	-	PNC	-	PNC
<b>Subtotal - 187(a)PC + all other</b>	-	3	9	8	-11%	7	20%
Assault with a firearm – 245(a)(2)PC	2	18	38	36	-5%	31	17%
<b>Subtotal - 187 + 245(a)(2)</b>	2	21	47	44	-6%	37	18%
Shooting occupied home or vehicle – 246PC	1	12	17	14	-18%	14	-2%
Shooting unoccupied home or vehicle – 247(b)PC	-	9	15	8	-47%	11	-25%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	3	42	79	66	-16%	62	6%
Negligent discharge of a firearm – 246.3PC	2	30	69	80	16%	60	34%
<b>Grand Total</b>	5	72	148	146	-1%	122	20%

**THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.**

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unbounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

\* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.  
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)  
All data extracted via Coplink Analytics.



# Weekly Gunfire Summary

## 23 May – 29 May, 2022

<b>Area 4</b> <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	5	8	13	63%	9	50%
Homicide – All Other *	-	-	-	-	PNC	-	PNC
<b>Subtotal - 187(a)PC + all other</b>	<b>1</b>	<b>5</b>	<b>8</b>	<b>13</b>	<b>63%</b>	<b>9</b>	<b>50%</b>
Assault with a firearm – 245(a)(2)PC	1	16	36	22	-39%	25	-11%
<b>Subtotal - 187 + 245(a)(2)</b>	<b>2</b>	<b>21</b>	<b>44</b>	<b>35</b>	<b>-20%</b>	<b>33</b>	<b>5%</b>
Shooting occupied home or vehicle – 246PC	1	20	32	23	-28%	25	-8%
Shooting unoccupied home or vehicle – 247(b)PC	-	8	11	10	-9%	10	3%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	<b>3</b>	<b>49</b>	<b>87</b>	<b>68</b>	<b>-22%</b>	<b>68</b>	<b>0%</b>
Negligent discharge of a firearm – 246.3PC	5	57	124	115	-7%	99	17%
<b>Grand Total</b>	<b>8</b>	<b>106</b>	<b>211</b>	<b>183</b>	<b>-13%</b>	<b>167</b>	<b>10%</b>

<b>Area 5</b> <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	6	8	8	0%	7	9%
Homicide – All Other *	-	-	2	1	-50%	1	0%
<b>Subtotal - 187(a)PC + all other</b>	<b>-</b>	<b>6</b>	<b>10</b>	<b>9</b>	<b>-10%</b>	<b>8</b>	<b>8%</b>
Assault with a firearm – 245(a)(2)PC	3	33	58	32	-45%	41	-22%
<b>Subtotal - 187 + 245(a)(2)</b>	<b>3</b>	<b>39</b>	<b>68</b>	<b>41</b>	<b>-40%</b>	<b>49</b>	<b>-17%</b>
Shooting occupied home or vehicle – 246PC	1	34	72	40	-44%	49	-18%
Shooting unoccupied home or vehicle – 247(b)PC	1	16	36	21	-42%	24	-14%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	<b>5</b>	<b>89</b>	<b>176</b>	<b>102</b>	<b>-42%</b>	<b>122</b>	<b>-17%</b>
Negligent discharge of a firearm – 246.3PC	11	73	245	218	-11%	179	22%
<b>Grand Total</b>	<b>16</b>	<b>162</b>	<b>421</b>	<b>320</b>	<b>-24%</b>	<b>301</b>	<b>6%</b>

**THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.**

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

\* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.  
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)  
All data extracted via Coplink Analytics.



# Weekly Gunfire Summary

## 23 May – 29 May, 2022

<b>Area 6</b> <i>All totals include attempts except homicides.</i>	<b>Weekly Total</b>	<b>YTD 2020</b>	<b>YTD 2021</b>	<b>YTD 2022</b>	<b>YTD % Change 2021 vs. 2022</b>	<b>3-Year YTD Average</b>	<b>YTD 2022 vs. 3-Year YTD Average</b>
Homicide – 187(a)PC	1	5	17	4	-76%	9	-54%
Homicide – All Other *	-	1	4	-	-100%	2	PNC
<b>Subtotal - 187(a)PC + all other</b>	<b>1</b>	<b>6</b>	<b>21</b>	<b>4</b>	<b>-81%</b>	<b>10</b>	<b>-61%</b>
Assault with a firearm – 245(a)(2)PC	2	45	73	46	-37%	55	-16%
<b>Subtotal - 187 + 245(a)(2)</b>	<b>3</b>	<b>51</b>	<b>94</b>	<b>50</b>	<b>-47%</b>	<b>65</b>	<b>-23%</b>
Shooting occupied home or vehicle – 246PC	-	34	69	38	-45%	47	-19%
Shooting unoccupied home or vehicle – 247(b)PC	1	16	32	18	-44%	22	-18%
<b>Subtotal - 187 + 245(a)(2) + 246 + 247(b)</b>	<b>4</b>	<b>101</b>	<b>195</b>	<b>106</b>	<b>-46%</b>	<b>134</b>	<b>-21%</b>
Negligent discharge of a firearm – 246.3PC	9	86	263	189	-28%	179	5%
<b>Grand Total</b>	<b>13</b>	<b>187</b>	<b>458</b>	<b>295</b>	<b>-36%</b>	<b>313</b>	<b>-6%</b>

**THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.**

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

\* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.  
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)  
All data extracted via Coplink Analytics.



**2022 Year-to-Date Recovered Guns**

Recoveries through 29 May, 2022

<b>Grand Total</b>	<b>554</b>
--------------------	------------

<b>Crime Recoveries</b>	
Felony	334
Felony - Violent	98
Homicide	18
Infraction	0
Misdemeanor	12
<b>Total</b>	<b>462</b>

<b>Crime Gun Types</b>	<b>Felony</b>	<b>Felony - Violent</b>	<b>Homicide</b>	<b>Infraction</b>	<b>Misdemeanor</b>	<b>Total</b>
Machine Gun	1					1
Other	3					3
Pistol	277	64	15		11	367
Revolver	4	9	1			14
Rifle	32	15	2		1	50
Sawed Off	2					2
Shotgun	7	8				15
Sub-Machinegun						0
Unknown/Unstated	8	2				10
<b>Total</b>	<b>334</b>	<b>98</b>	<b>18</b>	<b>0</b>	<b>12</b>	<b>462</b>

<b>Non-Criminal Recoveries</b>	
Death Investigation	5
Found Property	53
SafeKeeping	34
<b>Total</b>	<b>92</b>

<b>Non-Criminal Gun Types</b>	<b>Death Investigation</b>	<b>Found Property</b>	<b>SafeKeeping</b>	<b>Total</b>
Machine Gun				0
Other			1	1
Pistol	3	18	14	35
Revolver	2	12	7	21
Rifle		13	9	22
Sawed Off				0
Shotgun		6	2	8
Sub-Machinegun				0
Unknown/Unstated		4	1	5
<b>Total</b>	<b>5</b>	<b>53</b>	<b>34</b>	<b>92</b>



2022 vs. 2021 — Year-to-Date Recovered Guns

Recoveries through 29 May

Gun Recoveries	2021	2022	Difference	YTD % Change 2021 vs. 2022
<b>Grand Total</b>	<b>452</b>	<b>554</b>	<b>102</b>	<b>23%</b>

Crime Recoveries	2021	2022	Difference	YTD % Change 2021 vs. 2022
Felony	243	334	91	37%
Felony - Violent	97	98	1	1%
Homicide	13	18	5	38%
Infraction	0	0	0	PNC
Misdemeanor	16	12	-4	-25%
<b>Total</b>	<b>369</b>	<b>462</b>	<b>93</b>	<b>25%</b>

Non-Criminal Recoveries	2021	2022	Difference	YTD % Change 2021 vs. 2022
Death Investigation	11	5	-6	-55%
Found Property	43	53	10	23%
SafeKeeping	29	34	5	17%
<b>Total</b>	<b>83</b>	<b>92</b>	<b>9</b>	<b>11%</b>

PNC = Percentage not calculated  
[Percentage cannot be calculated.](#)





# Memorandum

**TO:** LeRonne L. Armstrong  
Chief of Police

**FROM:** Office of Internal  
Accountability

**SUBJECT:** Supervised Release Search Policy  
Implementation Update

**DATE:** May 21, 2022

## PURPOSE

This memorandum is to provide an update on the Department's efforts since the implementation of Departmental General Order R-02: Searches of Individuals on Probation, Parole, Mandatory Supervision and Post Release Community Supervision (PRCS).

## BACKGROUND

The Oakland Police Commission approved DGO R-02 with an effective date of October 11, 2019. The intent of this policy is to enhance the effectiveness of officers when contacting individuals on supervised release and to provide clear guidelines for the use of supervised release searches. Supervised release includes:

- Probation
- Parole
- Mandatory Supervision
- Post Release Community Supervision (PRCS)

The Department seeks to build community trust through transparency of department operations by requiring officers to document articulable facts supporting a decision to make a warrantless search. Definitions for non-violent and violent offenses are provided, as well as the difference between a cursory and full search. Requirements for supervised release searches are also outlined. These are key points of the policy:

- Do not immediately ask a subject if they are on supervised release.
- A search may only be performed on subjects who are on supervised release:
  - for a violent offense with a warrantless search clause
  - for any offense and they are connected in some way to criminal activity or poses an imminent threat to officer or citizen safety.
- Before any supervised release search, an officer shall confirm the status of the subject's supervised release by way of a records check.
- For all supervised release searches, officers shall utilize their body worn camera and document the encounter in the appropriate report.



To: Chair Tyfahra Milele, Oakland Police Commission  
 Subject: Supervised Release Searches  
 Date: June 9, 2022

## OPD's TRACKING OF SUPERVISED RELEASE SEARCHES

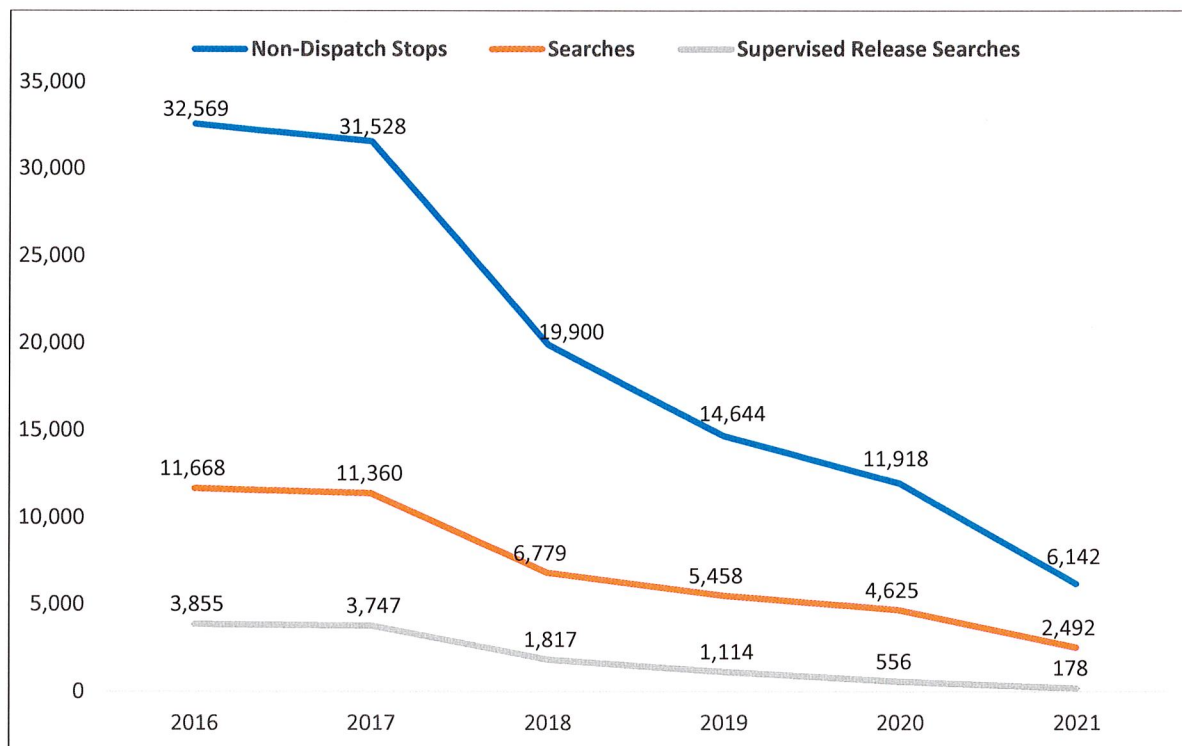
On January 1, 2019, Assembly Bill 953 (AB953) mandated the collection of stop data to include stops and searches related to dispatched calls for service. Previously, departmental policy only required data collection for stops and searches made during self-initiated (non-dispatched) encounters. Also, for each person stopped, officers could only select one of the following search types: consent, cursory, probation/parole probable cause or incident to arrest. Under AB953, officers can select multiple reasons for each search including searches as a condition of parole/probation/PRCS/mandatory supervision. For this report, probation/parole (2016-2018) and condition/probation/PRCS/mandatory supervision searches (2019-2021) will be referred to as supervised released searches.

## ANALYSIS OF SUPERVISED RELEASE SEARCHES

From 2016 to 2021, the number of supervised release searches decreased 95% and the number of searches decreased 79%. The overall number of non-dispatched stops decreased 81%.

**Table 1 Non-Dispatch Stops, Searches & Supervised Release Searches 2016-2021**

	2016	2017	2018	2019	2020	2021	2016-2021 change
Supervised Release Searches	3,855	3,747	1,817	1,114	556	178	<b>-95%</b>
Searches	11,668	11,360	6,779	5,458	4,625	2,492	<b>-79%</b>
Non-Dispatch Stops	32,569	31,528	19,900	14,644	11,918	6,142	<b>-81%</b>



To: Chair Tyfahra Milele, Oakland Police Commission  
 Subject: Supervised Release Searches  
 Date: June 9, 2022

From 2016 to 2021, the rate of Black/African American supervised release searches made during non-dispatched stops decreased 16%. During the same period, the rate of Hispanic supervised release searches increased 10%.

**Table 2 Non-Dispatch Stops & Supervised Release Searches by Race 2016-2021**

Race	2016		2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%	#	%
Black/African American	3,171	82%	3,013	80%	1,427	79%	825	74%	365	66%	117	66%
Hispanic	450	12%	497	13%	241	13%	181	16%	119	21%	40	22%
White	123	3%	129	3%	64	4%	46	4%	37	7%	6	3%
Asian	53	1%	65	2%	55	3%	50	4%	25	4%	10	6%
Other	58	2%	43	1%	30	2%	12	1%	10	2%	5	3%
<b>Grand Total</b>	<b>3,855</b>	<b>100%</b>	<b>3,747</b>	<b>100%</b>	<b>1,817</b>	<b>100%</b>	<b>1,114</b>	<b>100%</b>	<b>556</b>	<b>100%</b>	<b>178</b>	<b>100%</b>

From 2019 to 2021, when AB953 requirements mandated the collection of stops and searches during dispatched stops, the rate of Black/African American supervised release searches decreased 13%. During the same period, the rate of Hispanic supervised release searches increased 7%.

**Table 3 Dispatch Stops Supervised Release Searches by Race 2019-2021**

Race	2019		2020		2021	
	#	%	#	%	#	%
Black/African American	335	73%	149	60%	81	60%
Hispanic	75	16%	66	27%	31	23%
White	36	8%	22	9%	13	10%
Asian	9	2%	8	3%	2	1%
Other	7	2%	4	2%	9	7%
<b>Grand Total</b>	<b>462</b>	<b>100%</b>	<b>249</b>	<b>100%</b>	<b>136</b>	<b>100%</b>

From 2019 to 2021, the number of non-dispatched stops where supervised release was the only search reason decreased 23%. During the same period, the number of dispatched stops where supervised release was the only search reason decreased 10%.

**Table 4 Supervised Release Only Search Type**

	Non-Dispatch			Dispatch		
	#	%	Total	#	%	Total
2019	567	51%	1,114	108	23%	462
2020	180	32%	556	38	15%	249
2021	50	28%	178	17	13%	136

To: Chair Tyfahra Milele, Oakland Police Commission  
Subject: Supervised Release Searches  
Date: June 9, 2022

Page 4

## CONCLUSION

For non-dispatch stops, supervised release searches have decreased 95% since 2016 and 84% since 2019 when DGO R-2 was released. In 2021, only 2% of searches that occurred during non-dispatch stops had supervised release as the only reason selected. The Department values community trust and legitimacy and understands how searches of individuals on supervised release may be considered overly intrusive if not conducted to further a legitimate law enforcement purpose. The sharp drop in supervised release searches over the past six years reflects the Department's commitment to those values.

Although we continue to strive for improvement, this report continues to show the progress made possible by intelligence-led and precision-based strategies designed to produce fewer but more meaningful stops and searches. As a result, we continue to have less contact with community members that may be viewed as unwarranted or arbitrary.

Respectfully submitted,



LeRonnie L. Armstrong  
Chief of Police  
Oakland Police Department

Reviewed by:  
Clifford Wong, Deputy Chief  
OPD, Bureau of Risk Management

Prepared by:  
Lieutenant Hamann Nguyen,  
OPD, Office of Internal Accountability

Sergeant Tam Dinh,  
OPD, Risk Impact Unit

Dr. Leigh Grossman,  
OPD, Risk Analysis Unit

Public Safety Committee

June 9, 2022

Police Commission Meeting 6.9.2022 Pg. 19

Reply all Delete Junk Block sender

### Safely Located Kattie Pruitt



Chambers, Paul  
Tue 5/24/2022 10:32 AM



Thank you to our community and media partners, Kattie Pruitt is no longer a [#Missing](#) Person.

She has been safely located. [#SAFEOKLAND](#)

**Paul Chambers**  
**Strategic Communications Manager**  
**Oakland Police Department**  
**Email: [pchambers@oaklandca.gov](mailto:pchambers@oaklandca.gov)**

**#OPDCARES initiative is about working together as a community to help stop the tragic loss of life and reduce the level of violence in our city. Collectively, we want to ensure Oaklanders and our visitors are safe in our community.**

**Follow OPD on [Twitter](#), [Facebook](#), [Instagram](#), and [YouTube](#)**

**From:** Chambers, Paul  
**Sent:** Monday, May 23, 2022 5:37 PM  
**Subject:** Missing Person Kattie Pruitt: At Risk Due to Dementia



**For Immediate Release May 23, 2022**  
**OPD NEWS:**

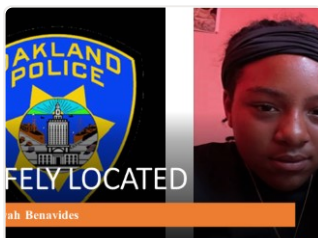
## Missing Person Kattie Pruitt: At Risk Due to Dementia

The Oakland Police Department is requesting assistance from our community and media partners in locating Missing Person, Kattie Pruitt, who is **at risk due to Dementia**.

Reply all Delete Junk Block sender

# Safely Located - Ameriyah Benavides

OM OPD Media  
Tue 5/31/2022 3:28 PM



For Immediate Release May 31, 2022  
OPD NEWS:

## SAFELY LOCATED:

Thank you to our community and media partners, Ameriyah Benavides, is no longer a #Missing Person. She has been safely located. #SAFEOKLAND.

### Background:

## Missing Person Ameriyah Benavides: At Risk Due to Age

The Oakland Police Department is requesting assistance from our community and media partners in locating Missing Person, Ameriyah Benavides, who is **at risk due to age**.



CITY OF OAKLAND

Oakland Police Commission

Office of the Inspector General

# AGENDA REPORT

**TO:** Tyfahra Milele  
Chair, Oakland Police Commission

**FROM:** Michelle Phillips  
Inspector General

**SUBJECT:** Office of the Inspector General (OIG)  
Progress Report

**DATE:** June 9, 2022

## PURPOSE

The Inspector General reports to the Police Commission and members of the public as requested by the Commission. This report outlines updates from the OIG since the Inspector General reported to the Commission on May 12, 2022. The information compromised in this report is also intended to answer OIG specific questions raised at Police Commission meetings since the last OIG report.

## NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 MANDATE)

### **Sustainability Period of One Year**

The sustainability period of one year was set by the Federal Court in an order modifying the monitoring plan in 2015 (Attachment 1).<sup>1</sup> The OIG will defer any questions regarding how and why the sustainability period of one year was mandated to the Court or the Oakland City Attorney's Office.

### **OIG monitoring of the Oakland Police Department**

In accordance with Measure S1's mandate, the OIG is finalizing its scope for the first OIG audit/review. Upon completion of that scope, the OIG will formally communicate what area will be audited. The OIG anticipates this initial audit/review to begin in July 2022.

### **OIG VISION access update**

As of May 18, 2022, the OIG has been granted the requested access to the VISION system utilized by the Oakland Police Department (OPD). The OIG completed the first three hours of training on May 26, 2022. There will be two additional training sessions to ensure all pertinent information and access is shared between the OIG and the OPD. Additionally, the OIG and Chair of the Commission have met with members of the public who are concerned with the transparency of police data. Those conversations will continue.

<sup>1</sup> Court order can be found at [ORDER modifying monitoring plan. Signed by Judge Thelton E. Henderson on 05/21/15. \(tehlc3, COURT STAFF\) \(Filed on 5/21/2015\) \(justia.com\)](#)



## THE BEY MATTER

The OIG is actively reviewing the Bey Matter. The OIG has requested additional information from the Police Commission and the OPD during its review. Additionally, the OIG has communicated with relevant parties who were willing to provide supplemental information for the ongoing review. This review is active and ongoing therefore the OIG will not be able to provide any lessons learned or recommendations until the review is complete.

## OIG STAFF UPDATE

Thursday May 19, 2020, the OIG attended the Civil Service Board meeting regarding the Inspector General Performance Auditor and the Inspector General Policy Analyst positions.<sup>2</sup> Additionally, the OIG requested an exempt limited duration (ELDE) employee to assist the OIG with administrative work. The City Administrator approved the temporary position. The ELDE will be working as an executive assistant to the Inspector General and is scheduled to start June 25, 2022.

May 31, 2022, the City Administration presented their budget requests to the City Council. With that request the City Administration requested three additional staff for the OIG at the mid-cycle. In addition to the four positions already budgeted. Below are the original four positions:

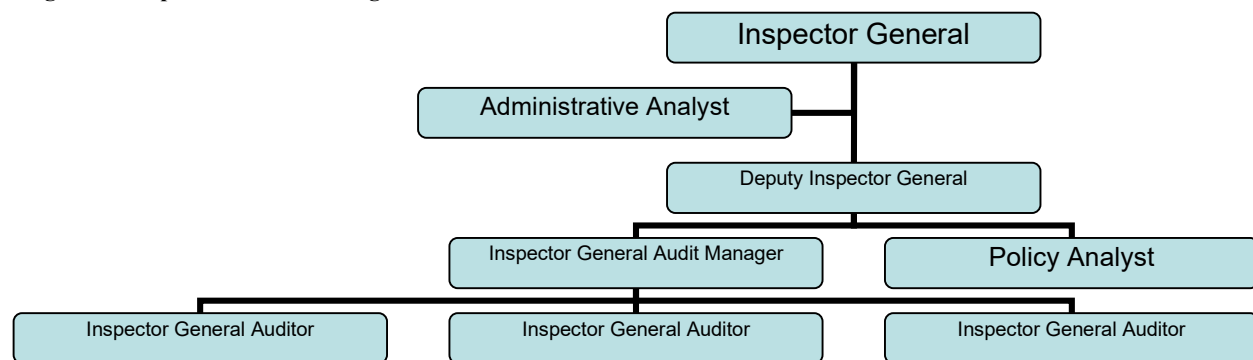
1. Inspector General (1)
2. Program and Performance Audit Supervisor (1)
3. Policy Analyst (1)
4. Police Performance Auditor (2)

The City Administration submitted for approval three additional positions:

1. Project Manager III (1)
2. Police Performance Auditor (1)
3. Administrative Analyst II (1)

If the City Council approves the additional staff, the OIG will have eight budgeted full-time positions. However, there will still be a delay in filling the full-time positions as there is a lengthy process for the creation of new job classifications and hiring. In the interim, the OIG will use the ELDE designation to hire temporary staff while the classification and hire process runs its course.

**Figure 1: Proposed Draft OIG Organizational Chart**



<sup>2</sup> The agenda for the Civil Service Board can be located at this website: [Civil-Service-Board-Regular-Meeting-Agenda-Packet-May-19-2022.pdf](https://cao-94612.s3.amazonaws.com/Civil-Service-Board-Regular-Meeting-Agenda-Packet-May-19-2022.pdf) (cao-94612.s3.amazonaws.com)

### **OIG Internal Policy Ad Hoc**

The OIG Internal Policy Review Ad Hoc has been selected to advise the OIG of the Police Commission's priorities and the functions and duties the Police Commission has established for the OIG. The Ad Hoc would provide the OIG with additional expectations, should there be any, which are not outlined in the City Charter and Enabling Ordinance. The Ad Hoc will work collaboratively with the OIG to establish procedures to govern OIG general processes, auditing, review, inspection and evaluation processes. The OIG has outlined its objects for the ad hoc which is outlined in attachment 2.

### **OIG COMMUNITY MEETINGS AND OUTREACH**

The OIG has been invited to meet with a few community leaders, business owners and nonprofits that represent and/or service several different communities in Oakland. The OIG attended a meeting in District 7 with owners and operators who had concerns about crime in their area and the OPD's response to their concerns. Councilmember Reid, OPD, CPRA and members of the Mayoral administration were in attendance as well. The OIG was specifically invited to this meeting.

The OIG also met with Jonathan Jones of the Oakland post/African American Sports & Entertainment Group, John Jones III a community leader/ African American Sports & Entertainment Group, Richard Johnson of the Formally Incarcerated Given Back and Paul Redd of F.I.R.E.<sup>3</sup> The gentleman requested a meeting with the OIG to share their concerns about OPD oversight, how certain communities do not believe they are equitably served by the police and a belief that certain communities are not heard. The community conversations will continue.

Finally, the OIG was joined by Commissioner Rudy Howell and an employee of CPRA to participate in a community clean up and feed the homeless event with the Heart for People organization. These community opportunities allowed the OIG the opportunity to meet residents of Oakland in a different milieu, one where they were comfortable and spoke freely about their expectations of the OIG. If there are any community members or organizations that wish to schedule a meeting with the OIG as it pertains to the OIG's function in civilian oversight. Please feel free to contact the OIG at [OIG@oaklandca.gov](mailto:OIG@oaklandca.gov).

For questions regarding this report, please contact Michelle Phillips, Inspector General, at [OIG@oaklandca.gov](mailto:OIG@oaklandca.gov).

Respectfully submitted,




---

Michelle N. Phillips  
 Inspector General  
 Office of the Inspector General

#### Attachments

1. United States District Court for Northern California DELPHINE ALLEN, et al., Plaintiffs, v. CITY OF OAKLAND, et al., Defendants Case No. 00-cv-04599-TEH Order Modifying Monitoring Plan
2. OIG Internal Policy objectives memo presented to the Ad Hoc

---

<sup>3</sup> Names of community members that are outlined in this report have been authorized by each individual member.



1  
2 UNITED STATES DISTRICT COURT  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 DELPHINE ALLEN, et al.,

6 Plaintiffs,

7 v.

8 CITY OF OAKLAND, et al.,

9 Defendants.

Case No. 00-cv-04599-TEH

**ORDER MODIFYING  
MONITORING PLAN**

10  
11 This case began fifteen years ago, with the filing of several lawsuits alleging racial  
12 bias, excessive force, and other serious constitutional violations by Defendants City of  
13 Oakland, the Chief of Police of the Oakland Police Department (“OPD”), and several  
14 individual OPD officers. In January 2003, the parties agreed to the Negotiated Settlement  
15 Agreement (“NSA”), which included fifty-one tasks that were scheduled to be completed  
16 by September 1, 2005. Defendants failed to meet that agreed-upon deadline, and the NSA  
17 was extended three times, first under its own terms and subsequently by the parties’  
18 Memorandum of Understanding (“MOU”) and Amended Memorandum of Understanding  
19 (“AMOU”), which were entered as orders of this Court on November 24, 2009, and  
20 June 27, 2011, respectively.

21 While Defendants made significant progress under these agreements, their inability  
22 to achieve compliance with several of the NSA’s most critical provisions prompted  
23 Plaintiffs to file a motion to appoint a receiver in 2012. The Court ordered the parties to  
24 engage in settlement discussions after Defendants opposed the motion but acknowledged  
25 the need for further intervention by this Court. Those discussions resulted in the jointly  
26 proposed appointment of a Compliance Director, an unprecedented position giving  
27 directive authority over the City’s police force. The parties agreed that the Compliance  
28 Director would have authority not just over the specific tasks set forth in the NSA, but also

1 over “policies, procedures, and practices that are related to the objectives of the NSA and  
2 AMOU, even if such policies, procedures, or practices do not fall squarely within any  
3 specific NSA task.” Dec. 12, 2012 Order re: Compliance Director at 6.

4 The appointment of a Compliance Director did not change the Monitor’s duty to  
5 evaluate and report on the status of the City’s compliance with the NSA. The Monitor’s  
6 most recent report – the twenty-first report by the second monitoring team – found the City  
7 in compliance with all but three of the fifty-one NSA tasks. Despite such progress,  
8 however, fundamental issues remain. The Court Investigator’s report concerning the  
9 discipline process provides the most recent and stark example. As the Court has already  
10 noted, the shortcomings identified by the Investigator severely undermine consistency of  
11 discipline and accountability, both of which are fundamental principles behind the NSA.  
12 Similarly, Defendants’ efforts to curb bias-based policing, which gave rise to many of the  
13 original complaints in this case, continue to be a work in progress.

14 **It also remains unclear whether the City can sustain the reforms it has achieved thus**  
15 **far. Indeed, some of the NSA tasks have only been in compliance for a short time, and**  
16 **some have gone in and out of compliance over the past several years. As this Court has**  
17 **repeatedly stated, compliance must be sustainable before this case can end. This requires a**  
18 **one-year period of demonstrated substantial compliance, as agreed to by the parties in their**  
19 **MOU and AMOU, as well as evidence that reforms have become so institutionalized that**  
20 **the absence of oversight will not result in a return to practices that fail to protect**  
21 **constitutional rights.**

22 The Court has consulted with the Monitor and Compliance Director about how to  
23 more effectively help Defendants attain sustainable compliance. With good cause  
24 appearing, IT IS HEREBY ORDERED that:

25 1. The Monitor will provide more contemporaneous reporting of actively  
26 monitored tasks by filing monthly reports on or before the 10th of each month. The first  
27 such report will be filed on or before **July 10, 2015**, and will be based on compliance data  
28 from May 2015.

1           2. Pursuant to the parties' agreement regarding a one-year substantial  
2 compliance period, tasks that have been in compliance for at least one consecutive year  
3 shall no longer be subject to active monitoring.

4           (a) The tasks that have not achieved this milestone, and that therefore  
5 remain actively monitored at this time, are: Task 5 (Complaint Procedures for the Internal  
6 Affairs Division; in partial compliance); Task 20 (Span of Control for Supervisors; in  
7 compliance for three quarters); Task 26 (Force Review Board; in compliance for three  
8 quarters); Task 30 (Executive Force Review Board; in compliance for three quarters);  
9 Task 34 (Vehicle Stops, Field Investigation, and Detentions; in partial compliance);  
10 Task 41 (Use of PAS; in compliance for two quarters); and Task 45 (Consistency of  
11 Discipline Policy; in partial compliance).

12           (b) Because the change from quarterly to monthly reporting will result in  
13 no monitoring for January through April 2015, some adjustment to the substantial  
14 compliance period is required for those tasks that have been found in compliance but not  
15 for the requisite one year. Tasks 20, 26, and 30 have been in compliance for three quarters  
16 – i.e., nine months – and need only three additional months of compliance to have been in  
17 compliance for a one-year period. These three tasks will therefore be removed from active  
18 monitoring if they are found in compliance for May, June, and July 2015. Similarly,  
19 Task 41, which has been in compliance for two quarters, or six months, will be removed  
20 from active monitoring if it is found in compliance for the next six months, namely, May  
21 through October 2015.


22           3. To ensure continued compliance with all aspects of the NSA, the Monitor  
23 may choose to examine tasks that are no longer being actively monitored. The Monitor  
24 will consider the input of the parties and the Compliance Director when determining  
25 which, if any, tasks to monitor under this provision each month, but the final determination  
26 shall rest with the Monitor. Any task found to be in partial or non-compliance shall be  
27 returned to active monitoring the following month.  
28

1           4.       The Monitor will provide increased technical assistance to help Defendants  
 2 achieve sustainable compliance with NSA tasks and address, in a sustainable manner, the  
 3 strategies and benchmark areas included in the Court’s December 12, 2012 Order re:  
 4 Compliance Director and the shortcomings identified in the Court Investigator’s April 16,  
 5 2015 report. The Monitor will also help Defendants institutionalize an internal system of  
 6 monitoring by the Office of Inspector General or other City or Department entity, along  
 7 with internal mechanisms for corrective action.

8           5.       The duties and responsibilities of the Monitor and Compliance Director  
 9 otherwise remain unchanged.


10  
 11 **IT IS SO ORDERED.**

12  
 13 Dated: 05/21/15

14   
 15 \_\_\_\_\_  
 16 **THELTON E. HENDERSON**  
 17 United States District Judge

United States District Court  
 Northern District of California

18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

<b>From:</b>	Michelle N. Phillips, Inspector General	CITY OF OAKLAND  <b>MEMO</b>	Attachment 5
<b>Agency Name &amp; Address</b>	Office of the Inspector General 150 Frank Ogawa Plaza Suite 4313 Oakland, California 94612		 CITY OF OAKLAND Oakland Police Commission Office of the Inspector General
<b>To:</b>	Marsha Peterson, Vice Chair Regina Jackson, Commissioner Brenda Harbin-Forte, Commissioner		
<b>Subject:</b>	OIG Ad Hoc-Objectives		

**Ad Hoc Committee-OIG Internal Policies**

In accordance with Oakland municipal code 2.45.120 *Functions and Duties of the Office of the Inspector General*, the Police Commission shall advise the Office of the Inspector General of its priorities and the functions and duties the Police Commission establishes for the Office of the Inspector General.

The purpose of this Ad Hoc committee is to support the Office of the Inspector General in its creation and implementation of standard operating procedures. The areas of concentration will be:

1. Standards for the Office of the Inspector General (General Policies)
  - a. Standards for Management
    - Effective ways to formally document and provide reports and recommendations to the Police Commission, City Council and the member of the Public
    - Performance expectations not documented in the City Charter or Enabling Ordinance
  - b. Standards for Operations
    - Confidentiality and Transparency
    - OIG Independence
    - Community engagement
  - c. Standards of Conduct
  
2. Standards for Auditing and Monitoring
  - a. Procedures that govern how audits will be conducted in accordance with the Association of Inspector General Principles and Standards for Offices of Inspector General, the Government Auditing Standards issued by the Comptroller General of the United States, or Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.<sup>1</sup>
  
3. Standards for Inspections, Evaluations and Reviews

The Office of the Inspector General will solicit the advice, guidance and input from commissioners, subject matter experts, legal counsel and community representatives. The final product derived from this Ad Hoc will be the governing standard operating procedures adopted by the Office of Inspector General.



May 27, 2022

\_\_\_\_\_  
Michelle Phillips

\_\_\_\_\_  
Date

<sup>1</sup> Association of Inspectors General (AIG) <https://www.cabq.gov/audit/documents/OIGStandards-Greenbook.pdf>, United States Government Accountability Office (GAO) <https://www.gao.gov/assets/gao-14-704g.pdf> and the International Standards for the Professional Practice of Internal Auditing <https://www.theiia.org/governance/standards/2013/ippf-standards-2013-english.pdf> Police Commission Meeting 6/9/2022 Pg. 29



**CITY OF OAKLAND | POLICE COMMISSION**  
250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

### Current Committees

Standing Committee	Commissioners
Personnel	Jackson

Ad Hoc Committee	Commissioners
Budget	Milele, Peterson
Body Worn Cameras Policy	Peterson, Harbin-Forte, Hsieh
Chief of Staff Search	Milele, Jackson, Jordan
Community Outreach	Howell, Hsieh, Jordan
Community Policing (15-01)	Harbin-Forte, Howell, Hsieh
CPRA Director + IG Performance Evaluation	Milele, Peterson
IG Policies	Peterson, Harbin-Forte, Jackson
Militarized Equipment Policy	Hsieh, Jordan
OBOA Allegations Investigation	Harbin-Forte, Jackson
Racial Profiling Policy	Milele, Jackson, Jordan
Rules of Procedure	Harbin-Forte

### Recently Completed/Paused/Dormant

Ad Hoc Committee	Commissioners
Annual Report	Milele, Jackson
Antidiscrimination Policy	Harbin-Forte, Hsieh, Jackson
Electronic Communication Devices	Howell, Harbin-Forte, Peterson
Police Chief Goals and Evaluation	Milele, Peterson, Jackson
Risk Management Policy	Peterson, Harbin-Forte, Howell
Social Media Policy	Milele, Hsieh, Jackson
White Supremacists and Other Extremist Groups	Harbin-Forte, Jackson

For a roster of current Commissioners and their emails, visit:

<https://www.oaklandca.gov/teams/police-commission>

**Police Commission Pending Agenda Matters List**

	A	B	C	D	E
1	Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
2	Performance Reviews of CPRA Director and OPD Chief	Conduct performance reviews of the Agency Director and the Chief	The Commission shall determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation.		Ord. Section 2.45.070(G)
3	Provide Policy Guidelines to CPRA Director re Case Prioritization				Ord. § 2.45.070(J)
4	Advise OIG of Priorities, Functions, & Duties				Ord § 2.45.120
5	Solicit/Consider Public Input re Quality of Interactions with CPRA and Commission				Ord. § 2.45.070(Q)
6	Review and Comment on Proposed Budget for Education and Training re: job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues				Charter § 604(d)(1) and Ord § 2.45.090
7	Propose a Budget for Education and Training re: job-related stress, PTSD Signs and Symptoms, and Other Job-related Mental Health/Emotional Issues				Ord. § 2.45.070(C) & (D) (C) Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of post-traumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter.  (D) 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.
8	Two meetings per year outside City Hall - "Community Roundtables"	Agendized ten days in advance	Commission shall consider inviting to each roundtable individuals and groups familiar with the issues involved in building and maintaining trust between the Department and the community, including but not limited to representatives from the Department, members of faith-based groups, youth groups, advocacy groups, residents of neighborhoods that experience the most frequent contact with the Department and formerly incarcerated members of the community		Charter § 604(d)(1) and Ord. § 2.45.090
9	Establish Rules/Procedures re Mediation/Resolution of Complaints of Misconduct				Ord. § 2.45.070(N)
10	Review And Comment On Department's Practices/Policies Re: Reporting And Publishing Data On Its Activities				Ord. § 2.45.070(P)

**Police Commission Pending Agenda Matters List**

	A	B	C	D	E
1	Agenda Matter	Duties/Deliverables	Additional Information/Details	Timeline for 2022	Measure LL ("Charter") and Enabling Ordinance ("Ord.") Sections
11	Public Hearing on OPD Policies	Commission may shall determine which Department policies are subject of the hearing			Charter Section 604(b)(2)
12	Public Hearing on OPD Budget	Purpose of hearing is to "determine whether budgetary allocations for the Department are aligned with the Department's policies"	Tentative release date of Mayor's proposed budget is May 1st of each year.		Charter Section 604(b)(7)
13	SB 16 & SB 1421 Training		Requested by Chair Milele & Vice Chair Peterson	5.26.2022	
14	Revisit OPD's Grooming & Presentation policy		Requested by Comm. Gage (1.13)		
15	RFP for IAD transition to CPRA		Requested by CPRA		
16	Ad Hoc to review and learn about OPD's Tow policy		Requested by Comm. Harbin-Forte (4.14)		
17	For the Chief: - Report on intentions regarding Militarized Equipment - Report on claims regarding bail and increase in crime		Requested by Comm. Hsieh & Harbin-Forte repsectively (4.14)		
18	Update on OPD's Parole & Probation policy plus impact		Requested by Comm. Jackson (2.10)		
19	Report from Chief Armstrong regarding OPD's homelessness policy		Requested by Comm. Harbin-Forte (2.10)		
20	Presentation from the Department of Violence Prevention		Requested by Comm. Jackson (2.24)		
21	Presentation from OPD's Risk Management team on traffic stops, towing and use of force		Requested by Comm. Hsieh (3.10)		